



Special Partnership Trust



WHISTLEBLOWING POLICY

Date Last Reviewed: June 2023

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Whistleblowing Policy

1.0 Introduction

The Special Partnership Trust is committed to the highest possible standards of openness, probity, and accountability. In line with that commitment, we expect employees who have serious concerns about any aspect of the school's work to come forward and voice those concerns.

This procedure makes it clear that employees can do so without fear of victimisation, subsequent discrimination, or disadvantage. It is intended to encourage and enable employees to raise serious problems within the school rather than overlooking a problem or "blowing the whistle" outside. The concerns raised must be specific, and where possible evidenced, to avoid malicious or vexatious allegations. The process is intended to provide a fair and unprejudiced investigation for both the complainant and the person(s) who is/are the subject of the complaint. This procedure has been discussed with the relevant trade unions and professional organisations and has their support.

The Chair of Trustees, has specific responsibility for this procedure and is the Trust's Whistleblowing Officer.

The requirement to have clear whistle-blowing procedures in place is set out in the [Academy Trust Handbook](#).

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](#).

This policy complies with our funding agreement and articles of association.

This policy does not form part of any contract of employment or other contract to provide services, and the Trust may amend it at any time.

This policy applies to all employees, officers, consultants, self-employed contractors, casual workers, agency workers and volunteers.

2.0 Definition of Whistle Blowing

Whistle-blowing is the disclosure of information which relates to suspected wrongdoing or dangers at work . Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment



A whistle-blower is a person who raises a genuine concern relating to the above. If employees have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) they should report it under this policy.

Not all concerns about 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.

When staff have a concern they should consider whether it would be better to follow our staff grievance or complaints procedures. If a member of staff is uncertain whether something is within the scope of this policy they should seek advice from the Whistleblowing Officer, whose contact details are at the end of this policy.

Protect (formerly Public Concern at Work) <https://protect-advice.org.uk> is a registered charity which advises on serious malpractice within the workplace in accordance with the provisions of the Public Interest Disclosure Act 1998, 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](#)

3.0 Aims and Scope of this Procedure

This procedure 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
- encourage individuals to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for individuals to raise those concerns and receive feedback on any action taken
- 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
- 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)
- Let all staff know the protection available to them if they raise a whistle-blowing concern

The procedure is intended to supplement, rather than replace, the existing complaints, disciplinary and grievance procedures established within the Trust. It is intended to cover serious concerns that fall outside the scope of other procedures and may relate to something which:

- is against Financial Regulations and policies
- is against Academy/Trust policies and procedures, or
- falls below established standards of practice, or
- amounts to improper conduct, including something believed may be:
 - against the law
 - a Health & Safety risk
 - damaging to the environment
 - misuse of public money
 - corruption or unethical conduct
 - abuse of clients or service user

4.0 When to Raise a concern.

Staff should consider the information in this policy 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.

5.0 How to Raise a Concern

As a first step, if the allegation is within a particular school, the employee should normally raise concerns with the Headteacher and inform them that this procedure is being used. The Headteacher would inform the Director of the Trust. However, the Trust recognises that on some occasions this may not be appropriate. If the allegation concerns the Headteacher, a MAT team member or a Trustee, the concern should be raised with the Whistleblowing Officer (Chair of Governors) in the first instance.

Concerns must be raised in writing wherever possible. Although an employee is not expected to prove beyond doubt the truth of their concerns, they will need to demonstrate that they have reasonable grounds to raise them. Where employees fail to report their concerns, they may become themselves implicated and consequently the Trustees may treat failure by an employee to report such matters as a serious matter that could lead to disciplinary action. An employee may wish to obtain assistance in putting forward their concern from a Trade Union representative or a colleague. An employee may choose to be represented by a Trade Union representative or colleague at any meetings, which are required. We will take down a written summary of the concern and provide a copy after the meeting. We will also aim to give the employee an indication of how we propose to deal with the matter.

6.0 How the Trustees will respond

6.1 Investigating the concern

When a concern is received by the Headteacher/ Director/ Chair of Trustees/ People Development Manager – 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 the headteacher/ director/ chair of trustees, if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In other cases, 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

We will aim to keep the person concerned informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving specific details of the investigation, an outcome or any disciplinary action taken as a result. All information about the investigation should be treated confidentially.

6.2 Outcome of the investigation

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.

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.

Beyond the immediate actions, the Director, headteacher, trustees and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

7.0 Confidentiality

All concerns will be treated in confidence and the Trust will make every effort to protect the identity of the employee if they so wish. At the appropriate time, however, if it is necessary for anyone investigating the concern to know the identity or the employee needs to provide a statement or act as a witness, we will discuss this with the employee, who will be expected to co-operate fully with the investigation and disclose all relevant information.

8.0 Anonymous Allegations



This procedure encourages employees to put their name to the concern, as anonymous allegations may often be difficult to substantiate/prove. Concerns expressed anonymously are much less powerful but will be investigated unless the Trust's Whistleblowing Officer, (Chair of Trustees), agrees there is insufficient evidence to proceed.

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 the Whistleblowing Officer and appropriate measures can then be taken to preserve confidentiality.

9.0 Untrue Allegations

If a concern is raised in good faith, but it is not subsequently confirmed by the investigation, no action will be taken against the person concerned. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken against the person concerned.

9.0 The Responsible Officer

The Special Partnership Trust's Whistleblowing Officer – Chair of Trustees has overall responsibility for the maintenance and operation of this policy within the Trust.

Under normal circumstances the Headteacher would carry out an initial investigation locally and report to the Director. The Director would then make a decision as to proceed based on the facts, and the case for natural justice (ACAS). If the Headteacher is the subject of the concerns raised, the Director and/or a team of three Trustees will complete the investigation. In all cases the investigation has to present a balanced view of the facts and supporting documentation from both sides of the issue. The subject of the complaint should be given access to the specific concerns and statements at least five days in advance of speaking to the investigating staff/governors, with opportunity to seek professional advice. The process should be dealt with within a four-week timeframe from the initial complaint to the time at which the Trustees decide whether to reject the concern or proceed with appropriate disciplinary procedures. The Whistleblowing Officer will maintain a record of concerns raised and the outcomes and will report as necessary to the Director/Trustees. The recording and reporting procedure will be in a form, which ensures confidentiality, unless the concerns raised are judged to be malicious or vexatious.

10.0 How the matter can be taken further?

This procedure is intended to provide a route within the School to raise concerns but if an employee does not feel their concern has been addressed adequately they may raise it with an independent body such as one of the following:

- the External Auditor
- your Trade Union
- your local Citizens Advice Bureau
- a relevant professional body or regulatory organisation e.g. Ofsted,



- ESFA, RDD
- a relevant voluntary organisation
- the police
- the Local Government Ombudsman

Employees have a duty to their School and the Trust not to disclose confidential information. This does not prevent the employee from raising concerns with an independent body referred to above, or Public Concern at Work (telephone number 020 7404 6609 or more information is available at <https://protect-advice.org.uk> a registered charity which advises on serious malpractice within the workplace in accordance with the provisions of the Public Interest Disclosure Act 1998.

11.0 If an employee is not satisfied

While we cannot always guarantee the outcome the employee is seeking, we will try to deal with concerns fairly and in an appropriate way. By using this policy, an employee can help us to achieve this.

If an employee is not happy with the way in which their concern has been handled, this can be raised with one of the other key contacts in paragraph 13.0.

12.0 Protection and support for whistleblowers

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.

Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats, or other unfavourable treatment connected with raising a concern. If staff believe that they have suffered any such treatment, they should inform the Whistleblowing Officer immediately. If the matter is not remedied, it should be raised formally using our Grievance Procedure.

Staff must not threaten or retaliate against whistleblowers in any way. If staff are involved in such conduct, they may be subject to disciplinary action.

13.0 Contacts

Whistleblowing Officer	Alison Cook acook@specialpartnership.org
Director	Guy Chappell (Director) 07807495402 GChappell@specialpartnership.org



Headteacher – Curnow School	Rob Armstrong 01209215432 secretary@curnowschool.org.uk
Headteacher – Doubletrees School	Heidi Hoskin 01726812757 secretary@doubletrees.org.uk
Headteacher – Nancealverne School	Ruth Carpenter 01736365039 secretary@nancealverne.org.uk
Headteacher – Pencalenick School	Gary Oak 01872520385 secretary@pencalenick.org
Headteacher – Orchard Manor School	Nicola Jones 01626 862363 admin@orchard-manor.org
Headteacher - Brunel School	Vikki Alden 01803 665522 admin@brunelschool.org
Confidential counselling	Simply Health 0330 102 5448
Protect (Independent whistleblowing charity)	Helpline: 020 3117 2520 Website: https://protect-advice.org.uk