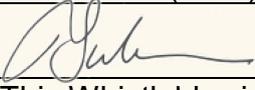


Excellence, Aspiration and  
Care in Partnership

# Whistleblowing Policy

2024.25

<b>Written by</b>	Ms Foye (HR Director)
<b>Approved by</b>	Mr Sullivan (CEO)
<b>Signed</b>	
<b>Notes</b>	This Whistleblowing Policy has been approved and adopted by Ashmole Trust for use in all its academies on 1 <sup>st</sup> September 2024 and will be reviewed on 1 <sup>st</sup> September 2025.
<b>Date approved</b>	September 2024
<b>Next review date</b>	September 2025

## Whistleblowing Policy

### DEFINITIONS

In this Whistleblowing Policy, unless the context otherwise requires, the following expressions shall have the following meanings:

- ‘Academy’ means any academy operated by Ashmole Trust and includes all sites upon which the Academy undertaking is, from time to time, being carried out.
- ‘Board’ means the board of Directors of the Trust.
- ‘Companion’ means a willing work colleague, or a trade union official, an accredited representative of a trade union or other professional association of which the employee is a member, who should be available for the periods of time necessary to meet the timescales under this Whistleblowing Policy.
- ‘Headteacher’ means the most senior teacher in the Academy who is responsible for its management and administration. Such teacher may also be referred to as the Head of School or Principal.
- ‘Local Governing Body’ means, (if appropriate to the context), the Governors appointed to carry out specified functions in relation to the Academy as delegated by the Trust.
- ‘Trust’ means Ashmole Trust, which is the company responsible for the management of the Academy and, for all purposes, means the employer of staff at the Academy.
- ‘Working Day’ means any day on which you would ordinarily work if you were a full-time employee. In other words, ‘Working Day’ may apply differently to teaching and non-teaching staff. However, part-time and full-time staff will not be treated differently for the purposes of implementing this Whistleblowing Policy.

### About this policy

- The Trust is committed to conducting all of its academies, including the Trust, with honesty and integrity, and we expect all staff to maintain high standards of conduct in accordance with their contracts of employment and/or our workplace policies. 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 and to address them when they do occur.

- The aims of this policy are:
  - To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
  - To provide staff with guidance as to how to raise those concerns.
  - To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy covers all employees, officers, consultants, contractors, volunteers, casual workers and agency workers.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

### **Personnel responsible for the policy**

The Board of Trustees has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

The Head Teacher has day-to-day operational responsibility for this policy and must ensure that all leaders and managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

The Board of Trustees, should review this policy from a legal and operational perspective at least once a year.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

### **What is whistleblowing?**

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- (a) criminal activity;
- (b) failure to comply with any legal or professional obligation or regulatory requirements;
- (c) miscarriages of justice;
- (d) danger to health and safety;
- (e) damage to the environment;
- (f) bribery



- (g) financial fraud or mismanagement;
- (h) breach of relevant Trust and/or Academy policies and procedures, including but not limited to the Disciplinary Policy and Procedure;
- (i) conduct likely to damage the Trust's and/or Academy's reputation;
- (j) conduct likely to damage the Trust and/or Academy's financial wellbeing;
- (k) unauthorised disclosure of confidential information;
- (l) negligence;
- (m) malpractice;
- (n) the deliberate concealment of any of the above matters.

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

This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Policy and or Anti-harassment and Bullying Policy as appropriate.

If you are uncertain whether something is within the scope of this policy, you should seek advice from HR.

### **Raising a whistleblowing concern**

We hope that in many cases you will be able to raise any concerns with your line manager or, where that is not appropriate, the Head Teacher. Where the Head Teacher has a whistleblowing concern, they should raise it with the Chair of the Local Governing Committee/Chief Executive Officer. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to HR.

However, where the matter is more serious, or you feel that your line manager, or where appropriate, the Head Teacher/Chair of the Local Governing Committee/Chief Executive Officer has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

1. CEO
2. Chair of Trust
3. HR Director
4. Deputy Head – Safeguarding Lead, Ashmole Trust

Contact details are set out at the end of this policy.



We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a Companion to any meetings under this policy. Your Companion must respect the confidentiality of your disclosure and any subsequent investigation.

We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

### **Confidentiality**

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. 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 contacts above and appropriate measures can then be taken to preserve confidentiality.

### **Investigation and outcome**

Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.

In some cases, we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If we conclude that a whistleblower has made false allegations maliciously, the whistleblower may be subject to disciplinary action.



### **If you are not satisfied**

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

If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts above.

### **Companion**

You may be accompanied by a Companion at any meeting held under this policy.

You must let the relevant person arranging the meeting know who your Companion will be at least one Working Day before the relevant meeting.

If you have any particular reasonable need, for example, because you have a disability, you can also be accompanied by a suitable helper.

Your Companion can address the meeting in order to:

- put forward your concerns;
- respond on your behalf to any view expressed at the meeting; and
- ask questions on your behalf.

Your Companion can also confer with you during the meeting.

Your Companion has no right to:

- answer questions on your behalf;
- address the meeting if you do not wish it; or
- prevent you from explaining your concerns.



Where you have identified your Companion and they have confirmed in writing to the relevant person arranging the meeting under this policy that they cannot attend the date or time set for the meeting, the relevant meeting will be postponed for a period not in excess of five working days from the date set by the Trust to a date and time agreed with your Companion. Should you or your Companion subsequently be unable to attend the rearranged Meeting, it may be held in your/their absence or written representations will be accepted.

### External disclosures

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.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. **We strongly encourage you to seek advice before reporting a concern to anyone external.** The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a supplier, contractor or service provider. 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 concerns internally first. You should contact your line manager or the Head Teacher, or where you are the Head Teacher, the Chief Executive Officer, or one of the other individuals set out in this guidance above.

### 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 you believe that you have suffered any such treatment, you should inform HR immediately. If the matter is not remedied, you should raise it formally using our Grievance Policy.

You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action.



Contacts

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