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## Whistleblowing Policy

### Introduction and purpose

Anthem is committed to carrying out its work with honesty and integrity and expects all employees to maintain high standards.

This policy aims to:

- Ensure that employees feel that it is safe and acceptable to tell us about their concerns without fear of suffering discrimination, victimisation or other repercussions for doing so.
- Provide employees with a procedure to raise their concerns.
- Ensure that concerns are dealt with quickly, appropriately, consistently and fairly.

This policy has been written to comply with<sup>1</sup> legislation and guidance governing the making of disclosures concerning wrongdoing in the workplace.

This policy does not form part of the employee's contractual terms and conditions of employment and may be amended from time to time, subject to prior consultation with the recognised trade unions.

### Scope

This policy applies to all staff employed by Anthem, including the National Team, the Executive Team, Headteachers, teachers, ECTs, school support staff, volunteers, contractors, casual and agency staff (collectively referred to as 'employees' for the purposes of this policy).

For the purposes of this policy the term 'Headteachers' includes Headteachers and Principals. In this policy, the term 'teacher' refers to classroom teachers, middle and senior leaders.

### Equality and accessibility

Anthem is mindful of the obligations under the Equality Act 2010 and this policy will be applied fairly and consistently to all staff, with reasonable adjustments made for those with qualifying disabilities as appropriate.

A copy of this policy and a copy of all relevant documents will be made available for all staff on The Staffroom and on the Anthem website. The policy is also available in hard copy on request and can be made available in large print or other accessible formats if required.

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<sup>1</sup> Public Interest Disclosure Act 1998, Academy Trust Handbook and government guidance on whistleblowing.

## Definitions

### Whistleblowing

Whistleblowing is the disclosure of information that relates to a genuine concern of suspected wrongdoing or dangers at work.

Whistleblowing covers concerns made that report wrongdoing that is “in the public interest”. Examples of whistleblowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Students’ or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Damage to the environment
- An abuse of power or authority
- Attempts to cover up the above, or any other wrongdoing in the public interest

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 a grievance. Such complaints should be raised using the Grievance or Dignity at Work policies.

Such unacceptable acts or omissions may have been carried out by employees, caused by faults in procedures or may be oversights that need to be rectified. The act or omission may have finished, be in process or not yet started.

More information can be found on <https://www.gov.uk/whistleblowing> or from the whistleblowing charity, Protect <https://protect-advice.org.uk> (formerly Public Concern at Work).

### Detriment

Provided that this procedure is used correctly, and the employee makes the disclosure in good faith, they will not suffer any detriment as a result of reporting the wrongdoing.

### Support and protection for employees

Anthem recognises that the reporting of a concern can be a difficult decision to take, not least because of the fear of reprisal. Anthem aims to encourage openness and will support employees who raise genuine concerns in good faith under this policy, even if the concern turns out to be unfounded.

Anthem will encourage a culture of cooperation, integrity and accountability.

Both parties (the person making the disclosure and the person whom the disclosure is about) have the right to be accompanied and/or represented by their trade union representative or by a work colleague at any stage of the process.

Any staff who threaten or retaliate against whistleblowers in any way will be subject to disciplinary procedures.

**This policy applies to the whole of Anthem Schools Trust**

We will respect the employee's confidentiality as far as we possibly can but there may be times when we cannot guarantee this, for example if there has been a criminal offence, a child protection or safeguarding issue. The whistleblower will be notified in advance if this is the case.

Training on whistleblowing will be available for all staff.

## When to raise a concern

Staff should consider the examples set out under the 'definitions' when deciding whether their concern is of a whistleblowing 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. For further information you can contact the whistleblowing charity: Protect - Speak up stop harm - Protect - Speak up stop harm ([protect-advice.org.uk](http://protect-advice.org.uk)). You may also take advice from your Trade Union.

## Malicious or vexatious complaints

Where there is strong evidence that a complaint is invented, vexatious or malicious and made without genuine basis, or with a view to personal gain, it will be treated as a serious issue and may result in disciplinary action.

## Anonymity

Anthem does not encourage anonymous reporting. Such reports are less powerful as it makes investigation more difficult or impossible, as we may be unable to obtain further information and/or establish if the allegation is credible. Anthem, therefore, encourages employees to put their name to the allegation as we will respect confidentiality as far as we possibly can and provide the employee with support and protection as outlined above.

Anonymous allegations will be considered at the discretion of the Headteacher or Executive Team, taken into account, and every effort made to investigate:

- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from an attributable source
- Evidence supplied

## Procedures

### When to raise a concern

Employees should refer to the definition of Whistleblowing above when deciding if their concern is of a whistleblowing nature.

### Who to report the concern to

Employees are encouraged to report their concerns by emailing the dedicated whistleblowing mailbox: [whistleblowing@anthemtrust.uk](mailto:whistleblowing@anthemtrust.uk). Emails received to this closed mailbox are confidential and are triaged by appropriate staff to be investigated by the most appropriate person.

Employees may also contact the Director of Governance – General Counsel or the Chair of the Audit & Risk Committee by including FAO DoG or FAO Chair for the Audit & Risk Committee in the subject line of the email to [whistleblowing@anthemtrust.uk](mailto:whistleblowing@anthemtrust.uk)

Employees may also report a concern to a prescribed person or body. See the links below under 'escalation to external bodies'.

Concerns are better submitted in writing, but may also be made in person, making it clear that it is being raised via the whistleblowing procedure.

## What to include

The email should include the background and history of the concern, including where possible:

- Names
- Dates
- Places
- Copy documents
- Why the employee is concerned about the situation

In some circumstances, the employee may ask a trade union representative to raise the matter on their behalf. The employer will treat the concern as if it was from the employee themselves. The employee making the disclosure will be protected by the workers' legal right to make a protected disclosure and the trade union representative will, by extension, be afforded the same protection.

An employee may also seek HR support for reporting or transcribing a concern.

## Investigation and outcomes

On receipt of the concern, a senior manager will be assigned to meet with the employee within ten working days, and if it is appropriate to do so.

At all meetings under this procedure, the employee may be accompanied by a workplace colleague or trade union representative. Meetings will be arranged with at least five working days' notice. If the employee's representative is unable to attend on the proposed date, the employee may propose an alternative date and time. The alternative date and time must be no later than five working days after the original date.

Once an employee has raised a concern, the manager will carry out an initial assessment to determine the scope of any investigation. The employee will be informed of the outcome of that assessment. Further meetings with the employee may be necessary to find out more information.

In some circumstances, it may be necessary to appoint an Investigating Officer or a team to carry out an investigation. The investigation may result in recommendations for change to prevent or minimise the risk of future wrongdoing.

The employee will be kept informed of the progress and timescales as far as possible. However, the need for confidentiality may prevent certain details from being shared. The aim will be to provide reassurance that the matter has been dealt with properly and that action has been taken where the allegations are proven.

## Safeguarding and allegations against staff

All employees are expected to be familiar with the provisions of both the Child Protection and Safeguarding Policy and Allegations Against Staff Policy.

The procedures set down within the Allegations Against Staff Policy must be used in any case where it is suspected or alleged that a member of staff or a volunteer at the school has:

- behaved in a way that may have harmed a child or may have intended to harm a child.

(The Child Protection and Safeguarding Policy outlines what it means to harm a child)

- acted outside of the law in relation to dealings with a child, OR
- behaved in any way that suggests they may be unsuitable to work with children.

The procedures set down within the Child Protection and Safeguarding Policy must be followed if an employee has any concern about school practices or the behaviour of colleagues which are likely to put students at risk of abuse or other serious harm. This may include reporting to a DSL or DDSL. Please see the Child Protection and Safeguarding Policy for more information.

## Escalation to external bodies

Employees are encouraged to raise their concerns within Anthem, as set out above. However, there may be circumstances that result in the employee feeling that the most appropriate course of action is to report their concerns to an external body, such as:

- Health and Safety Executive
- Environment Agency
- Information Commissioner Officer
- Department for Education
- Department for Business, Innovation and Skills
- Police
- Charity Commission
- Office for Standards in Education, Children's Services and Skills (Ofsted)
- NSPCC
- Local Authority
- Teacher Regulation Agency
- ESFA:

[How ESFA handles whistleblowing disclosures - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

[Whistleblowing: list of prescribed people and bodies - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

This list is not exhaustive.

Employees may wish to contact the Protect Advice Line to help them decide whether to raise their concern with an external body. <https://protect-advice.org.uk/advice-line/>

## Media

Under no circumstances should an employee approach a commercial body or the media with details of the suspected wrongdoing. Such action will be taken very seriously and may be addressed under the Disciplinary Policy.

## Confidentiality

The whistleblowing process will be treated with confidentiality. All related documentation will be stored securely and confidentially. Employees involved in investigations or proceedings must treat any related information communicated to them as confidential.

## Record keeping

All records and materials relating to these procedures will be kept securely in line with the Retaining Records Policy.

## Review

This policy applies to the whole of Anthem Schools Trust

The outcomes of this policy should be reviewed annually to ensure the policy is being implemented appropriately in line with equalities legislation.