



# Whistleblowing Policy

<b>Approved by:</b>	Board of Trustees	<b>Date:</b> December 2024
<b>Last reviewed:</b>	December 2024	
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<b>Monitoring and review:</b>	3 Years	

**Adopted:** December 2024

**Governing Committee:** Board of Trustees

**Responsibility:** Head of HR

## 1. Introduction

West Midlands Academy Trust (WMAT) is committed to creating and maintaining an environment where all staff, volunteers, and external partners feel safe to raise concerns about malpractice, misconduct, or unethical behaviour without fear of retaliation. This policy is designed to provide clear guidance on how to raise concerns, the protection available to whistleblowers, and how those concerns will be handled. Whistleblowing can play an important role in ensuring that we maintain the highest standards of conduct and accountability in our schools and WMAT.

The whistleblowing procedure sets out a process to allow individuals to raise concerns about conduct or practices of others within WMAT, and the process which WMAT will use to respond to such concerns.

This policy applies to all employees, contractors, volunteers, governors, and any other individuals working for or with WMAT.

## 2. Definitions

Whistleblowing is the reporting of suspected or actual malpractice, wrongdoing, or unethical behaviour that has occurred (or is likely to occur) within the Trust or one of its academies. This could include concerns about:

1. Criminal offences;
2. Breach of any legal obligation;
3. Miscarriages of justice;
4. Danger to the health and safety of any individual;
5. Damage to the environment;
6. Conduct likely to damage our reputation;
7. Improper conduct or unethical behaviour;
8. Public examination fraud; or
9. The deliberate concealing of any of the above.

A whistleblower is someone who reports a concern in good faith and in accordance with this policy, even if they are mistaken in their belief that the malpractice exists.

The following individuals can whistleblow:

- All employees of WMAT (including permanent, temporary, and part-time staff);
- Members, Trustees, School Board members, volunteers, contractors, and any other individuals working for or with WMAT; and
- Colleagues from external partners, suppliers, and service providers who may have concerns regarding the operation of the WMAT.

The policy should only be used where there are reasonable grounds for the belief in the alleged wrong doing, and should not be used for an employee's individual grievance or parental complaints.

Nothing in this policy is intended to prevent staff from complying with their statutory obligations in accordance with Keeping Children Safe in Education (DfE). If a child is in immediate danger or is at risk of harm a referral should be made to Children's Social Care and/or the police immediately. Anyone can make a referral.

The 'Representor' is the person raising the concern.

The 'Assessor' is the person hearing the concern. This will be line manager or the Prescribed Person.

The 'Prescribed Person' provides an alternative route for employees to raise concerns other than their line manager. At WMAT, employees may either contact the Head of HR or the Chair of Audit, Compliance and Risk Committee via the Clerk to Board of Trustees.

The 'Investigator' is a senior member of staff who is independent of the concerns being raised.

### 3. Principles supporting the procedure

- **Confidentiality:** We will respect the confidentiality of whistleblowers to the greatest extent possible. However, there may be times when confidentiality cannot be guaranteed, for example, if disclosure is required by law or to investigate the concern fully.
- **Protection from Retaliation:** Whistleblowers will not face retaliation, discrimination, or detriment for making a report in good faith. Any act of retaliation will be treated as a serious matter and investigated accordingly.
- **Good Faith Reporting:** Whistleblowers are encouraged to report concerns based on genuine belief and reasonable grounds, rather than with malicious intent. A concern raised out of personal grievances or to harm others may not be considered a valid whistleblowing concern.
- **Accountability:** Concerns raised will be taken seriously, thoroughly investigated, and acted upon in a timely and effective manner.

### 4. The procedure

Before initiating the procedure, potential whistleblowers should consider the following:

- The responsibility for expressing concerns about unacceptable practice or behaviour rests with everyone;
- WMAT employees should use line manager or team meetings and other opportunities to raise questions and seek clarifications on issues which are of day-to-day concern;
- Contractors and volunteers should ask questions and seek clarifications from the WMAT staff that they work with; and
- Whilst it can be difficult to raise concerns about the practiced or behaviour of WMAT employees or those involved in its governance, individuals must act to prevent an escalation of the problem and to prevent themselves being potentially implicated.

All parties will agree that the concern raised will be kept confidential (as far as reasonably practicable to progress the complaint) while this procedure is being used. If a Representor requests that their identity be protected, it will not be disclosed unless WMAT is required to do so in law.

Anonymous complaints will be taken seriously and will follow this procedure, however investigations may be limited without the ability to interview the Representor.

The Representor should raise their concerns verbally or in writing to their Line Manager or the Prescribed Person.

The Assessor should:

- Ensure that a written statement of any verbal concern raised is made as soon as possible after the initial discussion;
- Interview the Representor as soon as possible, and within seven working days of the concern being raised in writing;
- Obtain as much information as possible from the Representor about the grounds for the belief of wrongdoing;
- Discuss with the Representor the further steps which may be taken;
- Advise the Representor of the appropriate route if the matter does not fall under this procedure; and
- Report all matters raised under the procedure to the Head of HR (unless the matter is in relation to the Head of HR, in which case this should be reported to the Chair of the Audit, Compliance and Risk Committee).

The Representor may be accompanied to the interview with the Assessor by a recognised trade union representative or work colleague. The Assessor may be accompanied by a member of Trust staff to take notes.

If reasonably practicable, within ten working days of the interview the Assessor will inform the Representor of next steps as appropriate:

- The outcome and recommended action to be taken by WMAT;
- The matter will be further investigated internally;
- The matter will be investigated by an external party;
- The route that the employee should take to pursue the matter, if not within this procedure; or
- That no further action will be taken.

The Assessor may engage another senior colleague, independent from the concern, to undertake an investigation. The Assessor or Investigator may also discuss the issue, in confidence with other suitable professionals, such as independent HR consultants or solicitors to assess the nature of the case and to inform the outcome of the investigation. Written records will be taken throughout any investigation.

The conclusion of any investigation will be reported by the Assessor to the Representor as soon as reasonably practicable and, where possible, within 28 working days of the concern raised. However, it will not always be possible to respond within that time frame. If this is the case, the Representor will be advised of any delay including the reason for it and the likely timescale.

All responses to the Representor will be in writing. If the Representor is dissatisfied with the outcome they may appeal to the Chair of the Board of Trustees.

## **5. Malicious accusations**

Deliberately false or malicious accusations made by a Representor may be dealt with under WMAT's disciplinary procedure.

## 6. External Sources

WMAT encourages all staff to make use of this internal produced before considering referring concerns externally. If an employee believes that the right action is to take the matter externally, it may be appropriate for contact to be made with:

- Protect [Contact our Advice Line - Protect - Speak up stop harm \(protect-advice.org.uk\)](https://www.protect-advice.org.uk)
- Citizen's Advice Bureau
- HM Revenues & Customs
- Health & Safety Executive (HSE)
- Serious Fraud Office with the Police
- The Local Authority's Designated Officer (LADO)
- Information Commissioner
- Department for Education or Education and Skills Funding Agency
- Ofsted

## 7. Monitoring, review and evaluation

All matters raised under this policy will be recorded by the Head of HR and reported on a confidential and regular basis to the Chair of the Audit, Compliance and Risk Committee. The Board of Trustees has ultimate responsibility for ensuring that any recommendations have been implemented.

This procedure will be reviewed when required by legislation or case law, if WMAT experience suggests that it needs revision, or periodically to ensure that it continues to reflect sector best practice. Reviews of the procedure will assess its implementation and effectiveness and this review may involve seeking feedback from those who have had reason to invoke this procedure.