Whistleblowing Policy

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This policy applies to all academies and operations within The Balcarras Trust unless otherwise stated. It should be read in conjunction with the Trust's Scheme of Delegation and other related policies and procedures.

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1. Aims

This policy 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
- 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
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- 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)
- Ensure staff know that they are protected by law and that a non-disclosure agreement, confidentiality clause or 'gagging clause' in a settlement agreement or employment contract cannot stop them from making a protected disclosure in the public interest.

This policy does not form part of any employee's contract of employment and may be amended at any time. This policy applies to all employees, agency workers, contractors, consultants, volunteers, governors, trustees and any other individuals working for or on behalf of the Trust.

2. Legislation

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 whistleblowing. We have also considered the Public Interest Disclosure Act 1998.

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

3. Definition of whistleblowing

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest". Examples of whistleblowing include (but aren't limited to):

- Criminal offences, such as fraud or corruption
- Financial irregularity, theft, bribery, misuse of public funds, breaches of regularity and propriety requirements, or deliberate circumvention of internal controls
- Pupils' or staffs' health and safety being put in danger
- Safeguarding concerns affecting children or vulnerable individuals where there is a wider public interest concern
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Sexual harassment (in effect from 6 April 2026)
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

A whistleblower is a person who raises a genuine concern relating to the above.

Not all concerns about the Trust, or individual schools in the Trust, count as whistleblowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistleblowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely to be a grievance. Nothing in this policy replaces statutory safeguarding reporting requirements. Concerns relating to child protection or safeguarding should also be reported in accordance with the Trust's Child Protection and Safeguarding Policy.

If a complaint involves personal circumstances alongside wider concerns (e.g. pupil health and safety), the staff member must consult with CEO or CFOO to decide the most appropriate reporting procedure.

When staff have a concern, they should consider whether it would be better to follow our staff grievance or complaints procedures.

You can access free online guidance from Protect here or call 0203 117 2520 for free, confidential whistleblowing advice from Protects specialist advisers.

4. Procedure for staff to raise a whistle-blowing concern

Detailed below are the procedures for raising a concern.

4.1 When to raise a concern

Staff should consider the examples in section 3 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.

4.2 Who to report to

School-based staff should report their concern to the Headteacher. If the concern is about the Headteacher or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to Chair of Trustees.

Central team staff should report their concern to the Chief Executive Officer/ Chief Finance Operating Officer. If the concern is about the CEO/ CFOO or it is believed they may be involved in the wrongdoing in some way, the central team staff should report the concern to Chair of Trustees.

Concerns relating to Trustee should be reported to the Chair of Trustees. Concerns relating to the Chair of Trustees should be reported to the Vice Chair of Trustees or another appropriate prescribed body.

4.3 How to raise the concern

Concerns should be made in writing wherever possible. They should include the names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

Staff are encouraged to give their name when reporting an allegation, to help the trust take the investigation further. However, a complainant's right to anonymity will be respected.

A proper investigation may be more difficult or impossible if further information cannot be obtained from the staff member. This will also make it more difficult to establish whether any allegations are credible.

Staff who are concerned about possible reprisals if their identity is revealed should consult with Chair of Trustees or 1 of the contact points listed in section 3.2, and appropriate measures can be taken to protect confidentiality where possible.

5. Trust procedure for responding to a whistle-blowing concern

Detailed below are procedures the Trust will undertake when a concern in raised.

6. Investigating the concern

When a concern is received by the CEO/ CFOO/ Chair of Trustees - 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, which may involve the CEO, CFOO, Headteacher, the Chair of Trustees, Chair of Trustees, the Audit, Risk and Assurance Committee, or the Local Governing Board where appropriate to the nature of the concern.
    - In some cases, they may need to bring in an external, independent body to investigate. In others, they may need to report the matter to the police.

  - Within 2 to 7 days (excluding periods of trust/school closure) of a concern being raised the recipient will write to the complainant to:

    - Acknowledge that the concern has been received.
    - Indicate how the matter is to be dealt with
    - Give an estimate of how long it will take to provide a final response, informing the complainant as to whether any initial enquiries have been made. With the aim of providing a formal update or full response within 20 working days.
    - Tell the staff member whether further investigations will take place and if not, why not

Throughout any investigation, the trust will provide well-being check-ins for both the complainant and the subject(s) of concern. Where appropriate, support and signposting to manage expectations, protect emotional wellbeing and maintain professional confidence will be offered.

7. 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 CEO, trustees and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

The Audit, Risk and Assurance Committee will receive periodic anonymised reports regarding whistleblowing concerns, outcomes and emerging themes, where appropriate, to support oversight of governance, risk management and internal control arrangements.

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

If a staff member is not satisfied with the way in which their concern has been handled, they can raise their concerns with 1 of the contact points listed in section 4.2.

8. Record Keeping

The Trust will maintain confidential records of whistleblowing concerns raised, investigations undertaken, outcomes reached and actions implemented.

Records will be retained and processed in accordance with the Trust's Records Management Policy, Data Protection Policy and applicable statutory requirements.

Access to records will be restricted to those with a legitimate need to know.

9. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation.

10. Allegations of sexual harassment

This policy may be used to raise concerns about sexual harassment. Sexual harassment includes, but is not limited to, any unwanted physical contact, sexual advances, suggestive comments, jokes, or display of offensive materials that create an intimidating, hostile, degrading, or offensive working environment. Concerns can be raised if you have a reasonable belief that sexual harassment is taking place, has taken place, or is likely to take place within the organisation.

The Trust has a zero-tolerance approach to sexual harassment. We encourage workers to report any incidents, as well as situations where they felt at risk, even if an incident has not yet occurred. All disclosures will be taken seriously, investigated promptly, and handled with the strictest confidence.

Any worker who raises a genuine concern about sexual harassment in the public interest is legally protected as a whistleblower. You will not suffer any detriment, victimisation, bullying, or unfair dismissal as a result of making a disclosure. The Trust will take disciplinary action against any employee found to be harassing, victimising, or retaliating against a whistleblower.

While complaints of sexual harassment are typically addressed through our Grievance Policy, employees may choose to raise these concerns under this Whistleblowing Policy if they feel the issue is in the public interest or if they fear reprisal. Concerns should be reported to HR Lead or Central HR Team / CEO/ CFOO. If you feel unable to report internally, you may make a protected disclosure to an external prescribed person or body, such as ACAS Helpline or relevant regulatory body.

10. Escalating concerns beyond The Trust

The Trust encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to a recognised external body, such as the police or the local authority. A list of prescribed bodies to whom staff can raise concerns with is included here.

Staff should not raise concerns with persons outside of the Trust, who are not part of a recognised reputable authority, such as friends, social media acquaintances, local media, local parents or other similar people.

The Protect advice line, linked to in section 3 of this policy, can also help staff when deciding whether to raise the concern to an external party.

11. Related policies and procedures

This policy should be read in conjunction with other Trust policies and procedures, including those listed below. The list is not exhaustive and should be considered alongside any relevant statutory guidance.

- Anti-Fraud, Bribery and Corruption Policy
- Staff Code of Conduct
- Staff Disciplinary Procedure
- Grievance Policy
- Safeguarding and Safer Working Protocol and Procedures Policy
- Complaints Policy
- Financial Procedures and Reserves Policy