Reporting A Concern (Whistleblowing) Policy 2025-6

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1 Introduction

The Public Interest Disclosure Act (1998) was introduced to give legal protection to employees who raise concerns about malpractice in their workplace; to prevent them being dismissed or penalised.

Isle Education Trust (IET) is committed to the highest possible standards of openness, honesty and accountability. It expects its employees who have serious concerns about any aspect of the Trust's work to voice those concerns without fear of reprisal.

2 What is 'whistleblowing'?

Whistle blowing inside the work place is the term used to describe reporting by employees or ex-employees, of wrongdoing on the part of the IET Board, the Governing Bodies (Academy Oversight Committees) , the management or by fellow employees. Wrongdoing may include for example, fraud, corruption, malpractice, breach of health and safety law, any other illegal or unethical act or breaches of the IET Code of Conduct (see Employee Handbook). Employees may, for this purpose include, for example, contractors and agency workers.

3 Protecting the Whistleblower

Under the Public Interest Disclosure Act 1998 a Whistle-blower is protected from detriment and unfair dismissal. IET will support and not discriminate against concerned employees who apply the Whistleblowing procedure, provided any claim is made in good faith.

4 Objectives of the Policy

- To encourage all employees to feel confident about raising serious concerns.
- To provide a way for individuals to raise those concerns and to receive appropriate feedback on any action taken.
- To ensure that individuals receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied.
- To reassure those who raise concerns that they will be protected from possible reprisals or victimisation provided that they have made any disclosure in good faith.

5 When To Use This Procedure

If an employee has concerns about wrongdoing at any establishment within IET and feels that those concerns are sufficiently serious to require reporting, this procedure outlines what should be done.

Each member of staff should feel able to speak freely on such matters. However, the Trust and colleagues have the right to protect themselves against unfounded false or malicious accusations.

Whistle blowing should only be used when the party implementing the procedure (Representor) has reasonable grounds for believing that a serious offence has been or may be committed. It must never be used without good grounds, falsely or maliciously.

Whistleblowing is not appropriate for dealing with issues between an employee and the Trust which relate to the employee's own employment or rights or employment conditions generally. Alternative dispute resolution procedures for that purpose are outlined in the employment terms and conditions.

Whistleblowing is not appropriate for dealing with pupil complaints, which will be dealt with under separately published procedures.

Whistleblowing is not appropriate to specific cases of child safety or safeguarding which will be dealt with under the procedures specified in that connection. If any staff member has concerns that a pupil is being dealt with unfairly in school, they should raise their concern, in the first instance with the Academy Principal.

This policy is intended to cover major concerns that fall **outside** the scope of other procedures. This policy covers concerns such as:

- conduct which is an offence or a breach of law
- health and safety risks, including risks to the public as well as other employees or students
- damage to the environment
- the unauthorised use of IET/Academy funds
- possible fraud and corruption
- sexual or physical abuse
- other unethical conduct
- serious failure to comply with appropriate professional standards
- abuse of power
- deliberate breach of IET/Academy policy
- attempts to conceal any of the above

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6 Reporting A Concern

The Representor (the person raising the concern) should normally raise their concerns with their immediate line manager either verbally or in writing. However, if they feel that this would be inappropriate or ineffective they should discuss the matter with their SLT contact or the IET CF&OO

If the concern involves the IET CF&OO or the SLT contact , then the complainant should contact another member of SLT or the CEO as appropriate.
If the CEO's activities are part of the concern, then the Chair of the IET Board is the appropriate contact. If the concern is about the Trust's activities as approved by the IET Board then the appropriate contact is the Department for Education.
A worker can only tell the prescribed person or body if they think their employer:

- will cover it up
- would treat them unfairly if they complained
- hasn't sorted it out and they've already told them

The Trust recognises that there are occasions when the concerns are so serious that an employee may not feel confident about raising his/her concerns in person and would prefer to raise them in a more confidential way.
Those who wish to make a written report should use the following format:

- the background and history of the matter (giving relevant dates)
- the reasons for being particularly concerned about the situation
- the extent to which the problem has been personally witnessed or experienced (providing documented evidence where possible)

It is important to raise concerns while the problem is in its early stages as taking action to rectify matters will be easier. The person reporting the matter will not be expected to prove beyond doubt the truth of an allegation but will need to demonstrate that there are reasonable grounds for their anxiety. Although the Policy encourages staff to put their name to any information, it is possible for them to express their concerns anonymously. A full investigation will be carried out and action taken where allegations are found to be proven. Staff may invite their trade union or professional association representative or a friend to be present during any meetings or interviews in connection with concerns reported.
The Trust will not allow any harassment or victimisation of the person reporting a concern and will take action to protect that person whenever a concern is raised in good faith.
Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that may already affect a member of staff.

The person with whom the matter is raised is referred to as the "Assessor".

The Assessor will:

- Interview the Representor as soon as possible within seven working days, in confidence. Early interview will be essential if the concern relates to an immediate danger to loss of life or serious injury or risk to pupils;
- Obtain as much information as possible from the Representor about the grounds for the belief of wrongdoing;
- Consult with the Representor about further steps which could be taken;
- Advise the Representor of the appropriate route if the matter does not fall under this Procedure;
- Report all matters raised under this procedure to the IET Board.

At the interview with the Assessor, the Representor may be accompanied by a recognised trade union representative or a work colleague. The Assessor may be accompanied by a member of the Academy staff to take notes.
The Assessor may at any time disclose the matter to a professionally qualified lawyer for the purpose of taking legal advice. The Assessor may also discuss the issue, in confidence, to other suitable professionals, such as HR consultants in order to assess the nature of the case and to inform the outcome of the investigation.

Promptly within ten working days of the interview, the Assessor will recommend one or more of the following:

- The matter be further investigated internally by the Trust;
- The matter be further investigated by external consultants appointed by the Trust;
- The matter be reported to an external agency;
- Disciplinary proceedings be implemented against an employee;
- The route for the Representor to pursue the matter if it does not fall within this procedure; or
- That no further action is taken by the Trust.

The grounds on which no further action is taken include:

- The Assessor is satisfied that, on the balance of probabilities, there is no evidence that wrongdoing within the meaning of this procedure has occurred, is occurring or is likely to occur;
- The Assessor is satisfied that the Representor is not acting in good faith;
- The matter is already (or has been) the subject of proceedings under one of the Trust's other procedures or policies;
- The matter concerned is already (or has been) the subject of legal proceedings, or has already been referred to an external agency.

The recommendation of the Assessor will be made to the Academy Principal (or equivalent) However, should it be alleged that the Academy Principal is involved in the alleged wrongdoing; the recommendation will be made to the CEO. If the CEO is involved the recommendation will be to the Chair of IET Board.

The Academy Principal, CEO or Chair of the IET Board, as appropriate, will ensure that the recommendation is implemented unless there is good reason for not doing so in whole or in part. Such a reason will be reported to the next meeting of the IET Board.

The Representor's identity will be kept confidential unless the Representor otherwise consents or unless there are grounds to believe that the Representor has acted maliciously. In the absence of such consent or grounds, the Assessor will not reveal the identity of the Representor except:

- Where the Assessor is under a legal obligation to do so;
- Where the information is already in the public domain; or
- On a legally privileged basis to a professionally qualified lawyer for the purpose of obtaining legal advice.

The conclusion of any agreed investigation will be reported by the Assessor to the Representor promptly within twenty-eight working days of the initial interview.

All responses to the Representor will be made in writing and provided via secure means, which may include email or postal correspondence.

If the Representor has not had a response within the above time limit or such reasonable extension as the Trust requires, the Representor may go to an appropriate external agency, but will inform the Assessor before doing so.

The Representor may at any time disclose the matter on a legally privileged basis to a professionally qualified lawyer for the purpose of taking legal advice.

7 Confidentiality

All concerns will be treated in confidence and every effort will be made, subject to any legal constraints, not to reveal the employee's identity.

All personal data will be handled in accordance with UK GDPR and the Data Protection Act 2018.

At the appropriate time, however, the member of staff may need to be called as a witness.

8 Anonymous Allegations

This policy encourages employees to give their names when making allegations.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Principal/CEO

In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issues raised;
- the credibility of the concern;
- the likelihood of confirming the allegation from attributable sources.

Anonymous reports may limit the Trust's ability to feedback outcomes but will be taken seriously where sufficient information is provided.

9 Untrue Allegations

Frivolous or malicious allegations or those made for personal gain will not be tolerated and could result in disciplinary action or legal proceedings.

10 How The Trust Will Respond

The SLT contact/ CF&OO will respond to all concerns raised. Where appropriate, the matters raised may:

- be investigated by a member of the senior leadership team or through the disciplinary process;
- be referred to the police by either the Academy/Trust or the complainant;
- be referred to the external auditor;
- be referred to a more appropriate procedure.

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.

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.

Where a disclosure is made, the person or persons against whom it is directed will be told of the allegation and the evidence supporting it. They will be allowed to comment before any investigation, or further action, is concluded.

The SLT contact/CF&OO will write to the complainant within ten working days of a concern being raised:

- acknowledging that the concern has been received;
- indicating how the Academy/Trust intends to deal with the matter;
- giving an estimate of how long it is likely to take to give a final response;
- detailing the results of initial enquiries;

- informing on whether further investigations will take place and, if not, why not;
- where applicable, supplying the employee with information on staff support mechanisms.

The amount of contact between the employee and the SLT contact/CF&OO will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the SLT contact/CF&OO will seek further information from the employee. Subject to any legal constraints, the member of staff will be kept informed of the progress of enquiries and, wherever possible, informed of the outcome of the investigation.

If the SLT contact/CF&OO needs to discuss the matter further an 'off site' meeting can be arranged if the employee wishes.

The Academy/Trust will take steps to minimise any difficulties that an employee might experience as a result of raising a concern. For instance, if s/he is required to give evidence in criminal or disciplinary proceedings, the SLT contact/CF&OO will arrange for him/her to receive advice about the procedure.

11 How The Matter Can Be Taken Further

This policy is intended to provide employees with a method of raising concerns. IET expects that employees will generally be satisfied with any action taken. If they are not, and feel it would be right to take the matter outside the Trust, the following are possible contact points:

- the external auditor;
- trade union representative;
- your local Citizens Advice Bureau;
- relevant professional bodies or regulatory organisation;
- a relevant voluntary organisation;
- the police
- Department for Education / Education Skills & Funding Agency
- Member of Parliament
- National Audit Office
- Health & Safety Executive
- NSPCC whistleblowing helpline number 0800 028 0285

Employees who take such matters outside of IET should ensure that they do not disclose confidential information.

12 Malicious Accusations

A deliberately false or malicious accusation made by a Representor is a disciplinary offence and will be dealt with under the Trust's disciplinary procedure, as well as potentially exposing the Representor to legal liability.

13 External Agencies

Within the Trust all staff have a duty of confidentiality. The duty of confidentiality is implied by the law in every contract of employment and prohibits employees from publicly disclosing employers' confidential information, unless it is in the public interest that the information is disclosed or unless the Trust fails to follow required procedures. Other legal restrictions on the disclosure of information, for example under data protection legislation, may also apply.

Whistleblowing to the media is not appropriate or permitted in any circumstances.

14 Confidential Employee Enquiries

Employees may, on a confidential basis seek prior guidance from their SLT contact/CF&OO if they wish to establish whether any course of conduct on their part or on the part of another employee may amount to wrongdoing under these procedures. Such enquiry shall be kept confidential. The SLT contact/CF&OO will attempt to provide guidance on the basis of the information provided, but such guidance shall not prejudice the rights of the Trust or any person under these procedures.

Please Note: Role titles reflect the Trust's leadership structure at the time of writing. Where titles change, concerns should be raised with the postholder performing the equivalent function

IET reserves the right to make amendments to this policy at any time without notice.

End

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