Whistleblowing Policy

The Consortium Academy Trust (TCAT)
An Exempt Charity Limited by Guarantee
Company Number 07665828

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Policy Owner (position)	Director of Governance
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Linked Documents and Policies	The Public Interest Disclosure Act 1998. Employment Rights Act 1996 and 2025 Safe & Appropriate Working Policy. Code of Conduct. Keeping Children Safe in Education (DfE). Safeguarding & Child Protection Policy.

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1 Policy Statement

Why the Policy Is Needed

This policy is needed to ensure that concerns about wrongdoing, serious risk or unethical conduct can be raised early, safely and through clear reporting routes. Staff are often the first to become aware of wrongdoing or a serious risk within an organisation. By encouraging people to speak up and ensuring that concerns are listened to and addressed appropriately, the Trust can protect children and vulnerable people, safeguard public funds and resources, meet its legal and regulatory responsibilities, and learn from issues before they become more serious. It also supports an open and accountable culture in which individuals can raise genuine concerns without fear of retaliation or disadvantage.

The Consortium Academy Trust encourages people to raise genuine concerns at the earliest opportunity so that they can be considered and addressed promptly. A person raising a concern may worry about loyalty, confidentiality or reprisals; however, speaking up in the public interest supports the Trust's commitment to openness, integrity and accountability. The Public Interest Disclosure Act 1998 provides statutory protection for eligible workers who make qualifying disclosures, and the Trust extends the reporting arrangements in this policy to Trustees, governors, partners, volunteers, contractors and members of the public.

What the Policy Is About

This policy explains what whistleblowing is, the types of wrongdoing or serious risk that may be reported, and how concerns can be raised within or outside the Trust. It sets out the available reporting routes, the safeguards for people who speak up, and how the Trust will assess, investigate and respond to concerns.

What the Policy Will Achieve

By providing accessible reporting routes, clear safeguards and a fair response process, this policy will help create a culture in which people feel confident to speak up and concerns are addressed promptly and consistently. It will support the Trust to prevent and identify wrongdoing, protect children and vulnerable people, safeguard public funds and resources, strengthen accountability and compliance, and learn from concerns to improve its systems and practices.

2. Definitions for the Purposes of this Policy

Whistleblowing is the disclosure of information by a worker (not employed by the Trust) or an employee who reasonably believes that it is in the public interest and tends to show that a criminal offence, breach of a legal obligation, miscarriage of justice, danger to health or safety, sexual harassment, environmental damage, or deliberate concealment of any such wrongdoing has occurred, is occurring or is likely to occur.

For the purposes of statutory protection under Part IV A ("Protected Disclosure") of the Employment Rights Act 1996, this applies to employees and the wider categories of "worker" defined by the Act, including agency workers and certain contractors, trainees and other individuals who personally provide work or services; the Trust also permits Trustees, governors, volunteers, partners and members of the public to raise concerns under this policy, although they may not all qualify for statutory whistleblowing protection.

2.1 Irregularities fall within the following categories, of which the majority are criminal offences:

Fraud – as set out in the Fraud Act 2006, which created a new general offence of fraud.
Fraud can be committed by:

- False representation
- Failing to disclose information
- Abuse of position

Other offences created under the Fraud Act are:

- Possession of articles for use in frauds
- Making or supplying articles for use in frauds
- Participating in a fraudulent business carried on by a sole trader
- Obtaining services dishonestly

Theft – Dishonestly appropriating the property of another with the intention of permanently depriving them of it. This may include the removal or misuse of funds, assets or cash (Theft Act 1968).

False Accounting - Dishonestly destroying, defacing, concealing or falsifying any account, record or document required for any accounting purpose, with a view to personal gain or gain for another, or with intent to cause loss to another or furnishing information which is or may be misleading, false or deceptive (Theft Act 1968).

Bribery– A person is guilty of bribery, as defined by the Bribery Act 2010, if they either:

Offer, promise or give a financial or other advantage to another person, and intends the advantage to induce a person to perform improperly a relevant function to activity or to reward a person for the improper performance of such a function or activity or offer, promise or give a financial or other advantage to another person, and knows or believes that the acceptance of the advantage would itself constitute the improper performance of a relevant function or activity

Money laundering – The concealment, conversion, transfer, acquisition, use or possession of criminal property, or arrangements that facilitate such activity, contrary to applicable money-laundering legislation and regulations.

Collusion - The term “collusion” in the context of reporting fraud is used to cover any case in which someone incites, instigates, aids and abets, conspires or attempts to commit any of the crimes listed above.

Failure to observe the laws of the land

Failure to observe, or breaches of, The Constitution, Scheme of Delegation, Contract Procedure Rules and Financial Procedure Rules.

Failure to observe, or breaches of, departmental procedures or Health & Safety Regulations - in some circumstances can constitute an irregularity, with potentially significant financial consequences.

Failure to observe, or breaches of, statutory and local safeguarding procedures where a child or young person may be at risk of harm. Safeguarding concerns must be reported without delay in accordance with the Trust’s Safeguarding and Child Protection Policy and the current statutory guidance, Keeping Children Safe in Education.

Failure to comply with the Trusts employment policies including cases of harassment and bullying.

Failure to comply with the Trusts policy and legal requirements in relation to the protection of children and vulnerable people.

All Benefit Related Fraud, including Tax Reduction and Discounts, Tenancy Fraud and Blue Badge Fraud etc.

3. Trust Commitment

3.1 We are committed to the highest possible standards of openness, probity and accountability and expect Trustees and employees at all levels to protect the Trust and its resources and lead by example, ensuring high standards of personal conduct and adherence to policies, procedures and rules.

3.2 In line with this commitment, we encourage employees, Trustees, governors, partners, with any concerns about any aspect of the Trust’s work to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis.

3.3 We will take concerns seriously and respond promptly, proportionately and fairly. Appropriate measures will be taken to protect people, including children and vulnerable people, and to safeguard public funds and the Trust's resources. Where initial enquiries indicate that further action is required, the matter may be investigated under this or another relevant procedure. Any disciplinary, regulatory, recovery or criminal action will follow consideration of the available evidence and the applicable process.

3.4 This Whistleblowing Policy applies to all employees, and workers (including those designated as casual, temporary, agency, authorised volunteers or work experience), contractors and partners working for the Trust on or off our premises, and the public and is intended to encourage and enable people to raise any concerns within the Trust rather than overlooking a problem or blowing the whistle outside without fear of reprisals or victimisation.

3.5 This policy aims to:

- encourage employees / workers to feel confident in raising concerns
- provide avenues for employees/ workers to raise concerns in confidence (and if necessary, anonymously) and receive feedback on any action taken
- allow employees /workers to take the matter further if they are dissatisfied with our response, and
- reassure them that they will be protected from reprisals or victimisation for whistle blowing and appropriate action will be taken should this occur.

3.6 There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. This Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures.

4 What is covered by the Policy?

Whistleblowing concerns wrongdoing or a serious risk that affects others or the wider public interest. A concern about the worker's own employment position will normally be considered under the Grievance Policy. Allegations concerning bullying, harassment or discrimination may be considered under the relevant employment procedure unless they also disclose wider wrongdoing or a public-interest risk. Safeguarding concerns must be reported immediately through the Trust's safeguarding arrangements; using this policy must not delay protective action.

4.1 A concern may be about something that:

1. Is unlawful; or
2. Is against the Trust's Constitution or policies; or
3. Falls below established standards or practice; or
4. Amounts to improper conduct.

4.2 A concern can therefore relate to any unethical or unprofessional conduct relating to the Trust, including malpractice, and abuse. This not only covers acts that have occurred but also those that may potentially occur

4.3 Examples of malpractice in this context may include concerns about possible fraud and corruption, financial irregularities, dangerous procedures risking health and safety to the public as well as to other employees, abuse or bullying of clients including children and vulnerable people, evasion of statutory responsibilities, environmental issues, etc. The overriding concern should be that it would be in the public interest for the malpractice to be corrected and, if appropriate, sanctions applied.

5. Public Interest Disclosure Act 1998

5.1 This Act gives statutory protection, within defined parameters, to employees or workers who make disclosures about a range of subjects, which they believe to be happening within the employing organisation.

5.2 The Act has rules for making a protected disclosure:

- you must reasonably believe the disclosure is in the public interest
- you must believe it to be substantially true
- you must not act maliciously or make false allegations
- you must not seek any personal gain

5.3 An employee or worker who is unable or unwilling to raise a concern internally may seek independent advice and, where appropriate, make a disclosure to a prescribed person or body. The appropriate external body will depend on the subject matter of the concern. Current information about prescribed persons and the conditions applying to external disclosures should be checked before a disclosure is made.

6 Safeguards

Harassment or Victimisation

6.1 The Trust will not tolerate retaliation, victimisation or any other detriment arising because a person has raised a genuine concern, assisted an investigation or is believed to have done so. Detriment may include threats, bullying, exclusion, disadvantage in work allocation, training or progression, adverse treatment, or attempts to identify an anonymous reporter. Anyone who believes they have suffered detriment should report it promptly to the Director of Governance or through the whistleblowing email address. The Trust will consider the matter independently and take appropriate action.

6.2 This does not mean that if an employee is already the subject of disciplinary or redundancy procedures, that those procedures will be halted because of whistleblowing.

Confidentiality

6.3 Individuals are encouraged to provide their name and contact details because this can assist enquiries and enable the Trust to provide updates. The Trust will protect their identity as far as reasonably practicable and will disclose it only where this is necessary, lawful and proportionate. The person will be informed in advance where possible if their identity may need to be disclosed.

6.4 It must be appreciated that the investigation process may reveal the source of the information and a statement by the whistle-blower may be required as part of the evidence. Anonymous concerns will be considered, although the Trust's ability to investigate, clarify information and provide feedback may be limited. Decisions on whether and how to proceed will take account of the seriousness and credibility of the concern, the information provided and whether the matter can be verified from other sources. Individuals reporting anonymously should provide as much specific information as possible.

Untrue Allegations

6.5 When making an allegation there must be reasonable belief that the concerns are true, though there is no requirement to provide evidence to prove the allegation. The whistle-blower must be able to show that they believe that disclosing the concern is in the public interest and that it is a reasonable view to hold in the circumstances at the time. Note that it is not the whistle-blower's responsibility to investigate the matter, it is the Trust's responsibility.

6.6 If a whistle-blower makes an allegation that they believe is in the public interest, but it is not confirmed by the investigation, no action will be taken against them.

6.7 If, however, the allegation is malicious or vexatious, legal or disciplinary action may be taken against them.

7 How to Raise a Concern

7.1 A concern may be raised through any of the routes set out below. Individuals are encouraged to use the route with which they feel most comfortable and are not required to report first to a person who may be involved in the matter. The seriousness and sensitivity of the concern, and the identity of any person implicated, should inform the choice of contact.

7.2 Employee concerns should firstly be raised within the school they are employed in or shared services with either:

Whistle-Blower	**Contact**
Member of school staff	Headteacher
Member of school staff with a concern regarding the Headteacher	whistleblowing@consortiumtrust.co.uk
Member of shared services	CEO
Member of shared services with a concern regarding the CEO	whistleblowing@consortiumtrust.co.uk

7.3 Advice and guidance on how matters of concern may be pursued can be obtained from the same sources.

7.4 Whilst Headteachers should establish as many details as possible (by discussion with the whistle-blower only) they should formally report the incident to the Chair of the Trust and the Chief Executive Officer.

7.5 Where a concern/multiple concerns is/are raised that contain an element of potential noncompliance with one or more of our employment policies, the Headteacher/CEO will liaise with the People team to determine who will lead the investigation.

7.6 If the concerns are regarding abuse to children contact should be made with the Safeguarding Children teams as follows:

Hull Early Help and Safeguarding Hub (EHASH) Phone (Office Hours) Out-of-Hours (Emergency Duty Team)	 **01482 448879 Select Option 4** **01482 300304**
East Riding Safeguarding Team Safeguarding and Partnership Hub (SaPH) Phone (Office Hours) Out-of-Hours (Emergency Duty Team)	 **01482 395500** (Select Option 1 to speak with a social worker) **01482 393939** Alternative out-of-hours **01377 241273**

7.7 If there is an immediate risk to life or safety, call the emergency services on 999. For a non-emergency police matter, call 101.

7.8 If the whistle-blower is unable to talk to anyone within the Trust, or is not satisfied with the response the following external agencies can be contacted:

Contact	Contact Details
External Auditor: Forrester Boyd (Beverley Office)	01482 889400
Company Solicitor, Gunner Cooke	01482 762383
Hull Local Authority Designated Officer (Safeguarding Children) East Riding Local Authority Designated Officer	01482 790933 01482 396999
Protect, the independent whistleblowing charity, can provide confidential advice to people who are unsure whether or how to raise a concern.	www.protect-advice.org.uk

Humberside Police	0845 6060222 or 101 (Non-emergency reporting line)
The Health and Safety Executive	www.hse.gov.uk
The Financial Conduct Authority	www.fca.org.uk
HM Revenue and Customs	www.gov.uk/government/organisations/hm-revenue-customs
The Environment Agency	www.gov.uk/government/organisations/environment-agency

7.9 Concerns are better raised in writing. Whistle-blowers are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why they are particularly concerned about the situation. If they do not feel able to put their concern in writing, the contact details above are provided as an alternative.

7.10 The earlier a concern is disclosed, the easier it is to act. This is particularly important where the well-being of children may be at risk.

7.11 Although a whistle-blower is not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for their concern. They do not need evidence just sufficient grounds for concern. Under no circumstances should they investigate a concern, as this may risk prejudicing any investigation, which could include a criminal investigation if it is warranted. Further, this will protect them from any repercussions.

7.12 A whistle-blower is entitled to invite their Trade Union Representative, or workplace colleague who is not involved in the area of work to which the concern relates or professional association to assist them in raising a matter.

8. How the Trust will respond

8.1 The action taken will depend on the nature of the concern. The Chair of the Trust, Headteacher and CEO in conjunction with any other appropriate officer(s) will determine the most appropriate action to be taken. The matter raised may:

- be investigated internally
- be referred to the Police
- be referred to the external Auditor
- form the subject of an independent inquiry

8.2 To protect individuals, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

8.3 Some concerns may be resolved by agreed action without the need for investigation.

8.4 Where contact details have been provided, within ten working days of a concern being received, the Headteacher, CEO or Chair of the Trust will respond to the whistle-blower:

- acknowledging that the concern has been received
- indicating how they propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- informing whether any initial enquiries have been made, and
- informing whether further investigations will take place, and if not, why not

In the case of child protection issues, the procedures and guidance issued by the relevant Local Authority Safeguarding Children Board will be followed. The amount of contact between the employees considering the issues and the whistle-blower will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.

8.5 When any meeting is arranged, the whistle-blower will have the right, if they wish, to be accompanied by a Trade Union Representative or a workplace colleague who is not involved in the area of work to which the concern relates.

8.6 The Trust will take steps to minimise any difficulties, which may be experienced because of raising a concern. For instance, if the whistle-blower is required to give evidence in criminal or disciplinary proceedings, we will advise about the procedure.

8.7 The Trust accepts that the whistle-blower will need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, they will receive information about the outcomes of any investigations.

9. How the Matter can be Taken Further

9.1 This policy is intended to provide an employee / worker with an avenue to raise concerns within the Trust. We hope you will be satisfied. If you are not, and if you feel it is right to take the matter outside the Trust, the following are possible contact points:

- relevant professional bodies or regulatory organisations
- your solicitor
- the Police
- Public Concern at Work
- Trade Union/professional association
- the Ombudsman
- the Trust’s External Auditor

9.2 A person considering an external disclosure may wish to obtain independent advice about the appropriate route and any legal or professional obligations that apply. Nothing in this policy is intended to prevent or deter a protected disclosure, a report to an appropriate prescribed person or body, or contact with the police or another regulator where permitted by law.

9.3 Whilst all the code is important, the paragraph concerning contact with the press and media (including social media) is particularly relevant.

10. Responsibility

10.1 The Responsible Officer is the Director of Governance, who has overall responsibility for the maintenance and operation of this policy.

10.2 The People team will maintain a record of concerns raised and action taken, which will not endanger the whistle-blowers confidentiality and will be reported as necessary.

10.3 We are committed to preventing occurrences of irregularities. To help achieve this objective there is a clear network of systems and procedures in place.

11. Outcomes

11.1 The desirable outcomes of this policy are to:

- support the Trust's 'zero tolerance' of irregularities
- reassure individuals that there is a safe alternative to silence
- promote the whistle-blower as a witness not complainant
- encourage leaders and managers to be open to concerns
- support the Trust in being a well-managed Multi Academy Trust
- promote effective compliance
- support the Trust's Risk Management Strategy.

12. Evaluation

The effectiveness of this policy will be evaluated through an annual review of anonymised information about concerns raised.

The Director of Governance will oversee the evaluation of this policy and provide an anonymised annual report to the Trust Board or its nominated committee. The report will protect confidentiality and will not include information that could identify a whistle-blower, a person who is the subject of a concern, or any other individual involved.