Castle Bromwich Junior School

Where together we can learn, work and succeed.

WHISTLEBLOWER POLICY

Approved by trustees – Full Trust Board 09/2025

Date – September 2025

Reviewed by – S Timmins

Review date – September 2028

1 Purpose

1.1 To set out the Prosper Together Multi Academy Trust (the Trust) policy and procedures for dealing with concerns raised by employees that relate to suspected wrongdoing or dangers at work.

1.2 Allegations of child abuse against staff and volunteers is dealt with in accordance with Keeping Children Safe in Education, statutory guidance for schools and colleges.

1.3 This policy does not form part of any employee's contract of employment, and it may be amended at any time.

2 Background

2.1 As employees are often the first to realise that there may be something wrong within the school, it is important that they feel able to express their concerns without fear of harassment or victimisation. Otherwise, they may find it easier to ignore the concern rather than report it. The Public Interest Disclosure Act 1998 (as amended) recognises this fact and is designed to protect employees who make certain disclosures of information in 'the public interest' from detriment and/or dismissal. This Policy builds on the provisions of the Act.

2.2 The Trust is committed to the highest possible standard of operation, probity and accountability. In line with that commitment, employees, officers, governors, consultants, contractors, volunteers, casual workers and agency workers with serious concerns are encouraged to come forward and voice those concerns.

2.3 This Policy makes it clear that employees can do so without fear of reprisals. It is intended to encourage and enable employees to raise serious concerns within the school rather than overlooking a problem or alerting anyone external to the school.

2.4 The Trust seeks to establish a 'Speak Up' culture where employees feel comfortable speaking their minds, sharing their ideas, and raising concerns without fear of negative consequences, which will be for the benefit of all the Trust's staff and pupils. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

2.5 We are committed to ensuring no one suffers any detrimental treatment as a result of reporting in good faith any concerns, this policy includes suspicion that modern slavery of whatever form is or may be taking place in any part of our own business or in any of our supply chains.

2.6 Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should escalate this matter within your school, to the Head Teacher or Local Governing Board or, if this is not possible, to the Chief Executive Officer.

3 Aims of the Policy

3.1 This Policy aims to:

- Provide routes for employees to raise concerns internally as a matter of course and receive feedback on any action taken.
- Provide for matters to be dealt with quickly and appropriately.
- To ensure that concerns are taken seriously and treated consistently and fairly.
- Reassure employees that they will be protected from reprisals or victimisation for whistleblowing where they have a genuine concern.
- allow employees to take the matter further if they are dissatisfied with the Local Governing Body's (LGB) response.

3.2 A 'whistleblower' is a person who raises a genuine concern relating to the matters in 3.3 below. If employees have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) they should report it under this Policy.

3.3 Whistleblowing is the disclosure of information that relates to suspected wrongdoing or dangers at work. This may include:

- Criminal activity.
- Miscarriages of justice.
- Danger to health and safety.
- Damage to the environment.
- Failure to comply with any legal or professional obligation or regulatory requirements.
- Bribery.
- Financial fraud or mismanagement.
- Negligence.
- Breach of School/Trust internal policies and procedures.
- Conduct likely to damage the School/Trust's reputation.
- Unauthorised disclosure of confidential information.
- Public examination fraud.
- Human trafficking and modern slavery.
- Sexual harassment or sexual violence, where appropriate safeguarding measures have not been followed (as outlined in the safeguarding policy).
- Any form of abuse, including but not limited to: physical abuse, emotional abuse, sexual abuse, racist abuse or homophobic abuse, or neglect in instances where appropriate safeguarding measures have not been followed (as outlined in the Safeguarding Policy).
- The deliberate concealment of any of the above matters.

3.4 Before initiating the procedure, employees should consider the following:

- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all employees.
- Employees should use line manager or team meetings and other opportunities to raise questions and seek clarification on issues that are of day-to-day concern.

- Whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, employees must act to prevent an escalation of the problem and to prevent themselves potentially being implicated.

3.5 This Policy should not be used for complaints about an employee's personal circumstances, such as the way they have been treated at work. In these cases, an employee should use the Trust's Grievance Procedure. If the matter relates to salary, then the salary review procedures documented in the Trust's Pay Policy should be used.

4 Whistleblowing Safeguards

4.1 Harassment or Victimisation

4.1.1 The Trust recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Trust will not tolerate harassment or victimisation and will take action to protect employees when they have a genuine concern.

4.1.2 This does not mean that if an employee is already the subject of internal procedures such as disciplinary or redundancy, that those procedures will be halted as a result of that employee raising a concern under this Policy.

4.2 Confidentiality

4.2.1 We hope that staff will feel able to voice whistleblowing concerns openly under this policy. Executive members of staff, Local Governing Boards and/or Trust Board will make every effort to protect an employee's identity if confidentiality is requested.

4.2.2 Identity will be protected as far as possible, however if the investigation into the concern requires the employee to be named as the source of the information, this would be discussed with the employee before their name is disclosed.

4.3 Anonymous Allegations

4.3.1 Employees are encouraged to put their name to an allegation. Proper investigation may be more difficult or impossible if the School/Trust cannot obtain further information; it is also more difficult to establish whether allegations are credible. Anonymous allegations will be considered at the discretion of the Chief Executive Officer and/or Trust Board. In exercising the discretion, the factors to be considered would include:

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

4.4 Untrue Allegations

4.4.1 If an employee makes an allegation where they have a genuine concern, but it is not confirmed by the investigation, no action will be taken against that employee. However, if we conclude that an employee has made malicious or vexatious allegations, or with a view to personal gain, disciplinary action may be taken against that employee.

4.5 Unfounded Allegations

4.5.1 Following investigation, allegations may be confirmed as unfounded. This outcome will be notified to the employee who raised the concern, who will be informed that the Executive and/or Trust Board deems the matter to be concluded and that it should not be raised again unless new evidence becomes available.

4.6 Support for Employees

4.6.1 It is recognised that raising concerns can be difficult and stressful. Advice and support will be made available, as appropriate to both the employee(s) raising the concerns and any employee(s) subject to investigation.

5 Raising a Concern

5.1 As a first step, an employee should normally raise concerns with their immediate line manager or their line manager's superior. This depends, however, on the seriousness and sensitivity of the issues and who is involved. For example, if an employee believes that their immediate line manager or their line manager's superior is involved, they should approach the Head Teacher or Chair of the Local Governing Board. If a concern relates to a Head Teacher or Chair of the Local Governing Board, an employee may approach the Chief Operations and Finance Officer (COFO), the Chief Executive Officer (CEO) or a member of the Trust Board. The nominated Trust Board member dealing with whistleblowing cases is XX (insert email). If the whistleblowing relates to the Chief Executive Officer, an employee can approach the Trust Board directly. An employee (including Head Teachers and members of the Leadership Team) can by-pass the direct management line, and the Trust Board, if they feel the management and governors of a school or the Trust is engaged in an improper course of action; in this case, please refer to paragraph 8 below.

5.2 If the concern relates to safeguarding, safeguarding policies at the school, or the wellbeing of a child, Keeping Children Safe in Education guidance should be followed.

5.3 Concerns are better raised in writing. The employee should set out the background and history of the concerns, giving names, dates and places where possible, and the reasons why they are concerned about the situation. If an employee does not feel able to put the concern in writing, they should telephone or meet the appropriate person. It is important that, however the concern is raised, the employee makes it clear that they are raising the issue via the whistleblowing procedure.

5.4 The earlier an employee expresses the concern, the easier it is to take action.

5.5 Although an employee is not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for the concern.

5.6 In some instances, it may be appropriate for an employee to ask a trade union representative to raise a matter on the employee's behalf.

5.7 At each meeting under this Policy, the employee may bring a Trust work colleague or trade union representative. The colleague or trade union must respect the confidentiality of the disclosure and any subsequent investigation.

6 The Whistleblowing Procedure

6.1 A member of the Leadership Team at the school/Trust may be informed by an employee about concern(s) and that they are 'blowing the whistle' within the Procedure, in person, in writing, or over the phone.

6.2 The Leadership Team Member should respond immediately by arranging to meet with the employee to discuss the concern(s) as soon as possible.

6.3 Stage One

6.3.1 At the initial meeting the Leadership Team Member should establish that:

- there is genuine cause and sufficient grounds for the concern; and
- the concern has been appropriately raised via the Whistleblowing Policy and Procedure.

6.3.2 The Leadership Team Member should ask the employee, to put their concern(s) in writing, if they have not already done so. If the employee is unable to do this, the Leadership Team Member will take down a written summary of their concern/s and provide them with a copy after the meeting. The Leadership Team Member should make notes of the discussions with the employee. The employee's letter and/or Leadership Team Member's notes should make it clear that the employee is raising the issue via the Whistleblowing Policy and Procedure and provide:

- the background and history of the concerns;
- names, dates and places (where possible); and
- the reasons why the employee is particularly concerned about the situation.

6.3.3 The employee should be asked to date and sign their letter and/or the notes of any discussion. The Leadership Team Member should positively encourage the employee to do this, as a concern expressed anonymously is much less powerful and much more difficult to address, especially if the letter or notes become evidence in other proceedings, e.g. an internal disciplinary hearing.

6.3.4 The Leadership Team Member should follow the Policy as set out above and in particular explain to the employee:

- The person/s that the Member will need to speak to, to determine next steps (eg. Head Teacher, Chief Executive Officer).
- The steps they intend to take to address the concern.
- How they will communicate with the employee during and at the end of the process. It should be noted that the need for confidentiality may prevent the school giving the employee specific details of any necessary investigation or any necessary disciplinary action taken as a result.
- That the employee will receive a written response within ten working days.
- That their identity will be protected as far as possible but should the investigation into the concern require the employee to be named as the source of the information, that this will be discussed with the employee before their name is disclosed.

- That the Trust will do all that it can to protect the employee from discrimination and/or victimisation.
- That the matter will be taken seriously and investigated immediately.
- That if the employee's concern, though raised as a genuine concern, is not confirmed by the investigation, no punitive action will be taken against them.
- If clear evidence is uncovered during the investigation that they made a malicious or vexatious allegation, disciplinary action may be taken against them.
- That the investigation may confirm their allegations to be unfounded in which case the Trust will deem the matter to be concluded unless new evidence becomes available.

6.4 Stage Two

6.4.1 Following the initial meeting with the employee, the Leadership Team Member should consult with a relevant member of staff (e.g. Head Teacher, Chief Executive) or Governance (Chair of Local Governing Board, Trustee) to determine whether an investigation is appropriate and, if so, what form it should take. A record should be made of the decisions and/or agreed actions.

6.4.2 It may be necessary, with anonymous allegations, to consider whether it is possible to take any further action. When making this decision, Leadership Team Members should take the following factors into account:

- the seriousness of the issue(s) raised;
- the credibility of the concern(s); and
- the likelihood of confirming the allegation(s) from attributable sources.

6.4.3 In some cases, it may be possible to resolve the concern(s) simply, by agreed action or an explanation regarding the concern(s), without the need for further investigation. However, depending on the nature of the concern(s) it may be necessary for the concern(s) to:

- Be investigated internally.
- Be referred to the police.
- Be referred to the external auditor.
- Form the subject of an independent inquiry.

6.4.4 Leadership Team Members should have a working knowledge and understanding of other Trust policies and procedures, e.g. grievance, disciplinary, harassment, child protection procedures, to ensure that concerns raised by employees are addressed via the appropriate procedure/process. Advice is available from the Trust's HR Advisers, Solihull MBC Schools' HR Team.

6.5 Stage Three

6.5.1 Within ten working days of a concern being received, the manager receiving the concern (at paragraph 5.1 above) must write to the employee:

- acknowledging that the concern has been received;
- indicating how they propose to deal with the matter;
- giving an estimate of how long it will take to provide a final response; and/or
- telling the employee whether any initial enquiries have been made;

- telling the employee whether further investigations will take place, and if not why not; and/or
- letting the employee know when they will receive further details if the situation is not yet resolved.

6.6 All meetings referred to in this policy can be completed using virtual platforms, if needed, in order to meet the Trust's obligations.

7 Raising Concerns Outside of the Trust

7.1 The aim of this Policy is to provide an internal mechanism for reporting, investigation and remedying any wrongdoing in the workplace. In most cases the employee should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for the employee to report his/her concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media.

7.2 Employees are strongly encouraged to seek advice before reporting a concern to anyone external. If an employee is not satisfied with the Trust Board's response, the Leadership Team Member should ensure that the employee is made aware with whom they may raise the matter externally:

- 'Protect' is a registered charity that employees can contact for advice to assist them in raising concerns about poor practice at work. The charity also provides advice to employers as to the possible ways to address these concerns. W. www.protect-advice.org.uk, T. 0203 117 2520.
- A recognised trade union
- A senior Local Authority officer
- The external Auditor (Dains Audit Ltd).
- The Department for Education
- Relevant professional bodies or regulatory organisations
- A solicitor

7.3 The Leadership Team Member should stress to the employee that if they choose to take a concern outside the school, it is the employee's responsibility to ensure that confidential information is not disclosed, i.e. confidential information, in any format, is not provide to a third party.

7.4 Employees should also be aware of the NSPCC's Whistleblowing Advice Line T. 0800 028 0285, E. help@nspcc.org.uk, which offers free advice and support with concerns about how child protection matters are being handled in their own school or another organisation.

8 Monitoring and Review

8.1 The Head Teacher of each school will be responsible for monitoring the implementation and effectiveness of this Policy and Procedure. The policy/procedure will be reviewed every two years or in line with statutory requirements.