



QUANTOCK

EDUCATION TRUST

Whistleblowing Policy

LINKS TO OTHER TRUST POLICIES: Discipline, Conduct and Staff Grievance policy, Complaints policy, Allegations against staff policy, Child Protection & Safeguarding policy

DATE 25th September 23

POSTHOLDER RESPONSIBLE: Trust HR Officer

TRUSTEES/GOVERNORS COMMITTEE: People, Performance, Pay & Recruitment

AUDIENCE: All members of the Trust community

STATUS: Draft (Statutory)

DATE RATIFIED: 1st November 2023

DATE OF NEXT REVIEW: (every 3 yrs) September 2026

Summary of Changes

Version	Section	Description of Changes
May 2020	All	Baseline document
September 23	All	<ul style="list-style-type: none"> • Legislation updated with latest information • Definition of whistleblowing updated • Detail added to procedure for whistleblowing • Clarification of how you will be informed of outcome added • Confidentiality and Data protection section added • External disclosures section expanded • If you are not satisfied section added • Protection and support for whistleblowers details added. • Contact details updated

Contents

1. Introduction	4
2. Scope and Purpose	4
3. Legislation	4
4. What is whistleblowing?.....	4
5. Procedure for staff to raise a whistle-blowing concern	5
6. Trust procedure for responding to a whistle-blowing concern.....	6
7. Investigation and outcome	7
8. Confidentiality and data protection	8
9. Malicious or vexatious allegations.....	8
10. External disclosures	8
11. If you are not satisfied	9
12. Protection and support for whistleblowers.....	9
13. Approval.....	9
14. Appendix 1 – Public Interest Disclosure Act (Whistleblowing)	10
15. Appendix 2 – Contacts.....	12

1. Introduction

- 1.1. The Trust is committed to the highest possible standards of honesty and integrity, and we expect all staff to maintain these standards in accordance with our Code of Conduct. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.
- 1.2. This policy has been implemented following consultation with the recognised trade unions. It has been formally adopted by the Trustees.
- 1.3. This policy does not form part of any employee's contract of employment or other contract to provide services and we may amend it at any time.

2. Scope and Purpose

- 2.1. This policy aims to:
 - Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated and that their confidentiality will be respected
 - Let all staff in the Trust know how to raise concerns about potential wrongdoing in or by the Trust
 - Set clear procedures for how the Trust will respond to such concerns
 - Let all staff know the protection available to them if they raise a whistle-blowing concern
 - Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)
- 2.2. This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the Trust in any capacity including Members, Trustees, Local Governors and also self-employed consultants or contractors who provide services on a personal basis and agency workers.

3. Legislation

- 3.1. The requirement to have clear whistle-blowing procedures in place is set out in the [Academy Trust Handbook](#).
- 3.2. This policy has been written in line with the above document, as well as [government guidance on whistle-blowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).
- 3.3. This policy complies with our funding agreement and articles of association.

4. What is whistleblowing?

- 4.1. Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The law provides protection for workers who raise legitimate concerns about specified matters or "qualifying disclosures". A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that there are 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 our internal policies and procedures including our Code of Conduct;
 - conduct likely to damage our reputation or financial wellbeing;
 - unauthorised disclosure of confidential information;
 - unethical behaviour; and
 - the deliberate concealment of any of the above matters.
- 4.2. A whistleblower is a person who raises a genuine concern relating to the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.
- 4.3. Not all concerns about the Trust, or individual schools in the Trust, count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.
- 4.4. This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Procedure.
- 4.5. If a complaint relates to your own personal circumstances but you also have wider concerns regarding one of the areas set out at 3.1 above (for example, a breach of our internal policies), you should discuss with a member of the School/Trust's leadership team which route is the most appropriate.
- 4.6. If you are uncertain whether something is within the scope of this policy, you should seek advice from a member of the School/Trust's leadership team.
- 4.7. If your concern is in relation to safeguarding and the welfare of pupils at the Trust, you should consider whether the matter is better raised under the School/Trust's child protection policy and in accordance with the arrangements for reporting such concerns, i.e. via the Designated Safeguarding Lead (DSL), although the principles set out in the is policy may still apply. Protect (formerly Public Concern at Work) has:
- [Further guidance](#) on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure.
 - A free and confidential [advice line](#).

5. Procedure for staff to raise a whistle-blowing concern

- 5.1. We hope that you will be able to raise any concerns with your line manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively.

5.2. However, where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, or they are the subject of the complaint, then you can raise the matter with:

- The Headteacher
- The Chair of Governors

5.3. Contact details are set out at the end of this policy. Please see Appendix 2.

5.4. If your concerns are about allegations of abuse by the Headteacher and the Headteacher is also the sole proprietor of the School, allegations should be reported directly to the designated officer(s) at the local authority. You may consider discussing any concerns with the School's Designated Safeguarding Lead and make any referral via them.

5.5. We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

5.6. We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

5.7. When to raise a concern

5.7.1. Staff should consider the examples in section 4 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or Trust procedures, put people in danger or was an attempt to cover any such activity up.

5.8. Who to report to

5.8.1. School-based staff should report their concern to the Headteacher. If the concern is about the Headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to CEO.

5.8.2. Central team staff should report their concern to the CEO. If the concern is about the CEO, or it is believed they may be involved in the wrongdoing in some way, the central team staff should report the concern to the Chair of Trustees.

5.9. How to raise the concern

5.9.1. Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

6. Trust procedure for responding to a whistle-blowing concern

6.1. Investigating the concern

6.1.1. When a concern is received by the Headteacher - referred to from here as the 'recipient' - they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative

- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
- The recipient should then arrange a further investigation into the matter, involving another senior leader or member of the HR team as appropriate. In some cases, they may need to bring in an external, independent body to investigate. In others, they may need to report the matter to the police
- The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps

7. Investigation and outcome

7.1. Outcome of the investigation

- 7.1.1. Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the local authority or police.
- 7.1.2. They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.
- 7.1.3. Beyond the immediate actions, the CEO, Trustees and other staff if necessary will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.
- 7.1.4. Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.
- 7.1.5. Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.
- 7.1.6. In some cases, we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. We may in some circumstances, appoint an external person or body to investigate the concern. The investigator(s) will collate findings on the matter and may make recommendations for change to enable us to minimise the risk of future wrongdoing. This will be sent to the Headteacher and/or Local Governance Committee for actioning.
- 7.1.7. We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation, an outcome or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- 7.1.8. If we conclude that a whistleblower has made false allegations maliciously, the whistleblower will be subject to disciplinary action.

8. Confidentiality and data protection

- 8.1. We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.
- 8.2. We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the other contact points listed in paragraph 4.2 and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are given at the end of this policy.
- 8.3. Where we receive anonymous complaints, we will investigate the complaints as far as is reasonable taking into account:
 - the seriousness of the issue raised
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from other sources
- 8.4. As part of the application of this policy, the Trust may collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation and Data Protection Act 2018) and any implementing laws, regulations and secondary legislation, as amended or updated from time to time in the collecting, holding and sharing of information in relation to our workforce. Records will be kept in accordance with our Workforce Privacy Notice and in line with the requirements of Data Protection Legislation.

9. Malicious or vexatious allegations

- 9.1. Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.
- 9.2. If, however, an allegation is shown to be deliberately invented or malicious, the Trust will consider whether any disciplinary action is appropriate against the person making the allegation.

10. External disclosures

10.1. Escalating concerns beyond the Trust

- 10.1.1. The Trust encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).
- 10.1.2. The Protect advice line, linked to in section 3 of this policy, can also help staff when deciding whether to raise the concern to an external party.
- 10.1.3. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

- 10.1.4. The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. Protect holds a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy. Alternatively, the list is available from the Department for Business, Energy & Industrial Strategy.
- 10.1.5. Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a contractor, supplier or service provider. In some circumstances the law will protect you if you raise a concern with the third party directly where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, we encourage you to report such concerns internally first. You should contact your line manager or one of the other individuals set out in paragraph 4.2 for guidance.

11. If you are not satisfied

- 11.1. While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.
- 11.2. If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts in Appendix 2. Alternatively, you may contact the Chair of Governors/Trustees. Contact details are set out at the end of this policy.

12. Protection and support for whistleblowers

- 12.1. It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 12.2. Staff must not suffer any detrimental treatment as a result of raising a genuine concern. 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 inform one of the contact people in paragraph 4.2 immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.
- 12.3. Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action. In some cases, the whistleblower could have a right to sue an individual personally for compensation in an employment tribunal.
- 12.4. A confidential support and counselling hotline is available to whistleblowers who raise concerns under this policy. Their contact details are set out in Appendix 2 of this policy.

13. Approval

- 13.1. This policy will be reviewed every three years.
- 13.2. These procedures have been agreed by the Board of Trustees, who will approve it whenever reviewed.

14. Appendix 1 – Public Interest Disclosure Act (Whistleblowing)

Produced on behalf of AQA, CCEA, City & Guilds, NCFE, OCR, Pearson and WJEC



Public Interest Disclosure Act (Whistleblowing)

Guidance in relation to suspected malpractice in examinations and assessments

This guidance is principally for centre staff who may witness malpractice in examinations and assessments and are unsure about what action to take.

The security and integrity of examinations and assessments is essential if public confidence in qualifications is to be maintained. The approach taken by the awarding bodies to malpractice is set out in the JCQ *Suspected Malpractice* document.

What should you do if you see malpractice taking place in examinations or assessments?

If you are a candidate or a member of the public, you should report what you witness to the examination centre concerned.

If you work for an examination centre or are involved in examinations or assessments and you witness activity that you are concerned may be malpractice, you should act upon it.

Examination centres are required by the JCQ *Suspected Malpractice* document to refer malpractice to the appropriate awarding body.

You can also refer your concern to the awarding body (see below).

What if you are concerned about retaliation for reporting suspected malpractice?

If you work for an examination centre or are involved in examinations or assessments it is likely that the Public Interest Disclosure Act (PIDA) offers you legal protection from being dismissed or penalised for raising certain serious concerns (“blowing the whistle”). Given the importance of the integrity of the qualifications system, suspected malpractice is likely to be a serious concern.

It is probable that your organisation has a whistleblowing policy. If it does, you should follow that policy. If it does not, you should raise your concern with someone senior within the centre.

If you do not feel safe raising the matter within the centre, or you have done so and are concerned that no action has been taken, you could consider making your disclosure to a “prescribed person” – which includes Ofqual and Qualifications Wales (the regulators in England and Wales respectively). The full list of prescribed persons and bodies are detailed in this guidance:

GovUK: [Blowing the whistle a list of prescribed people and bodies](#)

Who do you talk to and what happens if you contact the awarding body?

Each awarding body has staff who deal with malpractice. You can talk to them in confidence and explain your concerns. However, as awarding bodies are not prescribed bodies as defined by the PIDA they cannot promise you the legal protections detailed in PIDA.

Cont/d.

The awarding body will:

- Understand the difficult position that you are in;
- Have experience of similar situations; **and**
- Explain the importance of supporting evidence and the sort of evidence that might help in your particular case.

The awarding body will make every effort to protect your identity, if that is what you wish, unless legally obliged to release it (for example, in the course of a police investigation). Please be aware that it will not be possible for the awarding body to provide you with a report on the findings or outcome of any investigation that may ensue.

Which awarding body is contacted will depend on the qualification where malpractice is suspected. You can contact a malpractice expert within the specific awarding body as shown below:

AQA	Irregularities@aqg.org.uk	0161 958 3736
CCEA	malpractice@ccea.org.uk	028 90 261200 ext 2203
City & Guilds	investigationandcompliance@cityandguilds.com	020 7294 2775
Pearson	pqsmalpractice@pearson.com	020 7190445
OCR	malpractice@ocr.org.uk	01223 553998
WJEC	malpractice@wjec.co.uk	029 20265448
NCFE	CustomerCompliance@ncfe.org.uk	0191 2408835

You may find the following websites useful:

[JCO](#)

[Public Concern at Work](#)

[Ofqual](#)

15. Appendix 2 – Contacts

Whistleblowing Officer - Headteacher Haygrove	Aaron Reid 01278 455531 areid@haygrove-qet.co.uk
Whistleblowing Officer - Headteacher Sexey's	Helen Cullen 01749 813393 hcullen@sexseys.somerset.sch.uk
Whistleblowing Officer - Headteacher Spaxton	Rachel Rood 01278 671409 rrood@spaxton-qet.co.uk
Whistleblowing Officer - Headteacher Stogursey	Gary Tucker 01278732389 gtucker@stogursey-qet.co.uk
Chair of Trustees	Rob Brown 01278 455531 rbrown@quantockedtrust.co.uk
Chair of Governors - Haygrove	Interim Chair - Jennifer Ashworth 01278 455531 jashworth@quantockedtrust.co.uk
Chair of Governors – Sexey's	Rev Jonathan Evans 01749 813393 jevans@sexseys.somerset.sch.uk
Chair of Governors -- Spaxton	Suzanne Traynor / Andrew Watson 01278 671409 straynor@quantockedtrust.co.uk / awatson@spaxton-qet.co.uk
Chair of Governors - Stogursey	Bernard Maskell / Jodie Burghes 01278732389 bmaskell@quantockedtrust.co.uk / jburghes@quantockedtrust.co.uk
Protect (Independent whistleblowing charity)	Helpline: (020) 3117 2520 Website: www.protect-advice.org.uk
The NSPCC whistleblowing helpline	Helpline: 0800 028 0285 E-mail: help@nspcc.org.uk
Department for Education	Telephone: 0370 000 2288 Website: www.gov.uk/government/organisations/department- for-education
Ofqual	Telephone: 0300 303 3344 Website: http://www.gov.uk/government/organisations/ofqual