



# **Whistleblowing Policy**

## **Brompton Hall School**

1	Summary	Whistleblowers Policy		
2	Responsible person	Lynsey Cook – COO		
3	Accountable SLT member	Simon Witham CEO		
4	Applies to	<input checked="" type="checkbox"/> All staff <input type="checkbox"/> Support staff <input type="checkbox"/> Teaching staff		
5	Who has overseen development of this policy	Lynsey Cook - COO		
6	Who has been consulted and recommended policy for approval	SLT		
7	Approved by and date	The Board 23.6.23		
8	Version number	1.2		
9	Available on		Trust website	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
			Academy website	<input type="checkbox"/> Y <input type="checkbox"/> N
			SharePoint	<input type="checkbox"/> Y <input type="checkbox"/> N
10	Related documents (if applicable)	Grievance Policy Complaints Policy		
11	Disseminated to	<input checked="" type="checkbox"/> Trustees/governors <input checked="" type="checkbox"/> All staff <input type="checkbox"/> Support staff <input type="checkbox"/> Teaching staff		
12	Date of implementation (when shared)	Summer 2023		
13	Consulted with recognised trade unions	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		



# V E N N

## Contents

1. Introduction.....	4
2. Legislation .....	4
3. Definition of whistle-blowing.....	4
4. Procedure for staff to raise a whistle-blowing concern .....	5
4.2. When to raise a concern .....	5
4.3. Who to report to.....	5
4.4. How to raise the concern .....	5
5. Trust procedure for responding to a whistle-blowing concern.....	5
5.2. Investigating the concern .....	5
5.3. Outcome of the investigation.....	6
6. Malicious or vexatious allegations .....	6
7. Approval.....	8
8. Links with other policies .....	8

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## 1. Introduction

1.1 This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all staff in the trust know how to raise concerns about potential wrongdoing in or by the trust
- Set clear procedures for how the trust will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

1.2 This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the trust in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

## 2. Legislation

2.1. The requirement to have clear whistle-blowing procedures in place is set out in the [Academy Trust Handbook](#).

2.2. This policy has been written in line with the above document, as well as [government guidance on whistle-blowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

## 3. Definition of whistle-blowing

3.1. Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest". Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

3.2. A whistle-blower is a person who raises a genuine concern relating to the above.

3.3. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance and should be

raised in line with the grievance policy, not this policy. Alternatively there is the complaints procedure if the issue is a complaint.

- 3.4. Protect (formerly Public Concern at Work) has:
- Further guidance on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure
  - A free and confidential advice line

#### **4. Procedure for staff to raise a whistle-blowing concern**

##### **4.1. When to raise a concern**

- 4.1.1. Staff should consider the examples in section 3 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

##### **4.2. Who to report to**

- 4.2.1. Staff should report their concern to the Head of School/ Headteacher/ Executive Head. If the concern is about that person or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to Lynsey Cook, Chief Operating Officer or Simon Witham, Trust Lead and Accounting Officer. If the concern is about them, direct it to the Chair of Trustees.

##### **4.3. How to raise the concern**

- 4.3.1. Concerns should be made in writing wherever possible, on the form at the end of this policy. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

Alternatively, you can report your concern to North Yorkshire Council's Designated Local Authority Designated Officer (LADO) on the duty number 01609 533080.

[NYSCP \(safeguardingchildren.co.uk\)](http://safeguardingchildren.co.uk)

#### **5. Trust procedure for responding to a whistle-blowing concern**

##### **5.1. Investigating the concern**

- 5.1.1. When a concern is received by the trust - referred to from here as the 'recipient' - they will:
- Meet with or speak with the person raising the concern within a reasonable time.

- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure.
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken.
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
  - The recipient should then arrange a further investigation into the matter. In some cases, they may need to bring in an external, independent body to investigate. In other cases, they may need to report the matter to the police
  - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps.
  - In some occasions, the trust may not be able to give the full extent of the outcome due to the sensitive nature of the concern and the investigation but will conclude the outcome in writing never the less.

## 5.2. Outcome of the investigation

- 5.2.1 Once the investigation is complete, the investigating person will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified, and whether or not a referral is required to an external organisation, such as the local authority or police.
- 5.2.2 They will inform the person who raised the concern of the outcome of the investigation in writing, though certain details may need to be restricted due to confidentiality, and the full report may not be given.
- 5.2.3 Beyond the immediate actions, the headteacher, trustees and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.
- 5.2.4 Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.
- 5.2.5 Once the disclosure has been made it may be retracted at any time. The trust reserves the right to proceed with the investigation by any other means at its disposal and to take action in light of its findings, even if the discloser does not wish to proceed further.

## 6. Malicious or vexatious allegations

- 6.1. Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds

no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

- 6.2. If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation.

**7. Approval**

- 7.1. These procedures have been agreed by the board of trustees, who will approve them whenever reviewed.

**8. Links with other policies**

- 8.1. This policy links with our policies on the following which can be found on sharepoint:
- Staff grievance policy
  - Complaints procedure



**CONFIDENTIAL REPORT – Whistleblowers Policy**

Concern reported to:	Date:
Concern reported by: (full name)	Email address for correspondence
Job title of concern reporter:	
Academy name:	

**NOTE:** Please start your report with the background and history of the issue, giving relevant dates and the reason you are concerned about the situation.

In accordance with the Whistleblower’s Policy, which I have read, I wish to make the following disclosure:

**Please use additional pages if you wish and sign at the end of your disclosure.**