



# Whistleblowing Policy



# Ownership and Control

## History

Version	Author	Dated	Status	Details
1	BMa	October 2019	Approved	SchoolBus model policy
2	BMa	March 2023	Approved	Schoolbus update changes to section names and clarification on external reporting bodies





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## Statement of intent

The Sigma Trust is committed to open and honest communication and ensuring the highest possible standards in integrity – we will always treat whistleblowing as a serious matter.

Staff are encouraged to report concerns. This policy will work to ensure that, if an employee sees or suspects that something is wrong, they will raise this with the Trust. This is known as 'speaking up' – a phrase that is used throughout this policy and should be viewed as a positive action of speaking up.

This policy seeks to ensure that any person suspecting malpractice knows how to raise concerns and what procedures are in place to deal with the concern.

Where this policy necessitates personal or special category data to be processed, it will be done so in accordance with the Trust's Data Protection Policy. This policy will not be confused with the procedure on dealing with harassment at work or the school's Grievance Policy and Disciplinary Policy and Procedure.

This policy will:

- Give confidence to members of staff when raising concerns about conduct or practice that is potentially illegal, corrupt, improper, unsafe or unethical, or which amounts to malpractice or is inconsistent with Trust standards and policies.
- Provide members of school staff with avenues to raise concerns.
- Ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken.
- Offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith and within the meaning of the PIDA.

Under this policy, any of the following can raise a concern:

- Employees of the school
- Voluntary workers working with the school
- Trainees, such as student teachers



## 1. Legal framework

1.1. This policy has due regard to all relevant legislation including, but not limited to, the following:

- Public Interest Disclosure Act 1998
- Employment Rights Act 1996
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- G]f`F cVYfh: fUbW]g f&\$%) £': fYYXca `hc`gdYU\_`i d`fYdcfh`

This policy operates in conjunction with the following Trust policies:

- Disciplinary & Dismissal Policy and Procedure
- Records Management Policy
- Complaints Procedures Policy
- Data Protection Policy

## 2. The Public Interest Disclosure Act

2.1. The Public Interest Disclosure Act 1998 fD-85£dfchYVg`Ya d`cmYYg`k \c` V`ck` h\Y`k \]ghY `k \YfY`h\Y`Ya d`cmYY`fYUgcbUV`mVY`]Yj Yg`h`Uh`h\Y`X]gWcgi fY`ZU`g` within the remit of the prescribed person or body and that the information and any allegations are substantially true.

2.2. Disclosures made under this procedure will be monitored for statistical purposes as required under the PIDA. The details of any disclosure will remain



### 3. Definitions

3.1. **Whistleblowing:** Whistleblowing is when an employee reports suspected

3.2. **Qualifying disclosures:** As outlined by the PIDA, qualifying disclosures pertain to when any of the following takes place:

- A criminal offence has been committed, is likely to be committed or is being committed
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject
- A miscarriage of justice has occurred, is occurring or is likely to occur
- The health or safety of any individual has been, is being or is likely to be endangered
- The environment has been, is being or is likely to be damaged
- Information tending to show any matter falling within any of the preceding points has been, is being or is likely to be deliberately concealed

3.3. **In the public interests** means that an individual acted outside of their own personal interest they acted for more than personal gain. It is not necessary for the disclosure to be of interest to the entire public. The following considerations are often used as a test to establish whether something is within the scope of public interest:

- The number of people in the group whose interests the disclosure served
- The nature of the interests and the extent by which individuals are affected by the wrongdoing disclosed
- The nature of the wrongdoing disclosed
- The identity of the alleged wrongdoer

3.4. **Blacklisting** refers to an individual who is being refused work because they are viewed as a whistleblower.

3.5. **Grievances** involve someone filing a complaint because they personally have been mistreated in some way the person making the complaint will have a direct interest in the outcome. It is important to understand the difference between raising a grievance and blowing the whistle.

### 4. Roles and responsibilities:

4.1. The Board of Trustees will be responsible for:

- Establishing and agreeing the whistleblowing procedure.





## 5. Harassment and victimisation of staff

- 5.1. The Trust recognises that the decision to report a concern can be a difficult one to take, not least because of the fear of reprisal from those responsible.





- Of valuing staff.
- Of reflective practice.

7.3. By providing a clear procedure for mediating and resolving cases, as outlined in the [Procedure section of this policy](#), the Trust will ensure that all cases are efficiently handled. This procedure includes:

- How to raise and report concerns.
- How investigations will be conducted.
- How the Trust will mediate and resolve disputes.

7.4. The Trust will implement **measures to support good practice** by ensuring adherence to the following principles:

- Offering relevant training to staff
- Providing the necessary support to staff
- Providing support to staff who are seeking alternative employment
- Being transparent
- Being accountable
- Conducting an external review of any concerns raised, where necessary
- Undertaking regulatory action as required

7.5. We will ensure there are **particular support measures in place for vulnerable groups** by adhering to the following principles:

- Ensuring non-permanent staff are taught, and receive training on, the same principles as permanent staff
- Ensuring students and trainees are subject to all the safeguarding and whistleblowing principles
- Ensuring staff from ethnic minorities are supported, as they may feel particularly vulnerable when raising concerns
- Ensuring staff are empowered and protected, enabling them to raise concerns freely

## 8. Procedure

8.1. When raising concerns, individuals will express them in writing to the headteacher or Chief Executive Officer.

8.2. If an individual is raising a concern about the headteacher or CEO, they should express their concerns in writing to the CEO or Chair of the Board of Trustees respectively. Where this is the case, the Chair of Trustees will take on the CEO's duties outlined in [Interview and Investigation section of this policy](#).



8.3.



9.

- 9.7.** It may be possible for the concern to be resolved by simply agreeing the necessary action or explaining procedures to the alleged wrongdoer; however, depending on the severity and nature of the concern, it may:
- Be investigated by management, an internal audit or through the disciplinary process.
  - Be referred to the police or an external auditor.
  - Form the subject of an independent inquiry.
- 9.8.** If the investigating officer needs to talk to the whistleblower, they are permitted to be accompanied by a trade union representative, a professional association representative, a friend or a fellow member of staff not involved in the area of work that the concern relates to. This person will provide support only and will not be allowed to become involved in the proceedings.
- 9.9.** A record will be made of the nature and outcome of the concern. The purpose of this is to ensure that a central record is kept which can be cross-referenced with other complaints to monitor any patterns of concern across the Trust and to assist in monitoring the procedure.
- 9.10.** The whistleblower will be informed of the results of the investigation, and any



## 12. Unfair treatment

12.1. An individual can take a case to an employment tribunal if they feel that they have been treated unfairly as a result of whistleblowing.

12.2. Further information can be sought from the