



CONFIDENTIAL REPORTING (WHISTLEBLOWING) POLICY

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Responsible Officer	Chief Operating Officer

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Caveat added as at 27.11.24

This policy applies to **all academies** that are part of the Ascent Academies' Trust.

In the case of Mowbray Academy, which achieved academy status on 01.12.24 and became part of the Ascent Academies' Trust on that date, there is currently a period of transition between Mowbray School's policies and those of the Ascent Academies' Trust.

Anything **highlighted** in this policy is not fully in place for Mowbray Academy due to transition. The issues highlighted are being worked through and addressed as part of a phased plan.

This policy will be updated to remove the highlighting as issues are addressed.

1.0 INTRODUCTION

- 1.1 The Ascent Academies' Trust is committed to the provision of the highest quality services to the community it serves and to full accountability for those services. Whilst the Trust has in place rules, regulations, quality standards and procedures to ensure that the highest standards of conduct and commitment to service delivery are followed, irregularities, wrongdoing or serious failures in standards do sometimes occur. The Trust wants to identify and remove such malpractice in the performance of its services.
- 1.2 The greatest deterrent to malpractice or wrongdoing is the probability that it will be reported and investigated vigorously, that those who are responsible for it will be reprimanded and that the matter will be promptly remedied. This policy is therefore intended as a clear statement that any malpractice by members, employees or third parties (including contractors) reported to the Trust will be swiftly and thoroughly investigated. The Trust will also look at ways to ensure that such malpractice or wrongdoing can be prevented for the future.

2.0 AIMS AND SCOPE OF THE POLICY

- 2.1 This policy provides all employees, agency workers, contractors including their staff and members of the Board of Trustees with:
- avenues to raise concerns and receive feedback on any actions taken
 - reassurances that they will be protected from reprisals or victimisation for whistleblowing in good faith
- 2.2 Set out below is a list which is intended to illustrate the sorts of issues which may be considered as malpractice or wrongdoing and can be legitimately raised under this Confidential Reporting Policy:
- (a) any unlawful act, whether criminal or a breach of civil law, failure to comply with legal obligations or where a miscarriage of justice has occurred, is occurring or is likely to occur
 - (b) maladministration
 - (c) breach of any statutory Code of Practice
 - (d) breach of, or failure to implement or comply with, any policy determined by the Trust's Board of Trustees
 - (e) failure to comply with appropriate professional standards
 - (f) corruption or fraud including obtaining money (e.g. grants) without entitlement
 - (g) misuse of assets, including stores, equipment, vehicles, buildings, computer hardware and software
 - (h) endangering the health and safety of any individual with actions, which are likely to cause physical danger, or to give rise to a risk of significant damage to property

- (i) failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income, to the Trust, or individual academy, or would otherwise seriously prejudice the Trust
- (j) abuse of power, or the use of the Trust's powers and authority, for any unauthorised or ulterior purpose
- (k) unfair discrimination in the Trust's employment or services
- (l) causing damage to the environment
- (m) deliberately concealing information in relation to any of the items on this list
- (n) child protection and/or safeguarding concerns (see section 5)

3.0 EMPLOYEE CO-OPERATION AND SAFEGUARDS

- 3.1 In many cases it is an employee of the Trust who is most likely to be in the best position to learn of any malpractice or wrongdoing within the Trust and to identify an issue which falls below the standards which the Trust and the community it serves are entitled to expect. The Trust expects the fullest co-operation of all its employees in securing the highest standards of service to the community it serves. This means that, where an employee of the Trust becomes aware of, or suspects, malpractice the Trust will expect them to report these suspicions. Where an employee fails to report their suspicions, they become themselves implicated in the wrongdoing, and the Trust will treat failure by an employee to report such matters as a serious matter.
- 3.2 This policy statement has been discussed with the relevant trade unions and has their support.
- 3.3 The Trust will respect the confidentiality of any whistleblowing complaint received where the complainant requests that confidentiality. However, it must be appreciated that it will be easier to follow up and to verify complaints if the complainant is prepared to give their name, and unsupported anonymous complaints and allegations will have to be treated with caution.
- 3.4 Any reporting system will be of little effect if those who should use it are afraid that, as the result of making their report, they may experience recriminations, victimisation, or harassment. The Trust will therefore not tolerate any attempt on the part of any employee or member to take reprisals against any person who has reported a serious and genuine concern. The Trust will treat any such recriminations, victimisation or harassment by any employee or member of the Board of Trustees as a serious matter. Individuals may also have statutory protection under the Public Interest Disclosure Act 1998, which aims to protect individuals who make certain disclosures of information in the public interest and who are then victimised in their employment.
- 3.5 The Trust is proud of its reputation for having the highest standards of probity. It will therefore ensure that the necessary resources are put into investigating any complaints which it receives. As a consequence of this it will view very seriously any false or malicious allegations which it receives and will regard the making of any deliberately malicious or vexatious allegations by any employee as a serious disciplinary offence.

3.6 The Confidential Reporting Policy will be publicised to all colleagues, using appropriate media (e.g. email, SharePoint etc)

4.0 HOW TO RAISE A CONCERN

4.1 It is envisaged that a line manager will be the first point of contact in the vast majority of cases. It will be their responsibility to initially investigate all matters reported to them promptly in accordance with the procedure notes issued.

4.2 It is, however, appreciated that there may be times when an employee of the Trust feels unable to use the above procedure, for example when the whistle-blower feels that their line manager may be involved in the malpractice.

4.3 The Trust has identified a number of individuals to act as Whistleblowing Officers and the whistle-blower is invited to decide which of those individuals would be the most appropriate person to deal with the matter. These individuals include the Chief Executive, the Chief Operating Officer, and the Head of Academy in each of the academies.

4.4 As an alternative to contacting a Whistleblowing Officer directly, colleagues are able to email a specific email address set up by the Trust for confidential reporting. This address is confidentialreporting@ascenttrust.org and is monitored by the CEO. Reports and concerns will be dealt with in the same way, regardless of the manner in which they were raised.

4.5 Concerns about the Chief Executive or the Chief Operating Officer will be forwarded to, and dealt with by, the Chair of the Board of Trustees. Colleagues wishing to raise such a concern directly can email the Chair at chairoftrustees@ascenttrust.org

4.6 There is also an external person, Nick Hurn, who colleagues can contact for confidential reporting. He can be contacted by email at nhn@bwcet.com

4.7 In addition, information and advice can be obtained from the charity Protect. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that they offer free expert and confidential advice on how best to raise your concern and your protection as a whistleblower. Contact details for the charity are as follows:

Protect
The Green House
244-254 Cambridge Heath Road
London
E2 9DA
Telephone number 020 3117 2520
<https://protect-advice.org.uk/>

4.8 The whistleblower may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above individuals (4.3). All matters will be treated in strict confidence and anonymity will be respected wherever possible.

The Whistleblowing Officers have the following remit:

- (a) to receive and record any complaints under this Policy
- (b) to ensure the confidentiality of any whistleblowing complainant who requests that their complaint be treated in confidence
- (c) to investigate promptly any whistleblowing complaint and to respond directly to the complainant, with a right of access to the Head of Academy and all members and employees of the Trust and to all documents and records of the Trust.
- (d) to report to the Head of the Academy where the investigation identifies a serious cause for concern within the responsibilities of that officer and to recommend the use of any relevant statutory powers or duties. Where the complaint relates to the conduct of a Trustee or the Chief Executive Officer, they should report to the Chair of the Board of Trustees.
- (e) to report as appropriate to the Board of Trustees.
- (f) to recommend, in conjunction with the Head of Academy, to settle appropriate action to resolve a complaint or recompense a complainant
- (g) to report termly on the number of concerns raised under this Confidential Reporting Policy. Those matters raised which identify fraud or loss to the Trust will be reported to the relevant Committee.

4.9 It is beneficial if concerns are raised in writing. This allows the opportunity to set out the background and history of the concern, giving names, dates, and places where possible, and the reason why the whistleblower is particularly concerned about the situation.

4.10 It is anticipated that an employee will know the address to write to for their line manager.

4.11 Contractors working within the Trust are encouraged to report any areas of concern and advice should be given to them, when relevant, regarding the avenues available to them to report those concerns.

4.12 Although whistleblowers are not expected to prove the truth of an allegation, they will need to demonstrate to the person they choose to contact that there are sufficient grounds for concern.

5.0 **KEEPING CHILDREN SAFE (RAISING A SAFEGUARDING CONCERN)**

5.1 Keeping Children Safe in Education (DfE 2024) outlines the framework that should be followed in all cases in which it is alleged that a teacher, other member of staff (including supply teachers and volunteers) in a school or college that provides education for children under 18 years of age has:

- Behaved in a way that has harmed a child or may have harmed a child
- Possibly committed a criminal offence against or related to a child

- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children

[Text highlighted in yellow indicates issues not fully in place for Mowbray Academy due to the conversion process (see page 2)]

- 5.2 As set out in the **Trust's Safeguarding and Young Person Protection Policy** for each academy (in the section 'Procedures for Dealing with Concerns About Colleagues'), all issues that relate to the safety and well-being of children as set out in section 5.1 above must be reported directly to the Head of Academy. If a member of staff suspects that there is a serious safeguarding issue that they feel that the Head of Academy is not taking seriously or that they believe there is a serious safeguarding issue involving the Head of Academy they should in the first instance contact the Chief Executive Officer before seeking external support.
- 5.3 Concerns regarding adults' behaviour exist on a continuum and those behaviours that do not meet the 'harm threshold' for allegation (as bullet pointed in section 5.1 above) but are still a cause of concern should still be reported to the Head of Academy in exactly the same way and must not be minimised, dismissed or left unreported. (Refer to the **Policy for Dealing with Allegations made against Trust Colleagues in Relation to Abuse – Part 2: Reporting of Low-Level Concerns**).
- 5.4 Further information regarding keeping children safe can be found in the individual academies' **Safeguarding and Young People Protection Policies**.

6.0 HOW THE ACADEMIES WILL RESPOND

- 6.1 In order to protect both individuals and the Trust, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example child protection or discrimination issues) will normally be referred for separate consideration under those procedures.
- 6.2 Some concerns may be resolved by agreed action without the need for detailed investigation.
- 6.3 Within 10 working days of a concern being received, the Whistleblowing Officer will write to the whistleblower:
- 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
 - stating whether any initial enquiries have been made, and
 - stating whether further investigations will take place, and if not, why not.
- 6.4 The amount of contact between the officers considering the issues and the whistleblower 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 from the whistleblower.

- 6.5 When any meeting is arranged, the whistleblower has the right, if they so wish, to be accompanied by a union or professional association representative or a friend who is not involved in the area of work to which the concern relates.
- 6.6 The Trust will take steps to minimise any difficulties which the whistleblower may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, the Trust will provide advice about the procedure.
- 6.7 The Trust accepts that the whistleblower needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, information about the outcomes of any investigations will be provided.

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