THPT SCHOOLS

3. Whistleblowing Policy – AY 25/26 and 26/27

Date of Review: July 2025	Responsible Body: The Howard Partnership Trust
Review period: Bi-annually	Executive Lead: Strategic Lead for Safeguarding /Head of People
Next due for review: July 2026	Trust Committee: Standards & Performance
Status: Statutory	Publication: Website and Intranet

Purpose:

- To encourage employees, volunteers and other individuals to feel confident in raising serious concerns, to question and act upon their concerns about practice
- To provide them with a method of raising concerns and receive feedback on how this is being followed up
- To ensure individuals receive a response to their concerns and they are aware of how to pursue them if they are not satisfied
- To reassure individuals that they will be protected from possible reprisals or victimisation if they have reasonable belief that they have made any disclosure in good faith.

Safeguarding and promoting the welfare of children and young people is everyone's responsibility. THPT Schools are committed to safeguarding and promoting the welfare of children and young people and we expect all Trustees, staff, workers and volunteers to share this commitment.

This policy is part of the following THPT suite of annually updated safeguarding policies;

1. Safeguarding and Child Protection
2. Medical Needs (including Allergy Management and Anaphylaxis), First Aid and Intimate Care Policy
3. ***Internal Complaints and Concerns (Whistleblowing)***
4. Staff Code of Conduct
5. Mental Health and Wellbeing
6. Online Safety

7. Children with Health Needs who Cannot Attend School
8. Risk to Life Protocols and Guidance
9. Children in the Care of others policy

Amendments and additions from last year to the 25/26 policy are highlighted in yellow.

1. Policy

1.1 Introduction

1.1.1 The Trust and our Schools operate within legal requirements and regulations and expect all individuals to co-operate in this by adhering to all laws, regulations, policies, procedures and codes of conduct. Any person becoming aware of another person acting inappropriately is obliged and encouraged to report this activity.

1.1.2 The Howard Partnership Trust (THPT) is committed to operating ethically and to the highest possible standards of openness, probity and accountability. In line with that commitment, we expect employees, volunteers, and anyone associated with THPT who has serious concerns about any aspect of practices encountered within the Trust or our schools, to come forward and voice those concerns without fear of reprisals.

1.1.3 We are committed to conducting our operations with honesty and integrity, and expect all employees, trustees, members and suppliers to maintain high standards. 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.

1.1.4 This Disclosure Policy has been devised in accordance with the provisions of the Public Interest Disclosure Act 1998, the Enterprise and Regulatory Reform Act 2013 and the British Standard Institute Code of Practice regarding Whistleblowing arrangements and seeks to bring into the open concerns of the staff and public relating to issues concerning dishonesty involving the school.

1.1.5 The Trust and our Schools are committed to the values of accountability, but the determined perpetrator may find a way around systems and procedures. It is therefore necessary for all managers, staff and volunteers to be aware of what is required in the event of suspicions. This document sets out the procedure for employees and other individuals who wish to notify any suspicions and how the Trust/School should respond.

1.2. Purpose

- To encourage everyone to feel confident in raising serious concerns, to question and act upon their concerns about practice.

- To provide people with a method of raising concerns and receive feedback on how this is being followed up.
- To ensure individuals receive a response to their concerns and they are aware of how to pursue them if they are not satisfied.
- To reassure everyone that they will be protected from possible reprisals or victimisation if they have reasonable belief that they have made any disclosure in good faith.

1.3. Scope

1.3.1 This policy applies to all employees and applies equally to those designated as casual, temporary, agency, authorised volunteers or work experience, Trustees, and those contractors working for the Trust on Trust and/or school premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the Local Authority in their own premises.

1.3.2 This policy should be read in conjunction with revised 2023 version of *Keeping Children Safe in Education 2024*, the *THPT Staff Code of Conduct 2024 and the DFE Academy Trust Handbook 2023.*

1.3.3 Whistleblowing law is in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

1.3.4 It is complementary to the Trust's Code of Conduct which makes clear the standards of propriety and good practice expected of employees.

1.3.5 The grievance procedure is in place to enable employees to lodge a concern relating to their employment. The *Internal Complaints and Concerns (Whistleblowing) Policy* is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Conduct which is an offence (unlawful) or a breach of law (criminal offence)
- Where staff have behaved or been involved in an incident outside of a setting which did not involve children but could impact on their suitability to work with children.
- Disclosures related to miscarriages of justice
- Dangerous procedures or practice risking Health and Safety, including risks to the public as well as other employees
- Damage to the environment
- Dangerous Practices
- The unauthorised use of public funds
- Fraud or corruption
- Practice which falls below established standards or practice
- Action which is contrary to the code of conduct for employees

- Sexual or physical abuse of pupils/young people or others
- Other unethical conduct
- Concealment of any of the above.

A qualifying disclosure under PIDA (Public Interest Disclosure Act 1998 (UK)is defined as:

"any disclosure of information which, in the reasonable belief of the worker making the disclosure is made in the public interest and tends to show one or more of the following**: -**

- *That a criminal offence has been committed, is being committed or is likely to be committed;*
- *That a person has failed, is failing or is likely to fail to comply with any legal obligation to which s/he is subject;*
- *That a miscarriage of justice has occurred, is occurring or is likely to occur;*
- *That the health or safety of any individual has been, is being or is likely to be endangered;*
- *That the environment has been, is being or is likely to be damaged; or*
- *That information tending to show any matter falling within any one of the preceding paragraphs has been, or is likely to be deliberately concealed."*

1.4 Procedure description

1.4.1 The following important principles are contained within this policy:

- This procedure is complementary to the expected conduct for employees.
- It contains the provisions that are required from the Public Interest Disclosure Act 1998.
- The School is committed to tackling malpractice and employees should know that any matter regarding malpractice and other illegal acts will be dealt with seriously.
- A trade union or employee representative or other workplace colleague of their choice or colleague volunteer may accompany anyone involved in this procedure.
- If a matter results in any disciplinary action, the Disciplinary & Capability Procedure will apply.

1.4.2 The Internal Complaints and Concerns Policy encourages and enables individuals to voice their concerns without fear of victimisation, subsequent discrimination or disadvantage.

1.4.3 Employees and volunteers are often the first to see or suspect something that may be seriously wrong within the Trust and/or School. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Trust. They may also fear harassment or victimisation.

1.4.4 The Trustees will not tolerate any harassment or victimisation and will take appropriate action to protect individuals when a concern is raised in good faith.

1.5 Maintaining good practice

1.5.1 The Trust and our Schools are committed to the highest standards of openness, honesty and accountability. In line with that commitment, we encourage anyone who has serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis.

1.5.2 Expected standards of conduct and practice derive from a variety of sources including:

- Job descriptions
- Policies, Procedures and Guidelines
- Professional standards
- Legal requirements and guidelines
- Inspection standards and reports
- Code of Conduct
- The Nolan Principles of Public Life

1.5.3 The above list is not exhaustive but indicates the framework within which the School delivers its services. Individuals should ensure that they are aware of the standards expected of them. If they are in any doubt, they should discuss this with their Line Manager or lead contact within the organisation.

1.5.4 The system for maintaining good standards is founded on proper induction, supervision and performance management, team meetings and briefing sessions, training and development and, where necessary, the positive use of the *Capability and Disciplinary Procedures*.

1.5.5 The Trust and our Schools recognise that the decision to report a concern can be a difficult one to make. If what employees/volunteers, or others listed above in 1.3.1, are saying is true, they should have nothing to fear because they will be doing their duty to their employer and to those who are providing a service.

1.5.6 The Trust and our Schools will not tolerate any form of harassment or victimisation and will take appropriate action to protect everyone when they raise a concern in good faith.

1.6 Promoting good practice

1.6.1 There are several ways of promoting good practice as follows:

- Lead by example. No-one is perfect but it is hard to criticise others if our own practice is slip-shod.

- Know what the Trust's/School's policies and procedures expect of us and inform others who do not.

- Take the initiative to propose new procedures and amend old procedures

- Where individuals are in a caring role they should ask for procedures that make it "normal" to express concern about "care" standards.

- Ask questions. If a colleague does something strange, we should question it. There is no need for aggression but by asking why something is done in a certain way and how it will improve the service will ensure standards are maintained.

- Keep up to date, read professional journals, attend INSET, join discussion groups or joint professional groups.

- Talk to fellow professionals to learn from best practice.

- Cooperate as fully as possible with any investigation into work practices arising from complaints and share any knowledge or concerns.

- Know what is happening in the employee's area of the business and/or school, read bulletins, notices and newsletters.

- Do not wait until something becomes a major problem. Act early, if we do not we may be condoning bad working practices.

2. Concerns

2.1 Confidentiality

2.1.1 All concerns will be treated in confidence and every effort will be made not to reveal someone's' identity, if that is their wish. However, this cannot be guaranteed, if the matter is considered by an external body, outside of the Trust's/School's control, e.g. legal proceedings or where necessary in the interests of natural justice.

2.2 How to raise a concern

2.2.1 When anyone feels concerned about bad practice they will need to identify the issues carefully. They must be clear about the standards against which they are judging practice:

- Is it illegal?
- Does it contravene professional codes of practice?
- Is it against government guidelines?
- Is it against the Trust's s guidelines?
- Is it about one individual's behaviour or is it about general working practices?
- Does it contradict what the individual has been taught?
- Has the individual witnessed the incident? If so, they should write it down.
- Did anyone else witness the incident at the same time? If so, they should write it down.

2.2.2 With whom an individual should raise concerns, depends upon on the seriousness and sensitivity of the issue involved and who is suspected of the malpractice. For example, there may be exceptional occasions when they are concerned about poor or bad care practice by colleagues at work or where they are aware of a colleague acting in a way that is illegal, immoral, or unethical.

2.2.3 As a first step, the individual should normally raise concerns with their immediate Line Manager or lead contact within the organisation. However, if their concern is about that individual they should contact the Service Lead or Principal. If the concern is being raised by outside suppliers or contractors, they should address their comments through their point of contact to the Principal and/or Service Lead.

2.2.4 If a concern is about the Principal or Service Lead, they should contact the Head of Phase or Head of Human Resources.

2.2.5 If a concern is about the Head of Phase or Head of Human Resources, they should contact the Chief Executive Officer (CEO).

2.2.6 If a concern is about a member of the Executive Leadership Team, they should contact the CEO. If a concern is about the CEO, they should contact the Chair of Trustees.

2.2.7 If it is believed that Trustees of the Trust are involved, the individual should approach the Members.

2.2.8 Once an individual has decided that they wish to share their concern the following action should be considered:

- Concerns may be raised verbally or in writing. Individuals who wish to make a written report should give the background and history of the concern and the reason why they are particularly concerned about the situation. The earlier concerns are expressed, the easier it is to take action.

- If the individual wishes, they may ask for a private confidential meeting with the person to whom they wish to make the complaint.

- The individual should take to the meeting – if possible – any dated and signed written supporting statements from anyone who can confirm the allegations.

- When making the complaint verbally, the individual should write down any relevant information and date it. Keep copies of all correspondence and relevant information.

- The individual should ask the person to whom they are making the complaint what the next steps will be and if anything, more is expected of them.

- Ask to be informed of the outcome of the investigation into the complaint.

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

2.2.10 An individual may wish to consider discussing their concern with a colleague/contact within the organisation first and they may find it easier to raise the matter if there are two people who have had the same experience or concerns.

2.2.11 Employees may ask their trade union or professional association representative to advise them or be present during any meetings or interviews in connection with the concerns they have raised. Volunteers may ask a colleague volunteer or associate from within the organisation to advise them or be present during any meetings or interviews in connection with the concerns they have raised.

2.2.12 Individuals will not be victimised, disciplined or disadvantaged in any way for raising genuine concerns. Everyone has legal protection under the Public Interest Disclosure Act 1998. This Act protects individuals from victimisation by their employer as a result of raising genuine concerns both inside or outside their organisation. However, this does not apply where allegations are found to be malicious or deliberately false. Such behaviour will be dealt with under the Disciplinary Procedure or appropriate volunteer procedures.

2.2.13 Employees also have the right to raise matters of concern under the Grievance Procedure.

2.2.14 In addition to the formal procedures outlined in this policy, The Howard Partnership Trust promotes a culture of professional curiosity and early intervention through the use of the Confide system. Principals will record low-level concerns (as defined by the current version of KCSIE) in a factual, unemotive, and evidence-based manner, ensuring that all entries include the names of individuals involved and follow consistent naming conventions. While low-level concerns do not meet the harm threshold, they must still be managed by the Principal or Head of Phase, not the Designated Safeguarding Lead (DSL), and should always be discussed openly with appropriate advice sought. The Trust also provides guidance on the implications of such concerns for reference writing and record retention, reinforcing the importance of transparency, consistency, and safeguarding integrity across all settings.

2.3 Anonymous Allegations

2.3.1 This policy encourages individuals to put their name to any allegation whenever possible.

2.3.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Trust.

2.3.3 In exercising its 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.

2.4 How the Trust and/or School will respond

In accordance with the Academy Trust Handbook 2025, para 2.4;

- The board of trustees **must** agree a procedure for whistleblowing, and publish it on the trust's website, to protect staff who report individuals they believe are doing something wrong or illegal.
- The trust should appoint at least one trustee and one member of staff, who other staff can contact to report concerns.
- The trust **must** ensure all staff are aware of the whistleblowing process and how concerns will be managed.
- Staff should know what protection is available to them if they report someone, what areas of malpractice or wrong doing are covered in the trust's whistleblowing procedure, and who they can approach to report a concern.
- The trust **must** ensure all concerns raised with them by whistleblowers are responded to properly and fairly.

2.4.1 The individual manager hearing the concern is encouraged to take advice from their Line Manager.

2.4.2 Where appropriate, the matters raised may:

- Be investigated by management, internal audit, or in conjunction with Human Resources through the disciplinary procedure
- Be referred to the police
- Be referred to the external auditor
- Form the subject of an independent inquiry.

2.4.3 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 the Trust/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.

2.4.4 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.

2.4.5 In all cases, when someone raises a concern, the Principal, Head of Phase, CEO or Chair of Trustees or Members will decide if the Local Authority/Department of Education should be notified. They will assess the nature of the concern to decide the appropriate response.

2.4.6 Within **ten working days** of a concern being raised, the manager hearing the concern will respond to the individual and:

- Acknowledge the concern has been received.
- Indicate how the matter will be dealt with and who will be involved.
- Where possible, give an estimate of how long it will take to provide a response.
- Tell the individual whether any initial enquiries have been made.
- Check whether they need any personal support.
- Tell the individual whether further investigations will take place and if not why not.

2.4.7 The amount of contact between those considering the issues and the individual will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, the Trust/School will seek further information from the individual, as part of the investigation process.

2.4.8 The Trust and/or our Schools will take steps to minimise any difficulties individuals may experience as a result of raising any concerns. For instance, if they are required to give evidence in criminal or disciplinary proceedings, the Trust/School will arrange for them to receive support.

2.4.9 The Trust and our Schools accept that individuals need to be assured that the matter has been addressed. Thus, subject to legal constraints and the bounds of confidentiality, we will inform them of the outcome of any investigation, and the action that is to be taken against those whose action caused the concern. Also, if appropriate, consideration will be given to any changes that may need to be enforced to monitor procedures to ensure that a similar concern is not raised in the future.

2.5 Untrue Allegations

2.5.1 If someone makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, they make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them. In such cases, the Disciplinary Procedure or appropriate volunteer procedures will apply.

2.6 Responsible Officer

2.6.1 The Chief Executive Officer of the Trust has the overall responsibility for the maintenance and operation of the *Whistleblowing Policy* in respect of concerns raised formally outside the management of the School. In respect of concerns raised

internally within the School, the Principal or Executive Principal will maintain a record of any concerns raised and the outcome and will report as necessary to Trustees.

2.7 How matters can be taken further

2.7.1 If the individual is not satisfied with the outcome, they may take the matter to the Head of Phase, an ELT member or CEO if they have not already been involved. Within **ten working days**, the Head of Phase, member of the ELT or CEO/Chair of Trustees will write to the individual to acknowledge the concern has been received and indicate the steps that will be taken. The Head of Phase, member of the ELT or CEO may choose to nominate an appropriate individual to investigate who will then inform the individual of the outcome on the same basis as above.

2.7.2 This policy is intended to provide individuals with a way to raise concerns within the Trust/School. If the individual feels that it is right to take the matter externally, contact can be made with a recognised trade union, local Citizens Advice Bureau, relevant voluntary or independent organisation or legal advisor. The Public Interest Disclosure Act also sets out a number of bodies to which protected disclosures can be made, including HM Revenue & Customs, the Health and Safety Executive and the Serious Fraud Office.

2.7.3 If employees, casual workers and volunteers take their concerns outside of the Trust/School, this policy does not apply. They should take advice about their rights and responsibilities. Employees, casual workers and volunteers should also make sure that as far as possible the matter is raised without personal information relating to other employees being disclosed.

2.7.4 Any employee, worker or volunteer who unreasonably and without justification raises such issues on a wider basis, such as with the press, without following the steps and advice in this procedure, may be liable to disciplinary action or sanction under the appropriate volunteer procedures. An employee considering such a course of action is strongly advised to seek prior advice from their trade union or an independent organisation such as Protect (https://protect-advice.org.uk/documents/protect-formerly-public-concern-at-work-whistleblowing-code-of-practice/).

2.8 External Disclosures

2.8.1 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.

2.8.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body. It will very rarely, if ever, be appropriate to alert the media. You should seek advice before reporting a concern to anyone external. Protect operate a confidential helpline. Your trade union may also be able to advise you in these matters.

2.8.3 Our understanding is that the Education and Skills Funding Agency is not a prescribed person for the purposes of Section 43F of the Employment Rights Act 1996 and that the ESFA would not count as the Minister of the Crown for the purposes of Section 43E of the Employment Rights Act as no members of our Board are appointed by a Minister of the Crown under any enactment.

2.8.4 We believe that the bodies listed at Appendix 1 are the prescribed persons for the areas which may relate to us. A whistleblower will only have protection for a disclosure to a prescribed person if they reasonably believe:

a. disclosure is in the public interest; and

b. the relevant wrongdoing falls within the description of the matter in respect of which that person is prescribed; and

c. the information disclosed and allegation contained in it are substantially true.

2.8.5 Whistleblowing concerns usually relate to the conduct of staff, but they may sometimes relate to the actions of a third party, such as a supplier or agency. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such internally first. You should contact the Head of HR for guidance.

2.9 Data Protection

When an individual makes a disclosure, the School/Trust will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

Appendix 1 – Relevant Prescribed Persons

Certification Officer	Fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations.
Charity Commissioners for England and Wales	The proper administration of charities and of funds given or held for charitable purposes.
Commissioners of the Inland Revenue	Income tax, corporation tax, capital gains tax, petroleum revenue tax, inheritance tax, stamp duties, national insurance contributions, statutory maternity pay, statutory sick pay, tax credits, child benefits, collection of student loans and the enforcement of the national minimum wage.
Comptroller & Auditor General	The proper conduct of public business, value for money, fraud and corruption in relation to the provision of centrally funded public services.
Director of the Serious Fraud Office	Serious or complex fraud.
Environment Agency	Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment, including those relating to pollution, abstraction of water, flooding, the flow in rivers, inland fisheries and migratory salmon or trout.
Food Standards Agency	Matters which may affect the health of any member of the public in relation to the consumption of food and other matters concerning the protection of the interests of consumers in relation to food.
Children's Commissioner	Matters relating to the views and interests of children.
Health and Safety Executive	Matters which may affect the health or safety of any individual at work; matters, which may affect the health and safety of any member of the public, arising out of or in connection with the activities of persons at work.
Local authorities which are responsible for the enforcement of health and safety legislation	Matters which may affect the health or safety of any individual at work; matters, which may affect the health and safety of any member of the public, arising out of or in connection with the activities of persons at work.
Information Commissioner	Compliance with the requirements of legislation relating to data protection and to freedom of information.

Pensions Regulator	Matters relating to occupational pension schemes and other private pension arrangements including matters relating to the Regulator's objective of maximising compliance with the duties under Chapter 1 of Part 1 (and the safeguards in sections 50 and 54) of the Pensions Act 2008.
Office of Qualifications and Examinations Regulation	Matters in relation to which the Office of Qualifications and Examinations Regulation exercises functions under the Apprenticeships, Skills, Children and Learning Act 2009
Local authorities	Compliance with the requirements of food safety legislation.
A Member of Parliament	All matters for which any other person is a prescribed person.