Self-help
Self-responsibility
Equity
Equality
Democracy
Solidarity

Osborne
Co-operative Academy Trust

Whistleblowing Policy

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E. Gibson	June 2026	7.0	Changes to previous edition Section 1.1: Inclusion of sexual harassment as a protected disclosure Amended the reporting procedure relating to Fraud of financial malpractice (was previously ESFA).

INDEX

Osborne Co-operative Academy Trust

Osborne Co-operative Academy Trust is a multi-academy trust (MAT) incorporated around the principles and values of the international co-operative movement. These are Equality, Equity, Democracy, Self-help, Self-Responsibility and Solidarity, along with the ethical values of openness, honesty, social responsibility and caring for others. These values and principles underpin all our actions.

1. Introduction

It is important to the Trust that any suspected fraud, misconduct, malpractice or wrongdoing by workers or employees of the Trust/school is reported and properly dealt with. The Trust is committed to creating an open and supportive environment where individuals feel able to "speak up" about any genuine concerns regarding alleged wrongful conduct of the employer, or about the conduct of a fellow employee, or any third party.

This policy sets out the framework for how issues can be raised confidentially internally, and/or if necessary, outside the management structure of the Trust to another prescribed body (see 2.1 below). All disclosures will be handled consistently and fairly and appropriate action will be taken by the Trust/school to resolve the issue in line with this policy.

This policy applies to all employees, trustees and Local Governing Body members. Although Volunteers and other individuals engaged to work at or provide services to the school, including agency workers and contractors, are not always covered by the Public Interest Disclosure Act 1998, they are encouraged to raise concerns under this policy.

1.1 The law (Public Interest Disclosure Act 1998) provides protection for employees who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that there has been or is likely to be:

- a breach of any legal obligation;
- a miscarriage of justice;
- a criminal offence;
- a danger to the Health and Safety of any individual;
- damage to the environment;
- sexual harassment; or
- deliberate concealment of information about any of the above

Some examples of qualifying disclosures in the Trust/school context may include:

- Fraudulent acts (e.g. manipulation of accounting records/finances, inappropriate use of funds, decision making for personal gain, abuse of position to influence decision);
- Breaches of acceptable professional and ethical standards;
- Breaches of the Trust's Health and Safety policy entailing danger to staff or pupils;
- Breaches of any of the Trust's policies or the Code of Conduct;
- Failure to take reasonable steps to prevent sexual harassment or failure to deal appropriately with concerns raised.

It is not necessary for the employee or worker to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient.

For the purposes of this policy, the term "whistle-blower" refers to the individual making the disclosure.

1.2 The whistle-blower must reasonably believe they are making the disclosure in the public interest (i.e. it affects others such as pupils in the Trust/school or members of the public). This means that personal grievances and complaints (e.g. a concern about their own contractual terms, treatment of their child) are not usually covered by this policy and should be dealt with:

- By employees through the Trust's Grievance Procedure, which can be found on the Every system.
- By other parties through the Complaints procedure

2. Raising concerns/making a disclosure

2.1 Initial concern

The Trust Board encourages the "whistle-blower" to raise the matter internally in the first instance. Concerns should normally be raised initially with a senior manager, the Headteacher, or the Chair of Governors/Trustees.

Members of the school community are particularly reminded of their obligation to report all safeguarding concerns, immediately as set out in the school's safeguarding policy and code of conduct.

If the whistle-blower considers the matter too serious or sensitive to raise it internally, they may refer the matter to an external prescribed body. A prescribed body is an organisation, normally with some regulatory function (for example the Health and Safety Executive), which is prescribed by the Secretary of State for the purposes of the Act who an individual may make a protected disclosure to. Any such disclosure to a prescribed body will qualify for protection under the Act. A list of prescribed bodies is available at the following link:

https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies

In the event that the whistle-blower feels a disclosure should be referred to an external prescribed body some of the relevant bodies are also set out below:

Nature of disclosure:	**External reporting/Prescribed body:**
Fraud of financial malpractice (see 3.2 below)	Report fraud or financial irregularity to DfE - https://www.gov.uk/guidance/report-fraud-or-financial-irregularity-to-dfe allegations.mailbox@education.gov.uk
Child Protection/Safeguarding issues	Local Authority Designated Officer Thurrock: **01375 652802** Essex Safeguarding Duty Line: **03330 139 797** NSPCC Whistleblowing helpline: 0800 028 0285 Email: help@nspcc.org.uk
Data protection issues	Information Commissioner https://ico.org.uk/
Health and Safety issues	Health and Safety Executive http://www.hse.gov.uk/

If a concern is raised verbally, it should be followed up in writing wherever possible.

The whistle-blower has no responsibility for investigating the matter – it is the Trust's/school's responsibility to ensure that an appropriate investigation takes place.

Where the complaint is serious, for example involving fraud, theft or other potential gross misconduct by an employee, the whistle-blower should act quickly to report it but should not mention it to the subject of the complainant or other colleagues as this could affect the investigatory process.

The timescales for handling disclosures will differ depending on the nature of the disclosure made but all disclosures (whether formal or informal) will be acknowledged within 2 working days.

2.2 Investigation

The manager/Governor will arrange an investigation into the matter either by investigating the matter themselves or immediately passing the issue to an appropriate person (except where they are the subject of the disclosure where an alternative suitable person will be appointed). The investigation may involve the whistle-blower and other individuals involved giving a written statement. An investigation will be carried out promptly and confidentially.

If a whistle-blower wishes to remain anonymous this should be raised with the person to whom the initial disclosure is made. In some cases, this may be possible but in more serious cases where disciplinary action may have to be taken against others, this may be more difficult. The Trust is committed to protecting the well-being of the whistle-blower whilst this policy is followed.

The whistle-blower's statement (where available) will be taken into account, and they will be asked to comment on any additional evidence obtained. The person responsible for the investigation may ask the whistle-blower to attend a meeting to gather all the information needed to ensure a clear understanding of the situation.

Where a meeting is held, the whistle-blower may be accompanied by a trade union representative or work colleague if they wish and where possible the dates/times will be agreed to facilitate this., or in the case of a third party, by an appropriate person (e.g. friend, family, colleague). Legal professionals will not normally be allowed to attend such meetings.

2.3 Outcome of the investigation

The person who carried out the investigation will take necessary action, which may include reporting the matter to the Line Manager/Head of School/Headteacher/Chair of Governors/CEO/Chair of Trust or an appropriate prescribed body (if this has not already taken place).

On conclusion of any investigation, the whistle-blower will be told of the outcome of the investigation (in as much detail as is deemed appropriate by the Line Manager/Head of School/Headteacher/Chair of Governors/CEO/Chair of Trust in the circumstances) and what action is to be taken or is proposed. If no action is to be taken, the reason for this will be explained.

Where a concern is raised anonymously, the Trust/school will not ordinarily be able to provide feedback to the whistle-blower and any action taken as a result of an anonymous disclosure may be limited.

The Trust/School will take all appropriate steps to investigate such a disclosure in line with the level of information provided. If an anonymous whistle-blower wishes to seek feedback from the Trust/School, an appropriate anonymised email address should be provided.

2.4 Further action

Where having raised an initial concern and the whistle-blower has a genuine belief that the Trust/School has failed to take appropriate action or investigate the issue properly and they wish to pursue the matter further, they may report their concern to another relevant person in the Trust (see 2.1) or to an appropriate prescribed body (if this has not already been reported).

This person may arrange for further investigation to be carried out, make any necessary further enquiries and/or make their own report. On the conclusion of any further investigation, they will take appropriate action, which may include reporting the matter to a prescribed body if this has not taken place at an earlier stage in the process.

Should the whistle-blower remain dissatisfied with the management of the concern, they are entitled to raise the matter with an appropriate prescribed body listed under Section 2.1, ensuring they follow any relevant requirements for protected disclosures.

3 Other issues

3.1 Concerns raised by member of the public

Where complaints are received from members of the public, the Trust's formal complaints procedure will be followed, unless the complaint relates to the specific conduct or performance of an individual employee/worker in which case the Trust's Disciplinary Procedure may need to be instigated.

3.2 Criminal issues/fraud

In the event of the allegation being of a very serious nature, for example relating to a fraud or other potential gross misconduct offence, there may be a need to involve the Trust's auditors and/or the police or other appropriate authorities. This should normally be agreed initially by the Line Manager/Head of School/Headteacher/Chair of Governors/CEO/Chair of Trust who should, in turn, and where appropriate, keep these other authorities informed in view of any possible implications concerning public monies .

The Trust/school must notify the Secretary of State via the Education & Skills Funding Agency of any instances of fraud, theft or irregularity where the value exceeds £5,000 individually, or £5,000 cumulatively in any financial year. Any unusual or systematic fraud, regardless of value, must also be reported.

4. Protecting 'whistle-blowers' and complainants

4.1 Any whistle-blowers who make protected disclosures in line with this procedure have the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure. This means continued employment and opportunities for promotion or training will not be affected because the whistle-blower has raised a legitimate concern.

4.2 Any form of discrimination or victimisation against a whistle-blower for raising a genuine concern is strictly prohibited and may also contravene the Equality Act 2010. Whistle-blowers should report any harassment or victimisation to an appropriate manager as soon as practicable. The Trust/school will take all reasonable steps to prevent/address such harassment or victimisation. Victimisation of a whistle-blower for making a protected disclosure will be considered a disciplinary matter and will be dealt with under the Trust's Disciplinary Procedure.

4.3 Whistle-blowers may find the process of reporting an issue/wrongdoing difficult and uncomfortable. The Trust/school will take all reasonable steps to support the whistle-blower, which will include access to an external counselling service – Employee Assistance Programme (EAP). The whistle-blower may also be referred to the charity Protect (previously known as Public Concern at Work) https://protect-advice.org.uk/ for information and advice.

5. Malicious allegations/disclosures

5.1 If, following appropriate investigation, it is considered that an employee has made a malicious allegation without real substance and/or which could not be reasonably considered to be in the public interest, this will be taken as a most serious matter and may potentially lead to disciplinary action in line with the Trust's disciplinary procedure.

For the purposes of this policy, 'malicious' means knowingly making a false statement or acting in bad faith with the intent to harm another individual or the organisation.

5.2 Where other individuals engaged by the Trust/school make a malicious allegation, the Trust/school will investigate the allegation thoroughly and take appropriate action, which may include terminating the contract/arrangements with the individual.

5.3 If disciplinary action is required, the Line Manager (or the person who carried out the investigation) will report the matter to a relevant manager to start the disciplinary procedure.

5.4 If a third party has made a malicious allegation the Trust may take legal advice about steps open to it where appropriate.

6. Data Protection

6.1 When an individual makes a disclosure, the Trust/school will process any personal data collected in accordance with its data protection policy and General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Data collected from the point at which the individual makes the disclosure is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.