Whistleblowing Policy

This is a mandatory policy for all Vine schools that has been noted and implemented with no amendments by this school.

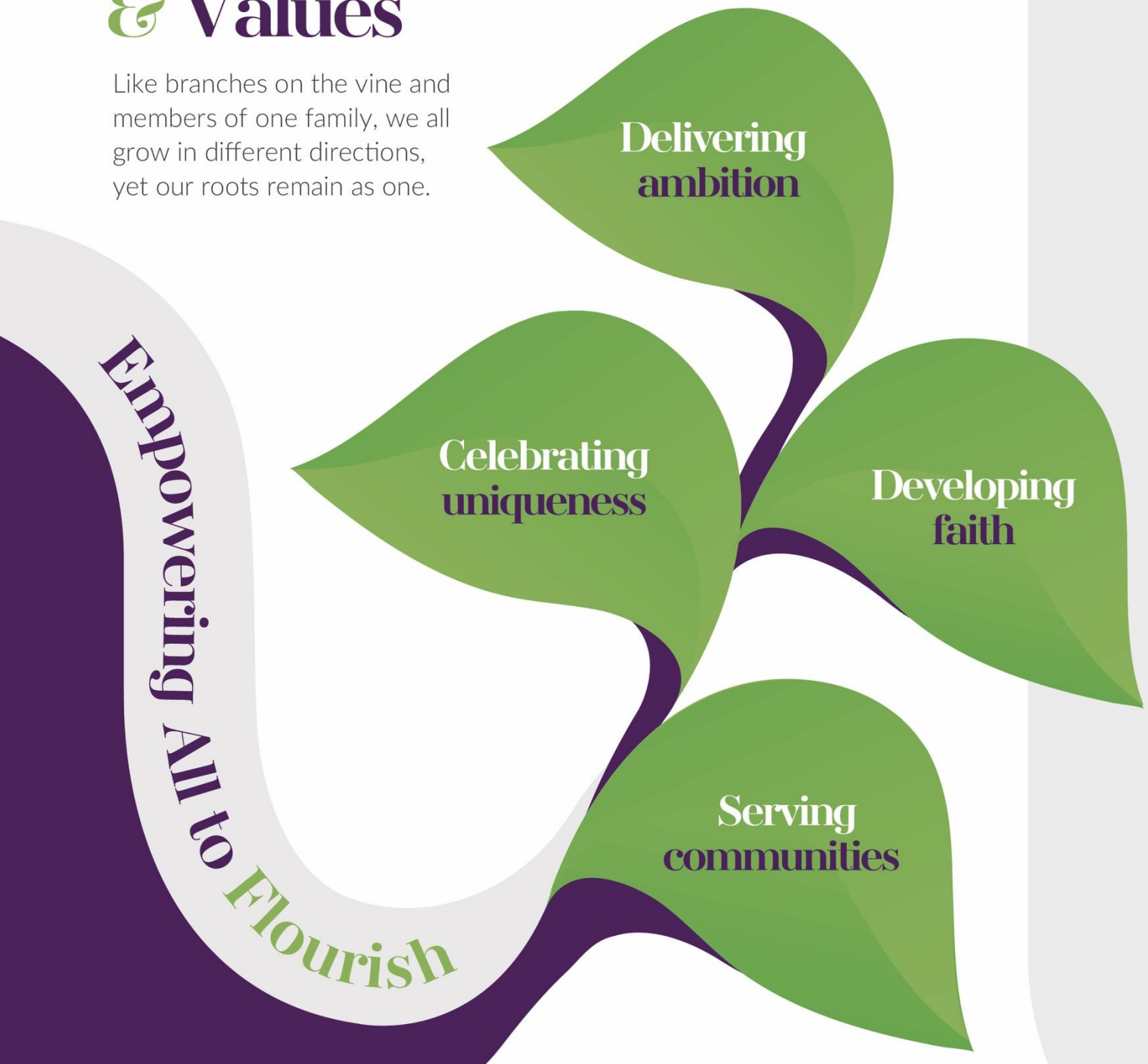
Policy Reference:	S007
Approved by Vine Schools Trust on:	Spring 2025
Adopted by this school on:	Spring 2025
Next review:	Spring 2026

> I am the vine; you are the branches. If you remain in me and I in you, you will bear much fruit

JOHN 15:5

Vision & Values

Like branches on the vine and members of one family, we all grow in different directions, yet our roots remain as one.



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Changes to previous edition

1.1 and 6.1	Legislative references added.

1. Introduction

It is important to the Diocese of Chelmsford Vine Schools Trust that any suspected fraud, misconduct, malpractice or wrongdoing by workers or employees of schools or teams within the Trust is reported and properly dealt with. The Vine is committed to creating an open and supportive environment where individuals feel able to "speak up" about any genuine concerns regarding the alleged wrongful conduct of the employer or about the behaviour of a fellow employee or any third party.

This policy sets out the framework for how issues can be raised confidentially internally and/or, if necessary, outside the management structure of the Vine schools or teams to a prescribed body (see 2.1 below). All disclosures will be handled consistently and fairly, and appropriate action will be taken by the school to resolve the issue in line with this policy.

This policy applies to all employees and Governance members/Trustees of the Vine. Volunteers and other individuals engaged to work at or provide services to Vine schools and teams, including agency workers and contractors, are encouraged to use it where appropriate.

1.1 The law (Public Interest Disclosure Act 1998) provides protection for employees or workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an employee or worker who has a reasonable belief that there has been or is likely to be:

- a breach of any legal obligation;
- a miscarriage of justice;
- a criminal offence;
- a danger to the Health and Safety of any individual;
- damage to the environment; or
- deliberate concealment of information about any of the above

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Some examples of qualifying disclosures in a school context may include:

- Fraudulent acts (e.g. manipulation of accounting records/finances, inappropriate use of funds, decision making for personal gain, abuse of position to influence decisions);
- Breaches of acceptable professional and ethical standards;
- Breaches of the Health and Safety policy entailing danger to staff or pupils; and/or
- Breaches of any of the Vine or School's policies or the Code of Conduct.

It is not necessary for the employee or worker to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. For the purposes of this policy, the term "whistle-blower" refers to the individual making the disclosure.

1.2. The whistle-blower must reasonably believe they are making the disclosure in the public interest (i.e. it affects others such as pupils in the school or members of the public). This means that personal grievances and complaints (e.g. a concern about their own contractual terms, treatment of their child) are not usually covered by this policy and should be dealt with:

- By employees through the Grievance Procedure
- By other parties through the Complaints Procedure.

2. Raising concerns/making a disclosure

2.1. Initial concern

The board encourages the "whistle-blower" to raise the matter internally in the first instance. Concerns should normally be raised with a senior manager, responsible officer, the headteacher or the Chair of the School Governing Body.

Members of the school community are particularly reminded of their obligation to report all safeguarding concerns, immediately as set out in the school's safeguarding policy and code of conduct.

If the whistle-blower considers the matter too serious or sensitive to raise it internally, they may refer the matter to an external prescribed body. A prescribed body is an organisation, normally with some regulatory function (for example, the Health and Safety Executive), which is prescribed by the Secretary of State for the purposes of the Public Interest Disclosure Act who an individual may make a protected disclosure to. Any such disclosure to a prescribed body will qualify for protection under the Act. A list of prescribed bodies is available at the following link:

https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies

In the event that the whistle-blower feels a disclosure should be referred to an external prescribed body, some of the relevant bodies are also set out below:

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Nature of disclosure:	External reporting/Prescribed body:
Fraud or financial malpractice (see 3.2 below)	Education & Skills Funding Agency https://www.gov.uk/government/organisations/education-and-skills-funding-agency
Child Protection/ Safeguarding issues	Local Authority Designated Officer (LADO) lado@essex.gov.uk NSPCC Whistleblowing helpline: 0800 028 0285 Email: help@nspcc.org.uk
Data protection issues	Information Commissioner https://ico.org.uk/
Health and Safety issues	Health and Safety Executive http://www.hse.gov.uk/

If a concern is raised verbally it should be followed up in writing wherever possible. The whistle-blower has no responsibility for investigating the matter - it is the school's responsibility to ensure that an appropriate investigation takes place.

Where the complaint is serious, for example, involving fraud, theft or other potential gross misconduct by an employee, the whistle-blower should act quickly to report it but should not mention it to the subject of the complainant or other colleagues as this could affect the investigatory process.

The timescales for handling disclosures will differ depending on the nature of the disclosure made, but all disclosures (whether formal or informal) will be acknowledged within 2 working days.

2.2 Investigation

The manager/Governor will arrange an investigation into the matter either by investigating the matter themselves or immediately passing the issue to an appropriate person (except where they are the subject of the disclosure where an alternative suitable person will be appointed). The investigation may involve the whistle-blower, and other individuals involved giving a written statement. Any investigation will be carried out promptly and confidentially.

If a whistle-blower wishes to remain anonymous, this should be raised with the person to whom the initial disclosure is made. In some cases, this may be possible, but in more serious cases where disciplinary action may have to be taken against others, this may be more difficult. The school is committed to protecting the well-being of the whistle-blower whilst this policy is followed.

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The whistle-blower's statement (where available) will be taken into account, and they will be asked to comment on any additional evidence obtained. The person responsible for the investigation may ask the whistle-blower to attend a meeting to gather all the information needed to ensure a clear understanding of the situation.

Where a meeting is held, the whistle-blower may be accompanied by a trade union representative or work colleague if they wish, and where possible, the dates/times will be agreed to facilitate this, or in the case of a third party, by an appropriate person (e.g. friend, family, colleague). Legal professionals will not normally be allowed to attend such meetings.

2.3 Outcome of the investigation

The person who carried out the investigation will take any necessary action, which may include reporting the matter to the Headteacher/appropriate manager/Chair of School Governing Board/Trustees or an appropriate prescribed body (if this has not already taken place).

On the conclusion of any investigation, the whistle-blower will be told the outcome of the investigation (in as much detail as is deemed appropriate in the circumstances) and what action is to be taken or is proposed. If no action is to be taken, the reason for this will be explained.

Where a concern is raised anonymously, the school will not ordinarily be able to provide feedback to the whistle-blower, and any action taken as a result of an anonymous disclosure may be limited. The school will take all appropriate steps to investigate such disclosure in line with the level of information provided. If an anonymous whistle-blower wishes to seek feedback from the school, an appropriate anonymised email address should be provided.

2.4 Further action

Where having raised an initial concern and the whistle-blower has a genuine belief that the school has failed to take appropriate action or investigate the issue properly and they wish to pursue the matter further, they may report their concern to the Headteacher/Chair of the School Governing Board or to an appropriate prescribed body (if this has not already been reported).

The Headteacher/Chair of School Governing Board /Trustees may arrange for further investigation to be carried out, make any necessary further enquiries and/or make their own report. On the conclusion of any further investigation, they will take appropriate action, which may include reporting the matter to a prescribed body if this has not taken place at an earlier stage in the process.

3. Other issues

3.1 Concerns raised by a member of the public

Where complaints are received from members of the public, the school's formal complaints procedure will be followed unless the complaint relates to the specific conduct or performance of an individual employee/worker, in which case the Disciplinary Procedure may need to be instigated.

3.2 Criminal issues/fraud

In the event of the allegation being of a very serious nature, for example, relating to a fraud or other potential gross misconduct offence, there may be a need to involve the

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school's auditors and/or the police or other appropriate authorities. This should normally be agreed upon initially by [the Headteacher/Chair of School Governing Board who should, in turn, and where appropriate, keep the Education and School Funding Agency informed in view of any possible implications concerning public monies. The school/Trust must notify the Secretary of State via the Education & Skills Funding Agency of any instances of fraud, theft or irregularity where the value exceeds £5,000 individually, or £5,000 cumulatively in any financial year. Any unusual or systematic fraud, regardless of value, must also be reported.

4. Protecting whistle-blowers

4.1 Any whistle-blowers who make protected disclosures in line with this procedure have the right not to be dismissed, subjected to any other detriment, or victimised because they have made a disclosure. This means continued employment and opportunities for promotion or training will not be affected because the whistle-blower has raised a legitimate concern.

4.2 Whistle-blowers should report any harassment or victimisation to an appropriate manager as soon as practicable. The school / Trust will take all reasonable steps to prevent/address such harassment or victimisation. Victimisation of a whistle-blower for making a protected disclosure will be considered a disciplinary matter and will be dealt with under the Disciplinary Procedure.

4.3 Whistle-blowers may find the process of reporting an issue/wrongdoing difficult and uncomfortable. The school / Trust will take all reasonable steps to support the whistle-blower, which may include access to an external counselling service. The whistle-blower may also be referred to the charity Protect (previously known as Public Concern at Work) https://protect-advice.org.uk/ for information and advice.

5. Malicious allegations/disclosures

5.1 If, following appropriate investigation, it is considered that an employee has made a malicious allegation without real substance and/or which could not be reasonably considered to be in the public interest; this will be taken as a serious matter and may potentially lead to disciplinary action in line with the Disciplinary Procedure.

5.2 Where other individuals engaged by the school / Trust make a malicious allegation, the school / Trust will investigate the allegation thoroughly and take appropriate action, which may include terminating the contract/arrangements with the individual.

5.3 If disciplinary action is required, the person who carried out the investigation will report the matter to a relevant manager to start the disciplinary procedure.

5.4 If a third party has made a malicious allegation, the board may take legal advice about steps open to it where appropriate.

6. Data Protection

6.1 When an individual makes a disclosure, the school/Trust will process any personal data collected in accordance with its data protection policy and General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Data collected from the point at which the individual makes the disclosure is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

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