Whistleblowing Policy

Effective from 19 March 2025

The Trustees of The Cornovii Trust (TCT) adopted this policy on:
19 March 2025

Shared with TCT Local Governing Boards

This policy should be read alongside:

- Trust's Staff Code of Conduct
- Individual School's Safeguarding and Child Protection Policy

Whistleblowing Policy

INTRODUCTION

Employees are often the first to realise that there may be something seriously wrong within a Trust/school however they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the Trust/school. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of a serious issue.

This Whistleblowing Policy is intended to encourage and enable all TCT employees, Trustees, Members, members of the governing body, contractors, and suppliers to raise serious concerns within the school rather than overlooking a problem or blowing the whistle outside.

This policy applies to all TCT employees, Trustees, Members, members of the governing body, contractors, and suppliers, and provides them with a secure basis for reporting suspicions of impropriety, in the knowledge that if requested the matter will be treated confidentiality.

AIMS AND SCOPE OF POLICY

Whistleblowing can be described as a disclosure made by an employee, Trustee, Member, members of the governing body, contractor or supplier who has concerns about a danger or illegality that has a public interest to it, usually because it threatens others.

A grievance or private complaint is by contrast, a dispute about an individual's own employment or personal position and has no public interest to it.

This Whistleblowing Policy has been developed in line with best practice and 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
- Provide reassurance that you will be protected from possible detriment if you have a reasonable belief that any disclosure you have made is true.

The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- criminal offences;
- failure to comply with legal obligations;
- dangers to Health and Safety, including risks to pupils and the public as well as other employees;
- damage to the environment;
- the unauthorised use of public funds;
- possible fraud and corruption;
- other unethical conduct; and
- deliberate concealment of any of the above categories.

If your concerns relate to your own employment, contractual position or your personal position as a Trustee, Member, or a member of governing body then they do not fall under the scope of this policy and should be raised via the trust's Grievance Procedure or Dignity at Work policy.

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

This policy does not cover members of the public and any reports received will be dealt with under the Complaints Policy.

Whistleblowing and safeguarding

When it comes to raising concerns relating to safeguarding and child protection these should be referred through the individual school's Safeguarding and child protection policy and procedure. This includes:

- Reporting concerns about another adult working in the trust/school.
- What to do if that adult is the headteacher or CEO.
- Procedures for the reporting of and responding to low level concerns.

All schools and trusts should have clear processes and procedures in place to manage any safeguarding concerns or allegations (no matter how small and including low level concerns) about staff members (including supply staff, volunteers and contractors).

If staff have a safeguarding concern or an allegation is made about another member of staff (including supply staff, volunteers and contractors) harming or posing a risk of harm to children, then this should be referred to the headteacher of the school. Where there is a concern/allegation about the headteacher this should be referred to the Chair of Governors of that school. If it is about the CEO this should be referred to the Chair of the Trust.

In the event of a situation where there is a conflict of interest in reporting the matter to the Headteacher/CEO, this should be reported directly to the local authority designated officer(s), LADO (01270 685904).

We recognise 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.

As a result, we will not tolerate any detrimental treatment (including informal pressures) and will take appropriate action to protect you when you raise a concern. that you believe to be true.

Subjecting a worker to a detriment means subjecting the worker to any disadvantage because they blew the whistle. This could include (but is not limited to) any of the following:

- failure to promote;
- denial of training;
- closer monitoring;
- ostracism;
- blocking access to resources;
- unrequested re-assignment or re-location;
- demotion;
- suspension;
- disciplinary sanction;
- bullying or harassment;
- victimisation;
- dismissal;
- failure to provide an appropriate reference; and
- failing to investigate a subsequent concern.

If someone is found to have subjected a bona fide whistle blower to any detriment this will be dealt with under the school's disciplinary procedure.

Should you believe that you have suffered a detriment as a result of raising a concern you should raise the issue through the school's grievance procedure.
Please be aware however, that should you already be the subject of disciplinary or redundancy procedures, the procedures will not be halted as a result of the whistleblowing report.

Open disclosures
The best culture is one where individuals have sufficient faith in the whistleblowing arrangements and culture of the Trust/school to allow them the confidence to make open disclosures. This is where those involved know what the issues are along with who raised them.
This is the aim for TCT, and it is hoped that any individual with a whistleblowing concern will feel able to raise their issues openly.
This openness makes it easier to assess the report, gather additional information and carry out an investigation.
It also allows any hidden agendas to be identified, helps to prevent witch hunts and reduces the risk of mistrust and paranoia developing within the area being investigated.

Confidentiality
It is, however, recognised that some individuals may not feel that they can make such a report. Where this is the case, the policy provides the whistle blower with the option of requesting that their name remains confidential.
Where confidentiality is requested, we will do our best to ensure that your name is not revealed. This cannot, however, be guaranteed as there are certain circumstances where the name of the whistle blower may be made known. For example:

- the report is found to be knowingly false;
- disclosure is ordered by the courts; or
- A formal statement is required as part of a police investigation.

Anonymous allegations
This policy encourages you to put your name to your allegation whenever possible and actively discourages anonymous reports.
Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Trust/school.

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.

Anonymous reports also raise a specific problem with regard to the legal requirement that personal data should only be collected fairly.

In addition, people making anonymous reports cannot be covered by the safeguards put in place to protect named whistle blowers.

Untrue allegations
If you make an allegation that you believe to be true, but it is not confirmed by the investigation, no action will be taken against you.

If, however, you make allegations that you know to be false, then disciplinary action may be taken against you under the Trusts/school's procedures.

How to raise a concern
As a first step, you should normally raise concerns with your immediate manager or Headteacher. However, depending upon the seriousness and sensitivity of the issues involved and who is suspected of the malpractice, this may not be appropriate.

- ➢ The named Trustee who staff can report any issues of concern to is Mrs Janet Furber who can be contacted by email at J.furber@thecornoviitrust.org.
- ➢ The named members of staff who staff can report any issues of concern to are Mrs Ashley Owen, (TCT HR Manager Hub 1) at a.owen1@thecornoviitrust.org or 01270 871125 or Mrs Sharon Houghton (Trust HR lead Hub 2) at s.houghton@thecornoviitrust.org or 01270 625663.

There are two ways to formally make a whistleblowing disclosure;
- verbally, either face to face or by telephone; or
- in writing, either by sending a letter or email to the relevant person.

It is preferable for concerns to be raised in writing and where this is the case the following details are requested:
- your name and contact details;
- background information and history including details as to why you are concerned;
- whether the issue has already been reported to management and the outcome of this
- whether you wish your name to remain confidential;
- whether you want feedback; and
- the names and jobs of any other employees who may support your concern.

Where reports are made verbally to one of the named officers, they should attempt to ascertain the same information.
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 your concern.

Advice and support
Should you wish to obtain independent advice in relation to a potential whistleblowing report then Public Concern at Work operate a confidential helpline 020 7404 6609. Further advice and guidance can also be found on their website www.pcaw.org.uk.

You may wish to consider discussing your concern with a colleague or your trade union first and you may 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.

How the Trust/school will respond

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

The Trust/school should appoint a Designated Officer to be point of contact for concerns raised under the Whistleblowing Policy. He/she should be a member of the Senior Leadership Team. The Designated Officer should be impartial and capable of taking an independent view on the concern raised. If this is not appropriate an Independent Designated Officer may be considered.

As part of this process contact will be made with you to clarify your concerns and obtain any further information that you may have. Where appropriate, the matters raised may:

- be investigated internally;
- be referred to the police or other external bodies as appropriate

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the school will have in mind is the public interest. 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 agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

The amount of contact between the designated officer and you will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, the designated officer will seek further information from you. Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a friend.

The Trust/school 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 school will arrange you to receive advice and support about the procedure. The school understands that you may wish to be assured that the matter has been properly addressed. Therefore, where possible an estimate of the length of any investigation will be provided and, subject to legal constraints, if requested we will keep you updated at least on a monthly basis during the process and will inform you of the outcome of any investigation. This may include where disciplinary action is taken as a result of an investigation but not details of any sanctions that may be issued.

How the matter can be taken further
This policy is intended to provide you with an avenue to raise concerns within the school and it is hoped that you will utilise it. However, should you feel unable to raise your concerns internally, the following are possible alternative contact points:

- Public Concern at Work 020 7404 6609
- The Director of Children's Services
- Ofsted
- The Police
- To the Department of Education at www.gov.uk/complain-about-school

It is stressed that this list is not exhaustive, and you are free to contact any organisation that you feel will be able to deal properly with your concerns. This may include your solicitor, or other relevant professional or regulatory bodies as prescribed by the Secretary of State.

You should, however, take legal advice before reporting an issue to a body other than those specified above to ensure that you are making a protected disclosure.

You will be protected under the Public Interest Disclosure Act 1988 if you raise your concerns with any of the above, provided that:
- you believe the disclosure to be in the public interest;
- you reasonably believe that the information disclosed, and any allegation contained in it, are substantially true;
- you do not make the disclosure for personal gain;

If you do take the matter outside the Trust/school, you should ensure that you do not disclose confidential information.

The Law
This policy has been written to take into account the Public Interest Disclosure Act 1988, which protects workers making disclosures about certain matters of concern, where those disclosures are made within the act's provisions. The Act is incorporated into the Employment Rights Act 1996, which already protects employees who take action over, or raise concerns about, health and safety at work.

EQUALITY
TCT will ensure that, when implementing the Whistleblowing Policy, no employee will be disadvantaged on the basis of their gender or transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability, pregnancy, or maternity, social or economic status or caring responsibility. This means that the policy may need to be adjusted to cater for the specific needs of an individual including the provision of information in alternative formats where necessary.

MONITORING
Data relating to the operation of this policy will be collated and monitored regularly to ensure that the policy is operating fairly, consistently and effectively. Issues that are identified from the data will be dealt with appropriately.

REVIEW

The policy will be reviewed in the light of operating experience and/or changes in legislation or further issued guidance from the DfE or every three years if there have been no changes.

Created/updated by: R Middlebrook	**Date: 13 March 2025**
Date approved by Trustees: 19 March 2025	**Date for review: This policy will be reviewed in light of operating experience and/or changes in legislation or within three years (March 2028) whichever is soonest.**
Previous version by: R Middlebrook	**Date: 13 March 2025**