

Whistleblowing Policy

Ashmole Trust



Written by:	Mrs McLaren – Deputy Head Teacher
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Approved by:	Mr Sullivan – Executive Head Teacher	Date: September 2023
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Ashmole Trust

Whistleblowing Policy

Policy Summary and Guiding Principles

Ashmole Trust is committed to the highest possible standards of openness, probity and accountability. All employees are encouraged to raise concerns about any aspect of their work and to be able to voice those concerns. It is however recognised that there may be some instances where employees feel they need to express concerns on a confidential basis.

In most circumstances employees should use the existing Complaints Policy and procedure or Safeguarding Policy and procedures.

This policy applies to all employees. Visitors may also use this policy and procedure if they witness wrong doing or malpractice.

Other Complaints Procedures

This procedure is separate from the complaints procedures. Any investigations into allegations will not influence, or be influenced by, any disciplinary or redundancy procedures that already affect an individual.

Aims and Scope of this Policy

This policy aims to:

- Provide staff with a means to report malpractice and wrong doing in circumstances not covered by the Safeguarding or Complaints policies and procedures.
- Provide routes for staff to raise concerns and receive feedback on any action taken.
- Reassure staff that they will be protected from possible reprisals or victimisation if they have acted in good faith.

Employees are required to report malpractice and wrongdoing. All employees should be aware that they may be liable to disciplinary action if they knowingly and deliberately do not disclose information related to malpractice or wrongdoing in any aspect of the Academy/Primary's provision or the conduct of staff or others acting on behalf of the Academy/Primary.

What Is Meant By Malpractice or Wrongdoing

Malpractice and wrongdoing may be about something which:

- Is unlawful or in breach of civil law
- Against school policies
- Is not in accordance with any statutory code of practice or appropriate professional standards
- Amounts to improper conduct by an employee
- Is likely to cause physical danger

- Involves corruption or fraud
- Is likely to give rise to a significant avoidable cost or loss of income to the school or otherwise prejudice the school

The overriding concern should be that it would be in the public interest for the malpractice to be corrected and, if appropriate, sanctions to be applied.

Procedures

Raising a Concern

If wrongdoing in the workplace is suspected and you do not feel the existing Complaints procedure or Safeguarding procedures are the appropriate means to report the concern:

- Do not approach or accuse the individual/s directly.
- Do not try to investigate the matter.
- Do not convey any suspicions to anyone other than those with the proper authority.
- As a first step, raise concerns with your line manager or their line manager if your concerns relate to your immediate line manager.
- The Executive Head Teacher/Head Teacher should always be informed of any concerns raised through this procedure either directly by the complainant or by the line manager.
- If the concern relates to the Executive Head Teacher, the Chair of the Trust should be informed in writing. Your letter should be delivered to the school office in a sealed envelope, marked private and confidential FAO Chair of the Trust.
- If the concern relates to the Head Teacher, the Executive Head Teacher should be informed in writing.
- If the concern relates to a Governor or Trustee, the Chair of the Trust should be informed
- If the concern relates to the Chair of the Trust, the Members are to be informed via the company secretary.

If the concern is a Child Protection or Safeguarding matter this should be reported to the Designated Lead for the Trust or Deputy Designated Teacher at the first opportunity.

- i. Although concerns may initially be raised verbally they are better put in writing. The complainant should set out the background and history of the concern giving relevant names, dates and places where possible and the reason why the situation is of concern and why existing procedures are not appropriate.
- ii. The complainant should express their concern as soon as possible once they have a concern.
- iii. Although complainants are not expected to prove the truth of the allegations made it will be necessary for them to make clear to the person contacted that there are sufficient grounds for concern.
- iv. Advice and guidance on how matters of concern may be pursued can be obtained from Human Resources.
- v. Alternatively, complainants may wish to seek advice from their trade union or professional association
- vi. Allegations can be made anonymously. However, this policy encourages complainants to put their names to allegations as concerns expressed anonymously are often much more difficult to investigate.

- vii. Where allegations are made anonymously the factors to be taken into account when determining whether an investigation in such a case can proceed would include:
- the seriousness of the issues raised
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from other, attributable sources

How the School will Respond

The action taken by the school will depend on the nature of the concern. Where appropriate the matters raised will:

- In most cases be investigated by the Trust's Leadership Team as directed by the Executive Head Teacher, internal audit or through the disciplinary process
- Be referred to the police
- Be referred to the External Auditor

In order to protect individuals and the school, initial enquiries will be made to decide whether a formal investigation is appropriate and, if so, what form it should take. The decision as to who will investigate the complaint will be made by the Executive Head Teacher in the first instance unless the concern is about the Executive Head Teacher.

- Within ten working days of a concern being raised under this procedure the appropriate person, which will normally be the Executive Head Teacher or the Head Teacher, will write to the complainant acknowledging that the concern has been received;
- Indicating how it is proposed to deal with the matter;
- Giving an estimate, so far as is reasonably practicable, of how long it will take to provide a final response;
- Advising whether any initial enquiries have been made;
- Advising whether further investigations will take place and if not why not.

The amount of contact between staff or officers considering the matter and the complainant will depend on the nature of the matters raised, the potential difficulties involved and the clarity of information provided.

Where a meeting is arranged the complainant has the right to be accompanied by a trade union or professional association representative or a colleague who is not involved in the area of work to which the concern relates.

Support for Whistle Blowers

The school and the Trust Board will take appropriate steps to minimise the difficulties the complainant may experience as a result of raising a concern. For example the complainant may be required to give evidence in criminal or disciplinary procedures. The school will advise about these procedures or arrange for the complainant to receive advice.

Ashmole Trust will not tolerate harassment or victimisation and will take action to protect individuals who raise a concern in good faith.

How the Matter can be Taken Further

This policy is intended to provide employees with an avenue to raise concerns within the schools where existing procedures are not appropriate. It is hoped that this will be sufficient. If not and it is felt necessary to take the matter outside Ashmole Trust then depending on the issue involved the following are possible points of contact:

The ESFA
Relevant professional bodies
The Police (if appropriate)

Untrue Allegations

If complainants make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against the complainant. If, however, it is found that the complainant is making malicious or vexatious allegations, appropriate action may be taken against the complainant which may include dismissal.