



# **Whistleblowing Policy & Procedure**

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## **1. Scope and Purpose of the Policy**

- 1.1 Speaking up about any concern you may have at work is critical. We look to everyone to help us to maintain the highest possible standards of service and ethical standards so we can safely continue to deliver exceptional opportunities for learning for children at Reach South schools.
- 1.2 All organisations face the risk of things going wrong from time to time and a culture of openness and honesty is essential to prevent such situations occurring; to address them when they do and to learn from such incidents.
- 1.3 We want to:
  - encourage you to report a concern as soon as possible.
  - provide you with guidance on how to raise a concern.
  - give you assurance that you will be taken seriously.
  - assure you that your confidentiality will be respected.
- 1.4 The Trust Board supports staff raising concerns and wants you to feel free to speak up. Please do not feel worried about raising concern. We would much rather hear from you than not, so we have a chance to do something about it.
- 1.5 This policy applies to all employees, officers, governors, consultants, contractors, volunteers, work placement students, casual workers and agency workers.
- 1.6 This policy does not form part of your employment contract, and the Trust may update it at any time in consultation with Trade Unions.

## **2. Diversity, Inclusion and Belonging Statement**

- 2.1 At Reach South Academy Trust, we are committed to creating a vibrant and inclusive environment that celebrates diversity and fosters a sense of belonging for all. This commitment extends to every aspect of our work; from the education we deliver to the staff we employ. We believe in fairness, equity, and promoting social mobility for all.
- 2.2 We actively promote inclusivity through our People policies and practices. We value and respect every individual, regardless of background, and strive to build a diverse staff and student body that reflects the richness of the communities we serve.
- 2.3 We dismantle barriers to opportunity by ensuring equal access to resources and development opportunities for all staff members. Our People policies are designed to be fair and unbiased, promoting a level playing field for career progression regardless of social or economic background.
- 2.4 Serving our Local Communities: We actively engage with local communities to understand their needs and perspectives. Our recruitment practices prioritise attracting talent from diverse backgrounds within our local area, further strengthening the connection between the Trust and the communities it serves.
- 2.5 Our People policies are developed and implemented in accordance with the Equality Act 2010. We are committed to eliminating all forms of discrimination

on the grounds of age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion or belief, sex, and sexual orientation. This ensures an environment characterised by dignity and respect, free from harassment, bullying, and victimisation.

### **3. The Legal Framework**

- 3.1 There are specific criteria that must be met for an individual to be covered by whistleblowing legislation when they raise a concern. These requirements are identified in the Employment Rights Act 1996 (as amended by the [Public Interest Disclosure Act 1998](#)). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.
- 3.2 This policy reflects the Employment Rights Act 2025, which confirms that disclosures relating to sexual harassment qualify as protected disclosures under whistleblowing legislation.
- 3.3 [The Enterprise and Regulatory Reform Act 2013 \(ERRA\)](#) came into force on 25 June 2013 and introduced a number of changes to Whistleblowing legislation. A worker will be eligible for protection if they honestly think what they are reporting is true, and they think they are telling the right person. From 25 June 2013, the new law says that a whistleblower should also believe that their disclosure is in the public interest.
- 3.4 The Whistleblowing procedure must always be applied fairly and in accordance with employment law and the Reach South Equality, Diversity and Inclusion Policy.
- 3.5 To help you consider whether you might meet these criteria, please seek advice from the Director of People, your Trade Union, a legal representative, Protect, the NSPCC Whistleblowing helpline or the Modern Slavery helpline.

### **4. The Responsible Officer**

- 4.1 The Chief Executive Officer (CEO) and the Director of Operations are responsible for the maintenance and operation of this policy.
- 4.2 In the event that the disclosure concerns the CEO the Chair of Trust Board will become the Responsible Officer.

### **5. What is Whistleblowing?**

- 5.1 Whistleblowing is the term used when an employee makes a disclosure of suspected wrongdoing or dangers at work. The wrongdoing will typically (although not necessarily) be something they have witnessed at work.
- 5.2 Disclosures relating to sexual harassment, including concerns about behaviour that may constitute harassment under the Equality Act 2010, are recognised as protected disclosures under whistleblowing legislation.
- 5.3 To be covered by whistleblowing law, a worker who makes a disclosure must reasonably believe two things:
  - 5.3.1 The first is that they are acting in the public interest. This means that personal grievances and complaints are not covered by this Whistleblowing Policy.

Personal grievances or complaints must be raised through the Trust's Grievance Policy.

- 5.3.2 Where concerns relate to sexual harassment and raise wider public interest or organisational risk issues, staff may raise them under this Whistleblowing Policy in addition to, or instead of, other reporting routes.
- 5.3.3 The second thing that a worker must reasonably believe is that the disclosure tends to show suspected past, present or likely future wrongdoing falling into one or more of the following categories:
- a) criminal activity.
  - b) safeguarding concerns (see paragraph 6 below).
  - c) failure to comply with any legal or professional obligation or regulatory requirements.
  - d) miscarriages of justice.
  - e) danger to health and safety.
  - f) damage to the environment.
  - g) bribery.
  - h) financial fraud or mismanagement.
  - i) other unlawful or unethical conduct in the workplace.
  - j) the deliberate concealment of any of the above matters.

## **6. The Trust's commitments to staff who raise a concern**

- 6.1 Reach South Academy Trust considers it a professional duty for staff to make a disclosure where they are aware of or strongly suspect wrongdoing.
- 6.2 Staff who make a disclosure ('blow the whistle') will be fully supported and protected by the Trust.
- 6.3 The Trust will treat all disclosures in a consistent and fair way.
- 6.4 Victimisation or intimidation of a whistleblower will not be tolerated in the Trust and would be considered an act of gross misconduct. Any perceived victimisation or intimidation of an employee making a disclosure will be formally investigated in line with the Trusts Disciplinary Policy.
- 6.5 Staff making a disclosure are entitled to seek the advice and support of their Trade Union, professional association, or a legal representative if they wish.
- 6.6 Subject to the Trust's Data Protection Policy, staff making a disclosure will receive feedback about the outcome of their disclosure.
- 6.7 All cases of whistleblowing will be brought to the attention of the Trust's Head of Internal Audit and the Trustees who sit on the Trust's Audit and Risk Committee.

## **7. Safeguarding**

- 7.1 **Safeguarding:** Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with *Keeping Children Safe in Education*. In particular:
- **Safeguarding / child protection policy:** If you have any concerns about a pupil's welfare, action should be taken immediately (even if they are low level concerns). You should report the concern to the Designated Safeguarding Lead or the Deputy Designated Safeguarding Lead. See the

Trust's Child Protection and Safeguarding Policy and procedures for full information about what to do if you have a concern about a pupil, including what to do if the Designated Safeguarding Lead is not available.

- **Safeguarding - member of staff:** You should raise any concerns about another staff member (even if they are low level concerns) with the Headteacher, or if the concern is about the Headteacher, with the Chair of Governors (without first notifying the Headteacher) in accordance with the procedures in Trust's Allegations Against Staff Policy and the Low Level Concerns Policy.
- **Whistleblowing policy:** You should follow this procedure to raise concerns about poor or unsafe practices at the Trust or potential failures by the Trust or staff to properly fulfil its safeguarding responsibilities.

7.2 **The Modern Slavery helpline:** The Trust is committed to the prevention of modern slavery. If you have any queries relating to modern slavery, please contact the Headteacher and / or refer to the Trust's anti-slavery and human trafficking policy. Identified instances of modern slavery should be immediately reported to the police. If you think you have identified an instance of modern slavery, or if you consider that you may be a victim of modern slavery, you can contact the Modern Slavery helpline on 0800 0121 700.

## 8. Confidentiality

- 8.1 We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.
- 8.2 Disclosures can be made anonymously. However, it is much more difficult to investigate anonymous disclosures and of course it will not be possible to provide feedback to an anonymous whistleblower.

## 9. Whistleblowing Procedures

### 9.1 Making the disclosure

- All disclosures should be made to the Responsible Officer. If the whistleblower is making a disclosure about the Responsible Officer, this should be made to the CEO in the case of the Director of Operations or the Chair of Trustees in the case of the CEO.
- If the whistleblower has concerns about making a disclosure to the Responsible Officer, they may refer it to their union representative, who will bring the disclosure to the Responsible Officer's attention on their behalf.
- An employee will be encouraged to take advice from their Trade Union or professional association before deciding who to make the disclose but there is no requirement to do so.
- An individual may make a disclosure to an appropriate external body, or trade union representative, if they feel there is no one in the Trust they can trust with the information.

9.1.1 Even where extreme circumstances are thought to exist, individuals should not approach the media with details of the suspected wrongdoing. This may prevent an independent and objective investigation from taking place. If you approach any such body and / or where your concern is disclosed in a malicious manner or for personal gain, the protection given to you by this procedure may be lost. Additionally, the Trust may consider this to be gross misconduct, and disciplinary action may be taken against you.

## **9.2 What information should be provided with the disclosure?**

- A disclosure should be specific providing as much detail as possible to enable the disclosure to be fully investigated.
- In making a disclosure an individual should make clear why they think a wrongdoing has occurred or is occurring.
- If there is evidence to support the disclosure it should be made available.
- If there is no evidence to support the disclosure but the individual still suspects that there may have been wrongdoing that is fine. They must be clear about why they suspect that wrongdoing has occurred or is occurring.

## **9.3 Receiving a disclosure**

- If a disclosure is made which may constitute whistleblowing, then the issue must be dealt with seriously and sensitively.
- The Responsible Officer will provide a copy of this policy to the whistleblower. It is also available on the Reach South website.
- The Responsible Officer will reassure the whistleblower that their disclosure will not affect their position at work.
- This may be a difficult or anxious time for the whistleblower, they will be reassured that they will be protected and supported by the Trust. If they are a member of a Trade Union or professional association, they may wish to take advice before proceeding but they do not have to.
- The whistleblower will be asked for an outline of their concerns.
- A meeting, or telephone call, with the whistleblower, will be arranged as soon as reasonably possible and within five working days at most to gather all of the information.
- The Responsible Officer will make every effort to maintain confidentiality about the identity of the whistleblower.

## **9.4 Disclosure Meeting**

- The whistleblower may have a Trade Union; professional association representative or work colleague accompany them at the meeting / telephone conversation.
- The priority at this stage is to listen to the whistleblower and to gather all of the information available to fully understand the nature of the concern and

who may be involved.

- The Responsible Officer will provide a summary of the meeting to the whistleblower.
- To be provided with evidence is very helpful. However, it is legitimate for a whistleblower to share a concern or suspicion for which they do not have evidence. In this case, the Responsible Officer will try to ascertain the basis for the suspicion.
- The whistleblower should be reassured that to disclose a genuinely held suspicion that later proves to be wrong is fine. There are no negative consequences for someone who discloses a genuinely held suspicion whether right or wrong.
- Once all the information is collated, the Responsible Officer will determine the next steps.
- If the appropriate action involves other people, then the Trust also has a duty of care and confidentiality towards them. It will not be possible therefore to give feedback to the whistleblower about specific processes or actions applied to other individuals. It is possible under some circumstances that the whistleblower may be asked to be a witness if formal procedures are initiated.
- The whistleblower will be given clear timescales on when they can expect feedback on the outcome of their disclosure.

## **9.5 Assessment of the disclosure / Role of the Responsible Officer**

9.5.1 The Responsible Officer will consider the information provided and determine the next steps depending on the circumstances, the evidence available and the context of the disclosure. An example of the next steps is provided as follows but this is not an exhaustive list:

- The Responsible Officer may determine that the disclosure meets the whistleblowing criteria and that a further fact-finding exercise, an investigation or a formal disciplinary investigation is required, in which case:
  - The Responsible Officer will initiate the appropriate internal investigation processes.
  - The Responsible Officer will inform the whistleblower that a formal investigation into their concern has been initiated.
- The Responsible Officer may determine that there has been a breach of criminal law, in which case the police will be informed immediately. No further attempt to collect evidence or take witness statements will be taken as such actions may undermine a police criminal investigation by tainting evidence. The Responsible Officer will contact the Police as soon as the disclosure is made and will inform the Chief Executive Officer (CEO), or the Chair of the Trust Board if the CEO is implicated.
- The Responsible Officer may determine that the disclosure was a misunderstanding of the legitimate actions of other staff, in which case the

Responsible Officer will provide feedback to the whistleblower and provide the necessary information, evidence and support to satisfy them that the behaviors that they were concerned about were legitimate and appropriate.

- The Responsible Officer may determine that the disclosure constituted a personal grievance rather than whistleblowing, in which case the Responsible Officer will inform the Director of People to take the necessary steps to provide the whistleblower with the appropriate support and guidance to pursuing a grievance and to understand the difference between grievance and whistleblowing.
- The Responsible Officer may determine that the disclosure was potentially malicious. A determination of a disclosure being potentially malicious requires a high standard of evidence to justify the determination. The Trust seeks to encourage whistleblowing in good faith and to that end whistleblowers must be reassured that a disclosure made in good faith will never lead to a detrimental position for their employment. A knowingly false disclosure, however, would constitute a misconduct in itself. In this case, the Responsible Officer will ask the Director of People to make the necessary arrangements for a disciplinary investigation to be initiated.

9.5.2 The Responsible Officer will maintain a central record of all disclosures and the actions and outcomes that were taken and provide a summary report to the Trust's Risk and Audit Committee.

## **9.6 Feedback to staff who are whistleblowing**

9.6.1 Wherever possible, feedback will be provided to the employee who raised the disclosure within the limits of the law and the duty of confidentiality to other members of staff.

9.6.2 The Responsible Officer should provide the employee that raised the concern with an estimate of the timings for next steps and actions.

9.6.3 The whistleblowing procedures provide examples of the nature of specific types of feedback under certain circumstances. The limits of information that can be fed back must be made clear at the outset.

9.6.4 The employee who raised the concern should be told when the process has been concluded and what the conclusion was but again within the limits of law and duty of confidentiality to other staff.

## **10. Trustee Risk and Audit Committee**

10.1 The Responsible Officer will provide the agreed confidential report to the Trust's Risk and Audit Committee setting out the circumstances and actions taken for all whistleblowing disclosures. The identity and confidentiality of the whistleblower will be protected in these reports and not disclosed.

10.2 The Risk and Audit Committee will consider the wider implications and lessons learnt for the Trust. These considerations will include whether policy and procedures could be improved to better protect the interests of the Trust in the future.

10.3 The Risk and Audit Committee has the authority to initiate further investigations if they consider it necessary.

## 11. Relevant external reporting

**11.1 Outside body:** The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. The law recognises that in some circumstances it may be appropriate for you to report your concerns to a relevant outside body including:

- the local authority's Designated Officer (LADO, also known as DOFA – Designated Officer for Allegations).
- Children's Social Care.
- Children's Social Care.
- the NSPCC.
- the Health and Safety Executive.
- the Environment Agency.
- the Information Commissioner's Office (ICO).
- the Department for Education, where referrals can be made at Contact the Department for Education (DfE) - GOV.UK ([www.gov.uk](http://www.gov.uk)).
- the Department of Business, Energy and Industrial Strategy.
- the police.
- the Charity Commission.
- The Office for Standards in Education, Children's Services and Skills (**Ofsted**); or
- the Channel Police Practitioner (part of Prevent).

**11.2 Advice:** Staff are strongly encouraged to seek advice before reporting a concern to anyone external. In most cases you should not find it necessary to alert anyone external but before you do, as well as considering the internal help and support available which is identified above, please seek external advice from:

- **Protect:** If you have any concerns about disclosing a suspected wrongdoing, the independent whistleblowing charity, Protect, operates a confidential helpline. Staff can call 020 7404 6609 for advice.
- **NSPCC:** The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 (8.00 am to 8.00 pm Monday to Friday) or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk).
- **The Modern Slavery helpline:** The Modern Slavery helpline is available for staff who do not feel able to raise concerns about modern slavery internally. Staff can call on 0800 0121 700.
- **WhistleblowersUK** is a not-for-profit organisation, flexible, agile, and responsive to change. They are the leading voice promoting transformation in the way in which speaking out is incorporated into, and recognised as, the cornerstone of a fair and transparent society. They provide practical, accessible, and affordable help, Information and support to Whistleblowers and organisations. [WhistleblowersUK \(wbuk.org\)](http://WhistleblowersUK(wbuk.org)) for more information.

## **12. Independent information and advice for staff concerned about blowing the whistle**

- 12.1 Independent information and advice for individuals concerned about whistle blowing can be obtained from their trade union or professional association, also from the 'Public Concern at Work' website [Protect - Speak up stop harm \(protect-advice.org.uk\)](https://www.protect-advice.org.uk)

## **13. Supporting colleagues who have 'blown the whistle'**

- 13.1 Making a disclosure where one suspect that wrongdoing has, is or is about to happen, is a professional duty. However, it may still be a difficult, stressful and anxious situation for many people. Whistleblowing is about doing the right thing with integrity. Those who step forward to do the right thing must be fully supported throughout the process and afterwards. They must be provided with clear lines of communication where they can get support from within the organisation. Whistleblowers will be provided with direct contact information for the People Team who can provide advice, support and interventions if required.

## **14. Training and Development**

- 14.1 Training opportunities for staff in the process of making a disclosure will be available, at least, annually. This Whistleblowing Policy will form part of all staff inductions.
- 14.2 All Trust and School Leaders will have access to training on this policy and what to do should a disclosure be made to them, so they are familiar with the process.

## **15. Monitoring of the policy**

- 15.1 The Trust will continue to conduct an annual review of the effectiveness of this policy to ensure it is achieving its objectives.

## **16. Review of the policy**

- 16.1 This policy will be reviewed every three years, earlier review may be required in response to exceptional circumstances, organisational change or relevant changes in legislation or guidance.

## POLICY HISTORY

Policy Date	Summary of change	Contact	Implementation Date	Review Date
July 2022	Review of policy in line with updated legal framework and best practice	HR	N/A	N/A
September 2022	Implementation of new Policy	HR	September 2022	June 2025
June 2025	Addition of DIB Statement. References to HR amended to People.	People Team	September 2025	March 2026
January 2026	Reviewed – no changes	People Team	January 2026	March 2027
January 2026	Updated to reflect changes in legislation outlined in the Employment Rights Act 2025	People Team	April 2026	April 2027