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- 1.1 The Marches Academy Trust is committed to the highest possible standards of honesty and integrity, and we expect all staff to maintain these standards in accordance with our Code of Conduct. 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 or to address them when they do occur.
- 1.2 The Trust encourages employees and others who have serious concerns about wrongdoing to speak up. This may need to be on a confidential basis and the Trust wishes to emphasise that if someone does 'speak up' they can do so without fear of reprisals. Such actions are termed 'blowing the whistle' and this phrase should be viewed as a positive action of speaking up. It is understandable that employees may not express concerns because they may feel that speaking up would be disloyal to colleagues or they fear harassment/victimisation. The Trust would encourage all employees to pursue their concerns and to report them positively and appropriately.
- 1.3 This policy has been introduced in line with the Public Interest Disclosure Act 1998, enacted to ensure a climate of greater frankness between employers and workers so that irregularities can be identified and addressed quickly and to ensure that any irregularities can



- 3.2.5 hitting or restraining a child inappropriately.
- 3.2.6 using a child or young person's money or possessions in an inappropriate way.
- 3.3 A whistle-blower is a person who raises a genuine concern relating to any of the above. If you

### Within the Trust

- 4.6.1 The Headteacher/member of the school senior leadership team
- 4.6.2 A member of the Executive Board e.g. CEO, Director of Education or a member of the Shared Services senior management team
- 4.6.3 The Chair of Trustees or Chair of Governors for your school
- 4.6.4 The Head of HR for the Trust

### Outside the Trust (if you do not feel able to raise it within the Trust)

- 4.6.5 The Trust hopes employees will find the procedure a satisfactory way of dealing with concerns. An employee does have the right to take the matter outside the Trust; the following are possible contact points:
  - 4.6.6 Shropshire Council Whistleblowing Hotline on 01743 252627
  - 4.6.7 Protect (Independent whistleblowing charity) 020 3117 2520. E-mail: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk). Website: [www.protect-advice.org.uk](http://www.protect-advice.org.uk)
  - 4.6.8 The NSPCC whistleblowing helpline 0800 028 0285. E-mail: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)
  - 4.6.9 One of the bodies listed on the 'List of prescribed persons and bodies'. <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-andbodies--2>
- 4.7 The disclosure of confidential information would normally constitute a serious disciplinary offence which could result in dismissal or other disciplinary action. Accordingly, if an employee did take the matter outside the Trust they would need to ensure that either no confidential information is disclosed, or that there are wholly exceptional circumstances which the Trust would consider justified in the circumstances.
- 4.8 We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- 4.9 We will record 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.
- 5.1 If you make an allegation in good faith but it is not confirmed by the investigation, no reprisals will be taken against you. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you.
- 6.1 We hope that you 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.

- 6.2 We discourage anonymous disclosures. Proper investigation is more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistle-blowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the other contact points listed in paragraph 4.2 and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline.
- 6.3 Where we receive anonymous complaints, we will investigate the complaints as far as is reasonable taking into account:
  - 6.3.1 the seriousness of the issue raised.
  - 6.3.2 the validity/credibility of the concern; and
  - 6.3.3 the likelihood of confirming the allegation from other sources.
- 6.4 Concerns expressed anonymously are more difficult to investigate but they will be considered at the discretion of the CEO and the Chair of Trustees.
- 6.5 Allegations which do not appear to be motivated by personal animosity and which if true, would have serious implications for the Trust, are more likely to be considered, even though made anonymously. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence.
- 6.6 As part of the application of this policy, the Trust may collect, process and store personal data in accordance with our Data Protection Policy. We will comply with the requirements of (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018) in the collecting, holding and sharing of information in relation to our workforce. Records will be kept in accordance with our Workforce Privacy Notice, our Data Protection Policy's retention schedule and in line with the requirements of data protection legislation.
- 7.1 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.
- 7.2 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. Protect holds a list of prescribed regulators for reporting certain types of concern.

Alternatively, the list is available from the Department for Business, Energy & Industrial Strategy<sup>1</sup>.

- 7.3 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 contractor, supplier, or service provider. In some circumstances the law will protect you if you raise a concern with the third party directly where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, we encourage you to report such concerns internally first. You should contact your line manager or one of the other individuals set out in paragraph 4.2 for guidance.
- 8.1 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.
- 8.2 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. We may in some circumstances, appoint an external person or body to investigate the concern. The investigator(s) will collate findings on the matter and may make recommendations for change to enable us to minimise the risk of future wrongdoing. This will be sent to the Headteacher/Senior Manager and/or Governing Body/Board of Trustees for actioning.
- 8.3 We will aim to keep you informed of the progress of the investigation, its likely timescale and outcome. 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.
- 8.4 If we conclude that a whistle-blower has made false allegations maliciously, the whistle-blower will be subject to disciplinary action.
- 9.1 Whilst we cannot always guarantee the outcome you are seeking; we will try to deal with your concern fairly and in an appropriate manner. By using this policy, you can help us to achieve this.
- 9.2 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 in paragraph 4.2.



10.2 The Trust is co(i)-1.wng

- 12.2.6 Marches Academy Trust Complaints Procedure
- 12.2.7 Safeguarding and Child Protection Policy and Procedures
- 12.3 Actions which breach these procedures are not only unauthorised but will lead to loss of public confidence and even to corruption.
- 12.4 As with any other concerns on standards, you should report breaches of these procedures.

This policy is reviewed annually by the Trust in consultation with the recognised Trade Unions. We will monitor the application and outcomes of this policy to ensure it is working effectively.