

Whistleblowing Policy

We Care • We Challenge • We Commit

Document Control Table			
Document Title:	Whistleblowing Policy		
Owner:	Dunstone Education Trust		
Approved on:	September 2022		
Author Name:	David Brookes		
Version	V2		
Approved by:	Dunstone Trust Board		
Review date:	September 2026		
Document History:			
Version	Date	Author	Note of revisions
V1	Sept 2022		Adoption of Policy
V2	Sept 2025		Updates to reflect 2025 legislation on sexual harassment
V3	Sept 2026		Updated for Employment Rights Act 2025 whistleblowing provisions effective April 2026; KCSIE 2026; Academy Trust Handbook 2026; DfE whistleblowing guidance; prescribed-person arrangements; scope and external reporting routes; correction of NDA provisions.”

Mission

To promote a culture of educational excellence, kindness and respect within our school and wider community. Where pupils and staff care about learning and each other, are committed to being their best and together confidently challenge barriers to learning. This is underpinned by our values; We Care, We Challenge, We Commit.

We Care – Being a responsible citizen in Fulwood and our wider community

- We are approachable, caring and inclusive
- We make the right choices even in difficult circumstances
- We speak politely and use our manners
- We are responsible for our own physical and mental well-being and support others
- We help other pupils, teachers and other adults where we can
- We speak up for causes (anti-bullying, equality, the environment)
- We take part in charity events and volunteering in our community

We Challenge – Working together for excellence

- We challenge ourselves to be the best we can be
- We take opportunities to help each other in our studies
- We take part in school campaigns and events
- We take time to find out about each other and our interests
- We own up to our mistakes and accept any consequences
- We show resilience when we find tasks hard
- We recognise that the actions of individuals and small groups can create great change
- We rise to a challenge

We Commit - Aspiring to be our best

- We are organised, efficient and set high expectations for ourselves and others
- We work hard and take pride in our work
- We have excellent attendance and punctuality
- We have the highest standards and always wear the right uniform
- We work hard in lessons and complete homework
- We participate in extra-curricular activities
- We read every day
- We follow all school rules

Whistleblowing Policy

1. Introduction

The Dunstone Education Trust takes seriously its responsibilities for good governance, the delivery of effective public services and the appropriate and efficient use of public money and resources. Where any member of staff has a concern that might fall within the scope of this document they are encouraged to report the matter to the management of the Academy Trust, as appropriate.

The Academy Trust is committed to the highest possible standards of transparency and accountability. The Academy Trust is also committed to improving the performance of all its functions.

This Code is intended to encourage and enable workers to raise serious concerns within the Academy Trust by setting out the process to make a disclosure under the Public Interest Disclosure Act 1998.

The Academy Trust accepts that some staff may prefer to do this in a confidential way to avoid any public disclosure of their identity. This Code makes it clear that workers can raise concerns of illegal or improper conduct without fear of victimisation, subsequent discrimination or disadvantage.

The Code applies to all **workers** of the Dunstone Education Trust. To be a '**worker**' an individual must:

1. Work for the Academy Trust under a contract of employment
2. Be contractually required to perform personal work or services for the Academy Trust is not either a client or customer of a profession or business undertaking work carried out by that individual
3. Be on a work experience placement provided pursuant to a training course or programme or training for employment (or both)

Please note: applicants for employment (i.e. candidates) are not considered 'workers' and are not protected under whistleblowing legislation.

2. Aims and Scope

As a worker at this Academy Trust this Code aims to:

- Encourage you to feel confident in raising serious concerns of illegal or improper conduct, and to question and act upon concerns about practice.

- Provide a way for you to raise those concerns and to be told of any action taken to address concerns.
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if internal processes is not successful.
- Reassure you that you will be protected from possible reprisal or victimisation if you have a reasonable belief that you have made any disclosure in the public interest.

3. Qualifying Disclosures

The law provides protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". This code is not designed to replace or be used as an alternative to the grievance procedure.

A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that one of the following is being, has been or is likely to be committed:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- unauthorised use of public funds
- an act of fraud or corruption
- Sexual or physical abuse of pupils
- a breach of any other legal obligation; or
- concealment of any of the above;

4. Protected Disclosures

The Academy Trust is committed to good practice and high standards and wants to be supportive of workers. Any disclosure of information as detailed above will only be a protected disclosure if it is made in the reasonable belief of the worker that the disclosure is **in the public interest**.

No worker who uses this procedure in the reasonable belief that the disclosure is in the public interest will be penalised for doing so. A worker has the right not to be subjected to a detriment by any act or deliberate omission by another worker employed by the Academy Trust on the ground that he or she has made a protected disclosure

The Academy Trust will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect workers when they raise a concern that they believe is in the public interest to disclose.

Any worker that is found to have made an allegation frivolously, maliciously or for personal gain may be subject to disciplinary procedures.

5. Distinction with Individual Grievances

An employee disclosure about breach of their employment contract or an individual work concern will generally not be protected; these concerns should be raised using the Academy Trust complaints and grievance procedure.

NB. Any general concerns about a colleague's professional capability should not be dealt with using this procedure

6. Confidentiality and Anonymous allegations

A concern reported under this Code will be treated confidentially. Unless the worker agrees, their identity will not be disclosed by the Academy Trust in dealing with their concern within this Code.

However, this Code encourages workers to put their name to allegations whenever possible. Concerns expressed anonymously will be considered at the discretion of the Academy Trust.

In exercising this discretion, the factors to be taken into account include:

- The seriousness of the issues raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from attributable sources.

In the event of a concern disclosing alleged criminal activity, the worker may be asked to help the police or other appropriate enforcement agency. In the event of disciplinary action taken by the Academy Trust the worker may be asked to give evidence under the disciplinary procedure.

If a worker believes that the claim was made in the public interest, but the claim is not confirmed following investigation, no action will be taken against the worker. However, maliciously making a false allegation is a disciplinary offence. If a claim is made frivolously, maliciously or for personal gain, then disciplinary action may be taken against the worker.

Nothing in a confidentiality clause, non-disclosure agreement (NDA), settlement agreement or other contractual agreement prevents a worker from making a protected disclosure (whistleblowing) in accordance with the Employment Rights Act 1996. Any contractual term which seeks to prevent a worker from making a protected disclosure is unenforceable.

Workers may therefore raise a protected disclosure under this policy, or make a protected disclosure to an appropriate prescribed person or body, notwithstanding any confidentiality or non-disclosure agreement they may have signed.

The Employment Rights Act 2025 also introduces wider restrictions on the use of confidentiality clauses and non-disclosure agreements in relation to harassment and discrimination. These wider provisions are not yet fully in force and are expected to take effect in 2027 following further regulations. The Trust will review this policy when the relevant provisions are brought into force.

These protections do not provide a general right to disclose confidential information which is unrelated to a protected disclosure

7. How to Raise a Concern

As a first step, workers should raise concerns with their immediate manager or the Principal. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the worker believes that Senior Management or the Principal are involved, they should approach the Chair of Trustees through the Clerk to the Trust board.

The earlier a concern is expressed, the easier it is to take action.

Depending on the nature of the concern, the complainant will need to demonstrate to the person contacted that there are reasonable grounds for their concern. Concerns may be raised verbally or, preferably, in writing. Staff who wish to make a written report are invited to use the following format:

1. The background and history of the concern (giving relevant dates).
2. The reason why you are particularly concerned about the situation.
3. Why you think this concern is in the public interest to disclose

Advice/guidance on how to pursue matters of concern may be obtained from any of the names listed at the back of this policy.

Workers may invite a trade union representative, or a work colleague, to be present during any meetings or interviews in connection with the concerns that they have raised.

8. How the Academy Trust will respond

Initially all concerns raised under this Code will be referred to the Principal / Chair of Trustees who may take legal and professional advice as required. The reported matter may:

- be investigated by management, Internal Audit, or through the disciplinary process.
- be referred to the police.
- be referred to the external auditor
- form the subject of an independent inquiry.

In order to protect individuals and those accused of illegal or improper conduct, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Concerns or allegations, which fall within the scope of specific procedures (for example, child protection or discrimination issues), will normally be referred for consideration under those procedures.

Some concerns may be resolved by the Trustee board without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within a reasonable period (usually within 5 working days - excluding periods of academy closure) of a concern being referred to the Chair of Trustees s/he will write to the complainant:

- Acknowledging that the concern has been received.
- Indicating how the matter is to be dealt with.
- Giving an estimate of how long it will take to provide a final response, telling you whether any initial enquiries have been made.
- Telling you whether further investigations will take place and if not, why not.

The amount of contact between the persons considering the issues and the complainant will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Academy Trust may seek further information from the complainant.

The Academy Trust will take steps to minimise any difficulties that complainants may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings the Academy Trust will arrange for advice on the process to be given.

The Academy Trust accepts that the complainant expects to be assured that the matter has been properly addressed. The Chair of Trustees, subject to any legal constraints and Data protection, will inform you of the outcome of any investigation that may take place.

The Trust will also provide feedback to the whistleblower on the outcome of the investigation, subject to legal constraints and confidentiality. An anonymised summary of outcomes will be reviewed by the Chair of Trustees to ensure fair practice.

Please note, complainants will not be given any information regarding possible sanctions against the employee that the concerns were raised about.

9. The Responsible Officer

The Chair of Trustees has overall responsibility for the implementation of this code.

The Chair will also monitor trends in whistleblowing cases annually and report oversight themes to the Trust Board.

10. How the matter can be taken further

The Trust encourages workers to raise concerns internally wherever appropriate, but recognises that there may be circumstances in which a worker considers it necessary to make a disclosure externally.

A worker may make a protected disclosure to an appropriate “prescribed person” where the statutory conditions are met. The worker should ensure that the prescribed person or body has responsibility for the particular matter being disclosed.

For concerns relating to an academy in England, the **Secretary of State for Education** is a prescribed person for specified education matters. Disclosures may be made to the Department for Education in accordance with the current GOV.UK guidance *Blowing the whistle to the Department for Education*.

Depending upon the subject matter, other prescribed persons may include the **Health and Safety Executive** for relevant health and safety concerns, the **Information Commissioner** for data protection or freedom of information concerns, and other regulators identified in the Government's current list of prescribed persons.

For concerns about child welfare or protection, staff may contact the **NSPCC Whistleblowing Advice Line on 0800 028 0285**.

Workers may also seek confidential independent advice from their trade union, Citizens Advice, a legal adviser or the independent whistleblowing charity **Protect**.

Different and more demanding legal conditions may apply to disclosures made more widely, for example to the media or through social media. Workers considering such a disclosure are strongly encouraged to obtain independent advice beforehand.

This policy will supersede any previous policy in place at The Dunstone Education Trust