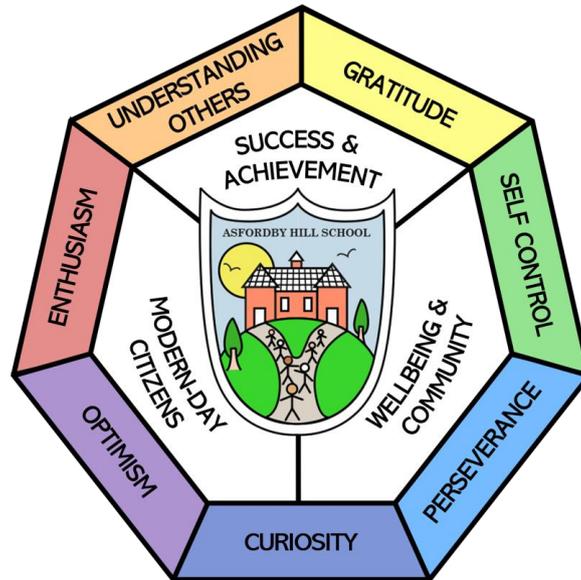


The Asfordby Hill School



Individual Value; Valuing Individuals

Whistle Blowing Policy

This Policy Links With:	
<ul style="list-style-type: none"> • Gifts & Hospitality • Fraud Policy • Risk Register • Dignity at Work 	
Recommended:	
Statutory:	✓
Date Reviewed:	April 2025
Date of Next Review:	April 2026
Committee Responsible for Review:	FSAP
Agreed at the FSAP meeting dated	

This policy applies to all individuals, including Head Teachers, Teachers and all Support Staff regardless of whether they are permanent, fixed term, casual, agency or volunteers, this includes Governors/Trustees, consultants and contractors.

This policy will be implemented in accordance with the Trust's Scheme of Delegation and Articles of Association. The constitution of formal panel will be determined by the Trust's Scheme of Delegation.

This policy does not form part of individuals' terms and conditions of employment and therefore may be subject to change at the discretion of the Trust/Governing Body.

For the purposes of this policy Head Teachers/Principals will be referred to as Head Teacher and School/Academy will be referred to as school.

1. Purpose

1.1 This policy encourages and enables individuals to raise promptly (disclose) any serious concerns ('wrongdoings') they may have about the activities of individuals, Governors/Trustees, or external organisations in relation to their dealings with the school, without worrying about doing so.

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work.

This policy:

- Enables individuals to raise any concerns they may have and to receive feedback about the outcome of any resulting investigation. It is important to note that the individuals will not receive detailed information regarding the investigation or any actions taken,
- Allows individuals to understand how and where to escalate their concerns if, following the completion of any internal processes, their concerns remain,
- Protects individuals from reprisals or victimisation for 'whistleblowing' in good faith.

1.2 This document sets out the procedure for those wishing to raise a whistleblowing concern and :

- Outlines how individuals can raise their concerns in respect of any wrongdoings at work.

- Outlines who an individual can escalate their concerns to, if, following the completion of any internal processes, their concerns remain, and
- Outlines the protection from reprisals or victimisation afforded to individuals who blow the whistle where the matter raised is in the public interest.

1.3 This policy is for disclosing matters other than a breach of an individual's own contract of employment. If an individual is concerned that their own contract has been, or is likely to be, broken, they should use the school's grievance procedure.

To qualify as a protected disclosure, it may be one of the following that is either already happening, has happened, or is likely to happen in the future and that the disclosure being made is in the public interest:

- A criminal offence or is potentially unlawful,
 - A miscarriage of justice,
 - Regarding the application of the school's policies or operating procedures,
 - An act of fraud or corruption,
 - Seems likely to cause damage or harm to a member of the public, the school, individuals or the pupils,
 - an act creating a risk to health and safety,
 - an act causing damage to the environment,
 - Is a breach of any other legal obligation,
- Or**
- Is a deliberate attempt by an individual or group of people to conceal the any of the above.

A full list of disclosures qualifying for protection can be found in the Public Interest Disclosure Act 1998.

Safeguards for staff raising concerns

Harassment or Victimisation

The Governing Body recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible for the malpractice. The school will not tolerate harassment or victimisation and will take all possible measures to protect individuals who raise legitimate concerns.

1.4 An individual who raises a whistleblowing concern has the right not to be subjected to any detrimental treatment (including being unfairly penalised, disciplined or dismissed) as a result of raising the concern.

1.5 Where an individual believes they have been subjected to detrimental treatment as a result of raising a whistleblowing concern, they should report the matter to [name of individual]. Any such behaviour will not be tolerated and may be treated as a disciplinary offence.

1.6 Where an individual has knowingly raised false concerns under this policy, this may also be treated as a disciplinary offence and will be considered under the school's disciplinary procedure.

2. Confidentiality

2.1 The identity of individuals who raise concerns will be protected as far as practicable. However, the investigation may, out of necessity, reveal the source of the information, and statements made by those who raised the issue may comprise part of any formal process, for example if a formal process/hearing is required.

2.2 Individuals are encouraged to put their name to any allegations made. Concerns expressed anonymously will be considered at the discretion of the school, taking into account:

- The seriousness of the issues raised,
- The credibility of the concern,
- The likelihood of the allegation being substantiated, and
- Whether it is considered that the allegations are untrue/false.

2.3 Individuals who raise an issue in good faith under this policy are protected by the Public Interest Disclosure Act 1998 from any repercussions on their present position or future career. The Act does not protect anyone who is acting maliciously, making false allegations or who is seeking personal gain. The school does not tolerate any form of harassment or victimisation against an individual raising a concern.

3. Raising a Concern

3.1 Who can raise a concern?

Any individual who currently works for or who has previously worked for the school who has a genuine concern relating to any wrongdoing (where it is considered to be in the public interest) may raise a complaint. In addition, a complaint may also be raised under the policy by an individual who works for an organisation that provides a service to the school such as agency workers, volunteers and Governors/Trustees.

3.2 How to raise a concern:

Concerns can be raised verbally, in writing or on Cura. It is important that the individuals provides as much detail as possible (including specific names, dates and places where known).

- Details of the suspected wrongdoing, including times, dates and places etc.
- The specific names of individuals involved,
- What actions the individual is seeking by raising the concern.

3.3 Who to raise your complaint with:

Individuals should normally raise concerns with their Line Manager in the first instance. However, this will depend on the nature of the concern, the seriousness and sensitivity of the issue, and who is allegedly involved. Alternatively, individuals may contact:

- the Head Teacher if the concern is regarding their line manager, or where the individual feels unable to approach their immediate line manager.
- a member of the Governing Body/Board of Trustees where the concerns being raised relate to the Head Teacher, or member of the Senior Leadership Team, or
- their Trade Union representative for advice and support on raising an issue.

3.4 Where an individual is concerned that the Governing Body is acting or proposing to act unreasonably or has failed to discharge its duties, this can be raised as a whistleblowing concern. Individuals who do not wish to raise their whistleblowing concern with the school directly can contact the Director of Children and Family Services at Leicestershire County Council. Alternatively, individuals can contact the Secretary of State for Education via the DfE and/or Ofsted (Tel: 0300 123 3155 or via email: whistleblowing@ofsted.gov.uk).

Alternatively where concerns are of a serious nature and criminal activity is suspected, individuals have the right to raise issues directly with the Police or other relevant agency as they see fit.

3.5 Support:

It is acknowledged that raising a concern can be difficult therefore where a worker raises a concern, consideration should be given on how best to support them. Advice on how to support individuals can be sought from the schools HR Adviser.

4. Response

4.1 The action taken will depend on the nature of the concern being raised. For example, the matter may:

- Be investigated internally,
- Be investigated by a third party (such as HR),
- Be referred to the School External Auditor,
- Be referred to the Police, or
- Form the subject of an independent inquiry.

4.2 To protect individuals and the school, initial enquiries will be made to determine whether an investigation is appropriate and what form it should take. Allegations which fall within the scope of specific procedures (e.g. child protection or unlawful discrimination issues) will be dealt with under relevant policies where appropriate.

4.3 Some concerns may be resolved by agreed action without the need for investigation.

4.4 The person with whom the issue was raised will write to the individuals (within 10 working days of receiving the complaint) to:

- Acknowledge that the concern has been raised;
- Indicate how it is proposed to deal with the matter;
- Advise whether further investigations will take place and, if not, why not; and
- Confirm, where possible, an estimate of how long it will take to provide a final response.

4.5 If necessary, further information will be sought from the individuals regarding the concern.

4.6 The purpose of the investigation is to establish the facts and collate appropriate and relevant information in relation to the concern(s) being raised. Further enquiries may also be necessary in order to gather evidence relevant to the situation and to ensure the matter has been thoroughly considered. This may include the collation of documentary evidence and/or witness.

4.7 Some concerns may be resolved by agreed action without the need for investigation.

4.8 The individual will have the right to be accompanied at any meetings by a Trade Union representative or work colleague.

5. Outcome of the Investigation

- 5.1 If an investigation is warranted, the individuals will be informed about the outcome of any investigation but not the detail of the investigation or any action taken against another individuals (e.g. disciplinary action).
- 5.2 The individuals who raised the concern has no right of appeal against the outcome of the investigation, however, if the individuals is not satisfied with the outcome of the investigation and wishes to take the matter outside the school, they may contact:
- For safeguarding issues only, Leicestershire County Council's Allegations Manager (LADO) (Tel: 0116 3054141),
 - Their local Councillor (for individuals who live in the area of the school),
 - Relevant professional bodies or regulatory organisations; (Department for Education, EFA, Ofsted, HM Revenue and Customs),
 - The Police,
 - The whistleblowing charity, Protect (Tel: 020 3117 2520),
 - The National Audit Office (Tel: 020 7798 7999).
- 5.3 When taking the matter outside of the School, the individuals must ensure that they do not disclose any confidential information about the school or its individuals and pupils which is not relevant to the issue.

6. Responsible Officer

- 6.1 The Chair of Governors/Trustees has overall responsibility for the maintenance and operation of this policy. The Chair of Governors/Trustees must maintain a record of concerns raised and their outcomes and will report, as necessary, to the Governing Body.