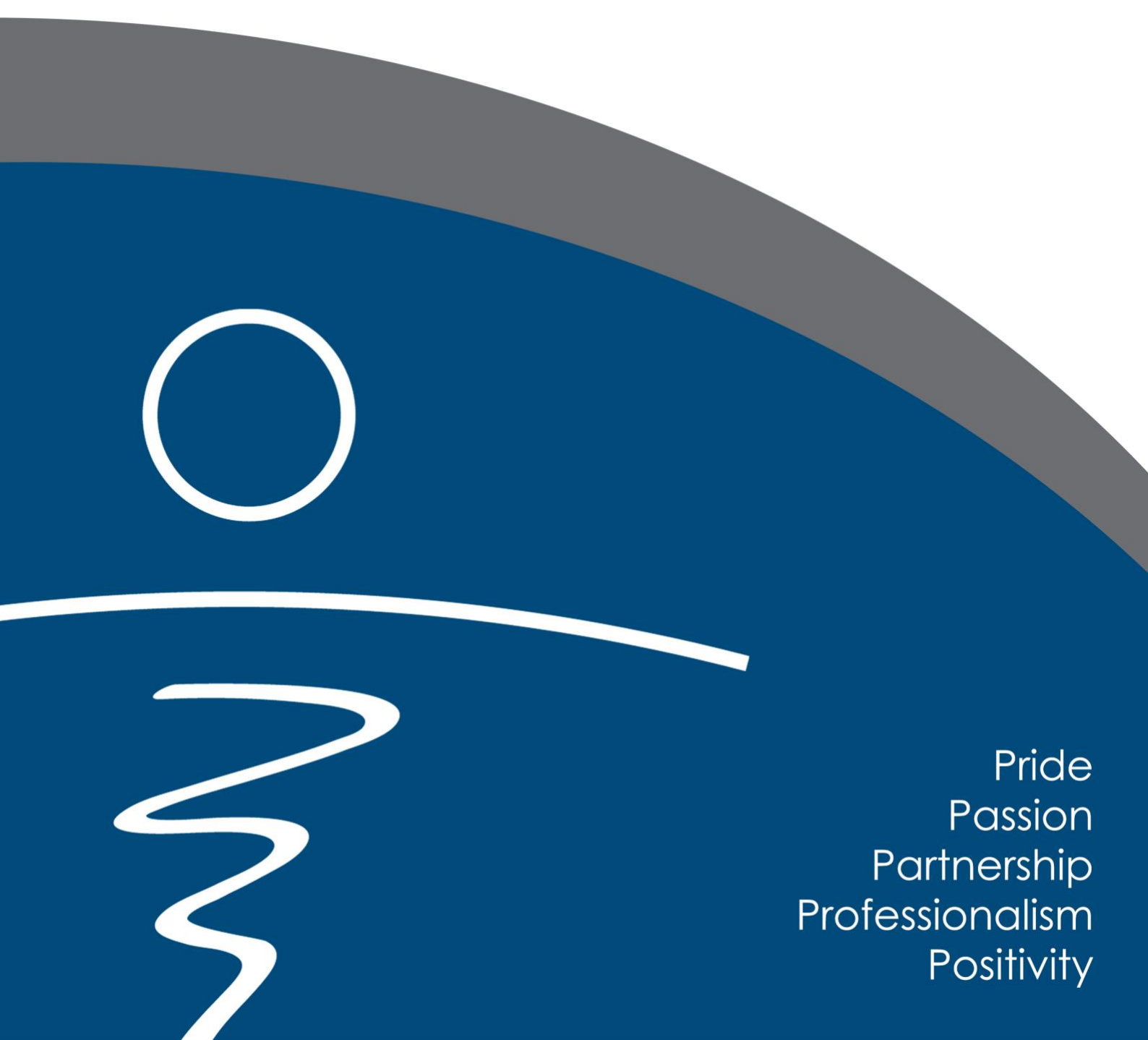


Whistleblowing Policy

A large decorative graphic on the left side of the page, consisting of a dark blue curved shape with a white circle and a white wavy line inside, and a grey curved shape above it.

Pride
Passion
Partnership
Professionalism
Positivity

Name of Document	Whistleblowing Policy
Status	Approved
Date Approved	September 2026
Policy Approver	Hermann Farrington, CEO
Policy Owner	Lisa Maria Cardinali, Head of People Services
Policy Author	Lisa Maria Cardinali, Head of People Services
Next Review Date	September 2027

Should you have any queries regards this policy, note an omission or wish to propose an amendment, please email matt.lake@thebridgetrust.academy

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Whistleblowing Policy

1. Introduction

- 1.1. This policy is designed to enable all employees to raise their concerns of any reasonable suspicion of illegal or improper conduct that is made in the public interest. This Procedure sets out the way in which individuals may raise a protected disclosure and how those disclosures will be dealt with.
- 1.2. This policy has been devised in accordance with the provisions of the Public Interest Disclosure Act 1998 and the Enterprise and Regulatory Reform Act 2013 which offer protection to employees who "blow the whistle" on their employer by making a qualifying disclosure.
- 1.3. A disclosure is not protected unless the employee reasonably believes that the disclosure is made in the public interest.
- 1.4. The Procedure aims to:
 - Encourage employees to feel confident in raising serious concerns and to question and act upon concerns of malpractice;
 - Provide avenues to raise those concerns and receive feedback on any action taken;
 - Ensure that employees receive a response to their concerns and are aware of how to pursue them if they are not satisfied;
 - Reassure employees that they will be protected from possible reprisals or victimisation if the disclosure is a qualifying disclosure.
- 1.5. The Procedure can be used by any person who works or who has worked for the Trust, including employees, agency staff, contractors, volunteers, Directors and Governors. There is a separate procedure for pupils and parents to raise concerns about school related issues.
- 1.6. The Procedure is not intended to cover matters that concern day to day issues relating to an employee's terms and conditions of employment, complaints about their own treatment in the workplace or a complaint about another employee. In such cases, the concern should be raised under the Trust's Grievance Policy or Anti-Bullying and Harassment Policy.
- 1.7. This policy does not form part of any employee's contract of employment and it may be amended at any time.

2. Definition of Whistleblowing

- 2.1. Any concerns that employees have about any aspect of service provision or the conduct of employees, Directors or others acting on behalf of an individual school or the Trust can be reported under the Whistleblowing Procedure and must relate to:
 - Criminal offence, *for example fraud*;
 - Someone's health and safety is in danger *for example, the organisation has forced staff to serve contaminated food*;
 - Risk of, or actual, damage to the environment *for example, the organisation has regularly been polluting local rivers*;
 - A miscarriage of justice *for example, staff have been dismissed for something that turned out to be a computer error*;
 - The company is breaking the law, for example it does not have the right insurance;
 - A belief someone is covering up wrongdoing, *for example destroying documents linked to an example outlined above*;

- Sexual harassment *for example, a manager making unwanted advances towards team members.*
- 2.2. It is not necessary for a whistleblower to have proof of such an act for the protections of this policy to apply. They must only have a reasonable belief or reasonable grounds for believing the information they are disclosing is accurate.
 - 2.3. Employees can make a qualifying disclosure about an issue that has happened at any time or one that is likely to happen in the future.
 - 2.4. In practice, as well as relating to the points outlined above, the disclosure could be about:
 - Something that makes them feel uncomfortable in terms of known standards, their experience or the standards to which they believe the Trust subscribes;
 - Something that is against the Trust's procedures, rules and policies;
 - Something that falls below established standards of practice;
 - Something that amounts to improper conduct;
 - The unauthorised use of public funds;
 - Fraud and corruption; or a significant breach of child protection and/or safeguarding policy and procedures;
 - Homophobic, racial, religious, sexual or physical abuse of children, staff, Directors, or other users;
 - Conduct which is an offence or a breach of the law;
 - Disclosures related to actual or potential miscarriages of justice;
 - Health and safety risks, including risks to the public as well as other employees;
 - Other unethical conduct.

3. Key Principles

- 3.1. The Procedure is designed to support the Directors' and leaders' commitment to the highest possible standards of conduct, openness, honesty and accountability. In line with that commitment, it is expected that staff will report any serious concerns they might have about any aspect of the Trust's work or colleagues.
- 3.2. All staff have a professional duty to pass on any concerns involving the safeguarding or protection of children to someone who can deal with it. This will include concerns about fellow professionals, or anyone who works with or comes into contact with, children. These have to be dealt with in accordance with local child protection procedures.
- 3.3. A key commitment is that staff will be able to express their concerns without fear of being victimised or penalised in any way. The Procedure aims to encourage and enable staff to raise concerns internally, rather than ignoring the problem or taking it outside the organisation.
- 3.4. A whistleblower will not be victimised for raising a matter under this procedure. Victimisation of a whistleblower for raising a qualified disclosure will be a disciplinary offence. Further information is provided at Section 4.
- 3.5. An instruction to cover up wrongdoing is in itself a disciplinary offence. A whistleblower who is told not to raise or pursue any concern, even by a person in authority, should not agree to remain silent.
- 3.6. All documentation linked to the complaint will be handled and retained in line with data protection principles.

4. Protection for the Whistleblower

- 4.1. A whistleblower who makes a qualifying disclosure has the right not to be dismissed, subjected to any other detrimental treatment, or victimised, because they have made a disclosure.
- 4.2. Victimisation (i.e. detrimental or unfair treatment) of a whistleblower for raising a qualifying disclosure will be a disciplinary offence. The School/Trust will take all necessary steps to protect employees and workers who raise concerns in good faith.
- 4.3. The Trust will not dismiss anyone on the basis that they have made an appropriate lawful disclosure in accordance with the law and this policy.
- 4.4. A whistleblower will remain protected even if an investigation concludes that the concern was unfounded, provided it was raised honestly and with a reasonable belief that the information disclosed was true.
- 4.5. It should be noted that if a concern is reported directly to the media, in most cases the individual will lose their legal whistleblowing rights.
- 4.6. Whistleblowers may seek support and advice from organisations such as the Whistleblowing charity Protect (<https://protect-advice.org.uk> / 020 3117 2520) or ACAS (www.acas.org.uk).

5. Stage 1: Reporting concerns

- 5.1. Concerns should be raised with the CEO, Headteacher or (for members of the Central Team) the line manager as soon as any suspected malpractice becomes apparent. If the concern relates to the CEO, the individual should raise their concerns with the Chair of Directors. As the whistleblower would normally be a witness to events, and not a complainant, they do not need to wait for proof of malpractice before raising concerns.
- 5.2. If the whistleblower feels that they cannot raise the matter with their line manager (for example, if it is suspected that person already knows about the malpractice, or appears to be ignoring it or where it is suspected that they may be involved), then the whistleblower will need to consider which of the other individuals listed at 5.1 may be the most appropriate.
- 5.3. When reporting a concern, the whistleblower should provide as much information and detail as possible. In particular you should provide the full names of the people involved, including the names of staff or contractors, dates of events and any relevant documentation.
- 5.4. Initial enquiries will be made by the Headteacher or line manager as promptly as possible to determine whether the concern falls within the scope of the whistleblowing procedure and if so, whether an investigation is appropriate; the whistleblower will be kept informed of progress and action being taken.
- 5.5. When making a decision the line manager will consider whether continuing with an investigation is in the public interest.
- 5.6. The CEO will receive the Headteacher or line manager's initial recommendations. If it is determined that an investigation is necessary, the CEO will nominate an appropriate investigating officer.

6. Stage 2: Investigation

- 6.1 If it is determined that an investigation is to be undertaken the next steps will include:
- The whistleblower will be informed of the action being taken to investigate the concern which will include an interview with the whistleblower as promptly as possible (ideally within 10 working days, where possible) of the initial concern being raised;
 - The whistleblower can be accompanied at the interview by a trade union representative or a workplace colleague;
 - If the initial concerns were made verbally, then the whistleblower will be asked to provide a written statement;
 - The investigating officer completing the investigation will complete a report detailing the outcome of their findings and recommendations and submit this to the CEO for review;
 - The whistleblower will receive a written acknowledgement of the report;
 - The whistleblower, where possible, will be kept informed of the progress and likely timescales of the investigation unless the investigating officer believes that there is a risk of the investigation being prejudiced;
 - In some circumstances, the matter will be referred to an outside agency such as the Police.

7. Stage 3: Conclusion of the Investigation and Subsequent Action

- 7.1. If the allegation is not founded or there is insufficient evidence on which to base a conclusion, the whistleblower will be advised accordingly.
- 7.2. In cases where action is necessary as a result of the allegation, a report will usually be sent by the Investigating Officer to the CEO or the Chair of Directors, who will be responsible for implementing the recommendations in the report, unless there is a good reason for not doing so.
- 7.3. If there is a good reason for not acting on the recommendations, these must be reported to the next meeting of the Board of Directors.
- 7.4. The whistleblower will be advised when the investigation is complete but it may not always be possible to provide the details of the findings as this may be confidential.
- 7.5. If the allegation was considered to be made frivolously, maliciously or for personal gain, disciplinary action may be taken against the individual.

8. Confidentiality

- 8.1. All concerns will be treated in confidence and every effort will be made not to reveal the identity of the whistleblower. However, in order to investigate the matter properly it is impossible to guarantee complete confidentiality.
- 8.2. Some cases are clearly so serious that police may have to be involved. In these cases, it may be necessary to reveal the identity of individuals.
- 8.3. While these procedures are being carried out, all parties will need to agree that the issue will be kept confidential. The whistleblower's identity will be kept confidential unless they are happy to be named, or unless there are grounds to believe that they have acted maliciously.
- 8.4. If there are no such grounds, the manager will only reveal the identity if:
- They have to do so by law;
 - The information is already known;

- It is revealed in confidence to a qualified lawyer in order to get legal advice; or
- The whistleblower has to provide evidence at a disciplinary hearing or other proceedings.

9. Anonymous Allegations

- 9.1. Whistleblowers are encouraged to give their name when raising concerns. From a practical perspective, anonymous allegations are likely to be more difficult to investigate, and protection against reprisals and feedback can be afforded only to identifiable individuals.
- 9.2. Whilst it is accepted that anonymous allegations may be more challenging to investigate due to limited context or corroboration, any such reports received by the Trust will be considered at its discretion. In exercising this discretion account will be taken of the seriousness, credibility of the matters raised and the likelihood of confirming the allegation from the sources quoted.
- 9.3. The decision whether to investigate an anonymous allegation will be made by the CEO or the Chair of Directors.

10. Stage 4: Escalation

- 10.1. If the whistleblower is unhappy with the response, they do not believe the concern was taken seriously or the wrongdoing is continuing, they can take the matter to the CEO or a prescribed person or body.
- 10.2. Prescribed bodies relevant to the Trust's setting include:
 - The Financial Conduct Authority (formerly the Financial Services Authority);
 - The Health and Safety Executive;
 - The Environment Agency;
 - His Majesty's Chief Inspector of Children's services and skills;
 - The Secretary of State for Education;
 - The Office of Qualifications and Examinations Regulator.

11. Support and Guidance

- 11.1. Protect is the UK's leading whistleblowing charity and can be contacted via the helpline: [020 3117 2520](tel:02031172520), or via e-mail: whistle@protect-advice.org.uk or via the website: www.protect-advice.org.uk
- 11.2. The full list of prescribed bodies is available on the Gov.uk website - [Whistleblowing: list of prescribed people and bodies - GOV.UK](#)
- 11.3. Concerns relating to safeguarding and child protection can be referred to the Local Authority Designated Officer or other authorities, as necessary.
- 11.4. Further advice and guidance within the Trust is available from the People Services Team.

Appendix A – Which Policy to use to Report a Concern

The following table is intended as a guide on the appropriate avenue to report concerns:

Policy/Procedure	When to Use It	Examples	Who Raises It?	Report To
Anti-Bullying and Harassment Policy	If you believe you are experiencing bullying or harassment in the workplace	Harassment is unwanted behaviour from a colleague linked to a protected characteristic Bullying can be intimidating or malicious behaviour	Employee	Informal – see policy Formal - CEO or Headteacher
Complaints Policy	Dissatisfaction with a service or decision	Concerns about teaching, behaviour, communication	Parent, carer, pupil, public, agency staff/volunteers working onsite not covered by the Grievance Policy	Dependent on the stage of the complaint – see policy
Grievance Policy	Personal work-related issue affecting you	Unfair treatment, workload concerns, concerns with working relationships	Employee	Headteacher, Line Manager, Head of People Services, or CEO
Safeguarding Reporting Procedure	A safeguarding concern about a child or an adult at the school	Child examples - abuse, neglect, exploitation, online safety concerns Adult examples - inappropriate conduct around a student, blurring of professional boundaries with a student, excessive use of force with a student	Anyone working, visiting, or volunteering at the school	Concerns about a child - See each school's safeguarding reporting procedure (Safeguarding poster) Concerns about an adult's conduct – Headteacher, CEO, Head of School Improvement or Head of People Services
Whistleblowing Policy	Wrongdoing in the public interest	Fraud, cultural safeguarding failures, misuse of funds, criminal activity, sexual harassment	Employee, governor, volunteer, contractor	Headteacher, CEO, or Chair of Directors