

Whistleblowing Policy

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Although this policy is written for staff, volunteers and contractors it can be followed by parents/carers, students and members of the public should they have a concern that requires investigation about the Trust.

1 Introduction

Staff are often the first to realise that there may be something seriously wrong within the Trust or department. However, they may not say anything because they feel that speaking up would be disloyal to their colleagues or to the Trust. They may also fear harassment or victimisation. It may be easier for them to ignore the concern rather than report what may just be a suspicion of malpractice.

The Trust is committed to the highest possible standards of openness, probity and accountability. We expect staff, and others we deal with, who have serious concerns about the Trust's work to come forward and voice them.

It is recognised that most cases will have to proceed on a confidential basis.

This policy document makes it clear that concerns may be raised without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting Policy is intended to encourage and enable staff to raise serious concerns within a Trust rather than overlooking a problem or 'blowing the whistle' outside. These rules are important, but underlying the rules is the commitment of the Trustees that the Trust should be an organisation which has a culture of improvement and openness, and not control and blame.

This policy applies to all staff, volunteers and contractors working for the Trust on Trust premises, for example, agency staff, builders and drivers. It also covers suppliers and those providing services under a contract with the Trust in their own premises.

As a first step, you should raise any concerns with the CEO of the Trust, or where the CEO is the subject of the concern, the Chair of Trustees as follows:

- CEO – (01903) 229277 or email ceo@sdetrust.net
- Chair of Trustees – (01903) 229275 or email rcohen@sdetrust.net

If this does not allay your concerns you can contact someone outside our Trust as outlined in [Section 6.2](#).

These procedures do not stand-alone and are in addition to, for example, the Trust's grievance procedures and other personnel procedures as well as the complaints and other relevant reporting procedures agreed by Governors of schools within the Trust. Where other procedures are activated simultaneously, a clear agreement will be reached between the responsible officer investigating the concern and the individual making the report about the separate procedures, with agreed programmes for each and an agreement as to whether or not information can be shared for the purposes of each procedure.

This policy has been discussed with the relevant trade unions and professional organisations and has their support.

Each school has a Contact Officer (see [section 6.1](#)) who has been trained and will have a lead role in advising on the procedure of the Confidential Reporting Policy. They can provide advice on how to deal with concerns and can take forward a concern for investigation. Any advice they give you will be strictly confidential.

In making a complaint, you are not required to use the Contact Officer for SDET or an individual school in the MAT. If, for example you have a problem which you feel has a legal aspect (for example if you think the conduct complained of could be criminal) you may feel it more appropriate to deal with your professional organisation. If it relates to financial problems the Trust's Auditor might be more appropriate.

2 Aims and Scope of this Policy

There are existing procedures in place for you to lodge a grievance relating to your own employment. The Confidential Reporting Policy is intended to cover major concerns that fall outside those procedures.

These include:

- conduct which is a criminal offence or a breach of law;
- disclosures related to miscarriages of justice;
- health and safety risks, including risks to the public as well as other staff;
- damage to the environment;
- the unauthorised use of public funds;
- possible fraud and corruption;
- sexual, physical or verbal abuse; and
- other unethical conduct.

You are entitled to seek advice about which procedure is most appropriate for your concern, in which case you should contact one of the officers listed [in Section 6.1](#).

Any serious concerns that you have about any aspect of service provision within the Trust or the conduct of staff employed by the Trust or others acting on behalf of the Trust can be reported under the Confidential Reporting Policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Trust subscribes to; or
- is against the Trust's Standing Orders and policies or
- amounts to improper conduct.

You do not have to refer to the Confidential Reporting Policy to have an issue or complaint dealt with under the Policy.

This policy aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
- provide avenues for you to raise those concerns and receive feedback on any action taken;
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied; and

- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

If you are not covered by the categories of individuals set out in paragraph 1.4, the Trust's Complaints Procedure is available to you. This may be found on the Trust's website.

3 Safeguards, Harassment or Victimisation

- The Trustees are committed to good practice and high standards, and want to be supportive of staff.
- The Trustees recognise that the decision to report a concern can be a difficult one to make. If you believe what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.
- The Trustees will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.
- Any investigation into allegations of potential malpractice will not influence, or be influenced by, disciplinary or redundancy procedures that already affect you.

4 Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

This policy encourages you to put your name to your concerns whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Trust.

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

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

The responsible officer may ask you to justify your original concern in further detail if his/her investigation fails to substantiate it.

5 Untrue Allegations

- If you express a concern in good faith, but it is not confirmed by the investigation, no action will be taken against you.

6 How to raise a concern

As a first step, you should raise any concerns with the CEO or where the CEO is the subject of the concern, the Chair of Trustees as follows:

- CEO – 01903 237864 or email ceo@sdetrust.net
- Chair of Trustees– 01903 237864 or email rcohen@sdetrust.net

If this does not allay your concerns you can contact someone within our Trust as outlined in [heading 6.1](#) or use the Anti-Fraud Hotline as set out in [heading 6.2](#)

6.1 Contact Officer

Each school has a Contact Officer who will have been trained and will have a lead role in advising on the procedure of the Confidential Reporting Policy. They can give you advice on how to deal with your concerns and they can take forward a concern for investigation direct to the CEO, or where the CEO is the subject of the concern, the Chair of Trustees.

Contact Officers at each school within SDET are:

- SDET: Sarah Jones
- Worthing High School: Sarah Jones
- Clapham & Patching: Justine Chubb

Any advice given to you will be strictly confidential. You do not have to use the Contact Officer for your own school. If for example you have a problem which you feel has a legal aspect (for example if you think the conduct complained of could be criminal) you may feel it more appropriate to deal with your professional organisation. If it relates to financial problems the Trust's Financial Auditor (Moore South)/ESFA might be more appropriate.

Concerns may be raised orally initially but should be recorded in writing. Staff who wish to make a written report are invited to use the following format:

- the background and history of the concern (giving relevant dates); and
- the reason why they are particularly concerned about the situation.

Your contact officer will provide any help you need in expressing your concern.

The earlier you express the concern the easier it is to take action.

Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for concern.

6.2 Contact for Independent External Advice

If you feel it is inappropriate to report the matter to the Trust, you can contact:

- ESFA: https://form.education.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-f9f4f5a1-936f-448b-bbeb-9dcdd595f468/AF-Stage-8aa41278-3cdd-45a3-ad87-80cbffb8b992/definition.json&redirectlink=%2Fen&cancelRedirectLink=%2Fen&consentMessage=yes
- Public Concern at Work: whistle@pcaw.co.uk, tel no: 0207 6609
- Audit Commission confidential public interest disclosure line - Tel. No: 0845 052 2646

You may wish to consider discussing your concern with a colleague first and you might find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised. Anyone who helps you will need to respect the confidentiality of the investigation.

7 How the Trustees will respond

The Trustees will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

The person you contact, whether it is your CEO, line manager, a Contact Officer, a Responsible Officer or the Monitoring Officer, will either deal with your issue or nominate someone to do so who will not have been involved in the issue themselves and will know how to carry forward this policy.

Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process;
- be referred to the police;
- be referred to the external auditor; and
- form the subject of an independent inquiry, for example, through the Area Child Protection Committee for child abuse.

In order to protect individuals who may be the subject of your concern and people against whom allegations of misdeeds or possible malpractice are being made, the responsible officer will make initial enquiries to decide whether a fuller investigation is appropriate. He/she will also decide what form the investigation should take.

If the concern is about vulnerable individuals, or a criminal activity, action will be taken promptly to protect the individual and prevent further offences. The overriding principle which the Trust will have in mind is the public interest. If the person nominated to deal with your issue finds aspects of the concerns fall outside the scope of this Policy, but which still need to be addressed, they will normally be referred for consideration, but will not be allowed to delay the investigation under the Policy.

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

Within ten working days of a concern being raised with the person dealing with your issue they:

- Will write to you
- Acknowledging that the concern has been received;
- Indicating how we propose to deal with the matter;
- Giving an estimate of how long it will take to provide a final response;
- Telling you whether any initial enquiries have been made;
- Supplying you with information on staff support mechanisms; and
- Telling you whether further investigations will take place and if not, why not.
- Will inform the Monitoring Officer that an issue has been raised under this policy.

The amount of contact between the officers considering the issue and you will depend on the nature of the matter raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Trust will seek further information from you.

Where any meeting is arranged, off-site if required, you can be accompanied by a trade union or professional association representative or a friend.

The Trustees will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Trustees will arrange for you to receive advice about the procedure and where appropriate financial or other support.

The Trustees accept that you need to be assured that the matter has been properly investigated. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

8 The CEO

The CEO has overall responsibility for the maintenance and operation of this policy across the Trust, including its responsibility to the Trustees. The CEO maintains a record of concerns raised and outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Trust, including a quarterly anonymised report to the Trustees on the number and general nature of reports received by the CEO

9 How the matter can be taken further

This policy is intended to provide you with an avenue within the Trust to raise concerns. The Trustees hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter further, the following are possible contact points:

1. The external auditor;
2. Your trade union;
3. Your local Citizens' Advice Bureau;
4. Relevant professional bodies or regulatory organisations;
5. A relevant voluntary organisation;
6. The police
7. The local member (where appropriate)

If you do take the matter outside the Trust, you should ensure that you do not disclose confidential information. Check with a Contact Officer (see [heading 6.2](#)) if you require clarification on this matter.