Good Shepherd Trust

Life in all its fullness

WHISTLEBLOWING PROCEDURE

At the time of publishing the following roles were held:	
Head teacher	**NAME**
Designated Safeguarding Lead	**NAME**
Deputy Designated Safeguarding Lead(s)	**NAME**
Designated Teacher for cared for or previously cared for children	**NAME**
Designated Mental Health Lead (not statutory)	**NAME**
Governor with Safeguarding responsibility	**NAME**

Approved by[1]			
Name:			
Position:			
Signed:			
Version Date:		**Version No:**	
Review date[2]**:**			

Roles and terminology within the Good Shepherd Trust

Throughout this document the following terminology is used to describe the roles within the Trust.

Role/Term	Alternatives, description and meaning
Members	Members appoint the Directors. Membership is described in the Trust's Articles of Association
Directors	Also 'the Trust board' or 'the board' The Trust Directors are accountable in law for all decisions about member schools and are accountable to the Secretary of State for Education for the performance of each school within the Trust.
LGB	Also 'Local Governing Bodies' or 'LGB Members' The local governing body is a standing committee of the Trust which has delegated powers to oversee the running of its individual school. The LGB may choose to delegate some of these powers to smaller committees or the Headteacher as it deems fit to fulfil its responsibilities. Where the document refers to the LGB this might be through some committees or further delegation but with the understanding that the ultimate responsibility remains with the LGB.
CEO	Chief Executive Officer A significant number of responsibilities under the scheme of delegation lie with the CEO. It is recognised that the CEO may choose to delegate some of their duties to the Chief Finance Officer and School Improvement Consultants and other staff in their team.
Central Team	Refers collectively to the: Deputy CEO, Head of Finance, People Partner, Governance Lead and School Improvement Officer. Any other staff appropriate to the responsibility or task who work from the Trust's central administration office in Penrith rather than being based in a school.
SLT	Senior Leadership Team The Headteacher/Executive Headteacher, Head of School, Deputy Headteacher or other Senior staff member as appropriate to the individual school's senior leadership structure
	'Headteacher' in policies will usually refer to the Headteacher or Executive Headteacher as appropriate for the leadership structure of the school

Values

In keeping with our Trust vision, every member of the Trust family of schools will be valued and encouraged to fulfil their potential. In our Trust we believe:

- Everyone has something to offer
- Trust, honesty, empathy and social responsibility are the Christian values that frame our work
- We are here for the whole person, spiritually, morally, educationally and socially
- In working with transparency and openness

Vision

The Good Shepherd Trust embraces life in all its fullness.

- This means that every pupil is supported to reach their full potential: academically, physically and spiritually.
- Every colleague is given the tools they need to flourish in their role and develop professionally.
- Every community is well served by the thriving school at its heart.
- Our schools enjoy the best of both worlds. Each is valued as unique with its own context and individuality. Equally, every school enjoys all the benefits of belonging to a bigger family with the support and collaboration that brings.

Policy Statement

1. **Definitions**

This is a Trust wide policy designed to cover all our schools. Since our area of operation covers more than one county when the document refers to Local Safeguarding Organisations it means the county in which the individual schools operate.

In working within Child Protection Policy and Procedures the only area that is school specific and can be changed, is the Child Protection Roles and Responsibilities Quick Sheet on the inside cover of the Child Protection policy. These should be reviewed annually as part of the Child Protection Policy and procedures.

For the purposes of this Policy and procedures a child, young person, pupil or student is referred to as a 'child' or a 'pupil' and they are normally under 18 years of age.

Wherever the term '**parent**' is used this includes any person with parental authority over the child concerned e.g., carers, legal guardians etc.

Wherever the term '**school**' or '**setting**' is used this also refers to our central office and academies and includes any wrap around care provided and delivered such as After School Clubs and Breakfast Clubs. The proprietor is The Good Shepherd Multi Academy Trust.

Child on child abuse may also be referred to as peer-on-peer abuse or child on child sexual violence and sexual harassment and should be taken to mean child on child abuse of any description.

2. **Introduction**

Child on child abuse left unaddressed, can have a devastating effect on individuals and their families. It can be a barrier to their learning and have serious consequences for their mental health. Such abuse which takes place at school does not only affect an individual during childhood but can have a lasting effect on their lives well into adulthood. By effectively preventing and tackling abuse, we can help to create a safe, disciplined environment where our pupils are able to learn and fulfil their potential.

There is no clear boundary between incidents that should be regarded as abusive, and those that are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement. In the main, therefore, this document refers to child on child sexual violence and sexual harassment.

If one child or young person causes harm to another, this should not necessarily be dealt with as 'abuse'. Bullying, fighting and harassment between children are not generally seen as child protection issues and would normally be dealt with in line with Trust's Whole School Behaviour Policy and procedures which includes anti-bullying procedures at each school. . However, it may be appropriate to regard a young person's behaviour as 'abusive' if:

- there is a significant difference in power (e.g., age, size, ability, development etc.) between the young people concerned.
- the perpetrator has repeatedly tried to harm one or more other children.
- there are concerns about the intention of the alleged young person.

If the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether severe harm was caused, or not.

Addressing inappropriate behaviour (even if it appears to be relatively innocuous) **can** be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

The DfE statutory guidance '[Keeping Children Safe in Education]' is our first point of reference for child protection and child welfare issues in the school.

3. Ethos

At the Good Shepherd Trust the health, safety and well-being of all children is of paramount importance to every adult who works or volunteers here. All our children have the right to protection. They have a right to be safe in our schools; this is enhanced by the adoption of a robust Child Protection Policy and procedures, the Behaviour Policy and procedures which includes our procedures for preventing and dealing with cases of bullying (including cyber-bullying, prejudice-based and discriminatory bullying) and an Online Safety Policy and procedures. Copies of these Policies are available from each school website or on request.

The Trust regards Child Protection as an essential task of **all** its staff, Local Governing Body members and visitors/volunteers. We are committed to protecting children and safeguarding pupils.

We have adopted a whole trust approach to safeguarding and child protection. This means involving everyone, including proprietors, the staff and other adults working in the school, the pupils and their parents. All staff have been advised to maintain an attitude of 'it could happen here' and we will respond appropriately to all reports and concerns about sexual violence and/or sexual harassment both online and offline.

We wish to make it clear to parents, pupils and staff that we have effective prevention measures in place across the Trust to tackle child on child abuse including sexual violence and sexual harassment and all other forms of abuse between children both within and outside school. Our approach to sexual violence and sexual harassment is reflected in, and is part of, our wider approach to safeguarding.

If an incident arises, we will deal with it robustly, quickly and appropriately. We will not tolerate any form of child-on-child abuse within our schools or by association.

4. Aims

Keeping Children Safe in Education states that "Governing bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of child-on-child abuse and sets out how allegations will be dealt with along with clear processes as to how victims, perpetrators and any other child affected by such abuse will be supported".

Whilst it is recommended that child on child abuse is dealt with as part of the Child Protection Policy and procedures, due to the sensitive nature and specific issues involved particularly with child-on-child sexual violence and sexual harassment, this Policy has been formulated and is designed to be read in conjunction with the overarching principles of the Trust's Child Protection Policy and procedures.

The aim of this Policy is therefore to ensure that any form of child-on-child abuse or harmful behaviour is dealt with immediately and consistently. Consequently, when allegations are made and appropriate responses put in place, this will reduce the extent of harm to those involved and minimise the potential impact on emotional and mental health and well-being.

5. Entitlement

The Human Rights Act 1998 (HRA) sets out the fundamental right and freedoms that everyone is entitled to. Being subjected to harassment, violence and or abuse, including that of a sexual nature may breach any or all the rights made under the HRA depending on the nature of the conduct and the circumstances.

We also have obligations under the Equality Act 2010. We will not unlawfully discriminate against pupils because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation (protected characteristics). Each child in our schools, regardless of their background or home circumstances could be the victim of child-on-child abuse. They are therefore all entitled to the same degree of protection and support. Each child will also develop the skills appropriate to their age and understanding which could enable prevention of abuse by learning about keeping safe and who to ask for help if their safety is threatened.

6. Implementation

This Policy and supporting procedures applies to all who come into contact with children in our schools, including teachers, supply teachers, learning support staff, teaching assistants, mid-day supervisors, admin staff, meals supervisors, caretaker, cleaners, visiting students, parent helpers/volunteers, Local Governing Body (LGB) members and other visitors including contractors.

This Policy should be read in conjunction with other related Trust policies and procedures including:

- Overarching Safeguarding Statement
- Child Protection Policy and procedures
- Online Safety Policy and procedures
- Behaviour Policy and procedures for preventing and dealing with bullying (including cyber-bullying, prejudice-based and discriminatory bullying and the potential for radicalisation) and racism, drug misuse, positive handling, support and physical intervention etc.
- Relationships Education, Relationships and Sex Education (RSE) and Health Education Policy

- Equality Policy
- Supporting Pupils with Medical Conditions Policy and procedures
- Special Educational Needs Policy/Information Report (school specific)
- Attendance procedures
- Missing Child procedures

7. Review

This Policy will be reviewed annually and more often should legislation or statutory guidance change and to keep up to date with safeguarding issues as they emerge and evolve, including lessons learnt.

Director with Safeguarding Responsibility	***Richard Petty*** *safeguarding@thegoodshepherdmat.co.uk*
The Good Shepherd Trust Safeguarding Lead	***Rob Blake*** *deputyceo@thegoodshepherdmat.co.uk*

Local Safeguarding Contacts:	
Northumberland Children and Adults Safeguarding Partnership (NCASP)	
Tel: *01670 536400 (Onecall – available 24/7)* ***Email****: childrentriage@northumberland.gove.uk* ***Website:*** *www.northumberland.gov.uk/Children/Safeguarding/Info.aspx*	***Local Authority Designated Officer:***
	Tel*: 07500 606174 (Mon-Thu 08.30-16.30)* ***Or*** *01670 536400 (out of hours)* ***Email****:* *LADO@northumberland.gov.uk*
Cumberland Safeguarding Children Partnership ***Email****: CSCP@cumbria.gov.uk*	
Cumberland Children Advice and Support Service (CCASS) ***Tel:*** *0333 240 1727*	

	Local Authority Designated Officer (LADO): ***Tel: 03003033892*** ***Email: lado@cumberland.gov.uk***
	Westmorland and Furness Safeguarding Children Partnership ***Email:*** *WFSCP@cumbria.gov.uk*
	Multi Agency Children's Hub ***Email****: safeguarding.hub@westmorlandandfurness.gov.uk* ***Tel:*** *0300 373 2724*
	Local Authority Designated Officer (LADO): ***Tel: 03003033897*** ***Email: lado@westmorlandandfurness.co.uk***
CONTACT THE TEAM IN THE AUTHORITY IN WHICH THE CHILD OR FAMILY RESIDES	

For details of this school's Child Protection Roles and Responsibilities please see the Child Protection Policy.

This Statement will be reviewed as and when require.

REVIEW SHEET

Each entry in the table below summarises the changes to this Procedure made since the last review (if any).

Version Number	Version Description	Date of Revision/Review
1	Original	April 2017
2	Updated to include reference to Allegations against staff and others and low-level concerns.	Feb 2023
3	New. Changes not highlighted. Re-written to provide a more user-friendly structure and format, with clarifications throughout to ensure the procedure and what to expect in response is clear. Updates on low level concerns.	Sept 2023
	Reviewed (no changes)	Sept 2024
4	Changes to take account of the EYFS statutory framework for group and school-based providers 2025, the demise of the ESFA, other minor wording changes and updated links.	Sept 2025
5	Now include Sexual Harassment with the changes to Employment Law 2025	Sept 2026
6	Next review due	Sept 2027

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WHISTLEBLOWING PROCEDURE

1. Summary

This procedure aims to ensure that the staff of XXXX School are able to raise concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice, in a safe and professional way. The procedure covers:

- the legal context;
- what constitutes whistleblowing;
- the process for raising and handling a concern.

Although this procedure is aimed primarily at school employees, this does not reduce the Governor's/Trust's commitment to dealing with concerns raised by individuals outside of the school employed staff, e.g., parents, pupils, students, supply or temporary staff, volunteers, governors/trustees etc. under the complaints or low level concern procedure (see Code of Conduct for staff and other adults).

2. Introduction

School staff are often the first to realise that there is something seriously wrong; or to see the signs of conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice, or to perceive that things are not as they should be. However, they may have reservations about expressing their concerns because they feel that speaking up would be disloyal to their colleagues, the Governing Body/Board of Trustees or damaging to the reputation of the school. They may also fear victimisation or harassment. As a result, a member of staff could decide to ignore the concern rather than report what may just be a suspicion of malpractice.

The Governing Body/Board of Trustees are committed to the highest possible standards of:

- openness and inclusiveness
- accountability;
- integrity; and to
- upholding fundamental British values.

In line with the above commitment, employees and others with serious concerns about any aspect of the School's work are encouraged to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This procedure makes it clear that employees can do so without fear of reprisal. This procedure is intended to encourage and enable employees to raise serious concerns within the School rather than overlooking the problem. Staff and others are also encouraged to make use of the low-level concern procedure and reporting system.

It is recognised, however, that under some circumstances members of staff may feel unable to express their concerns within school. Staff are encouraged to first approach an appropriate person in the school unless they feel unable to when they should approach an appropriate organisation outside of the school setting with their concerns (see section 9.6 for a list).

The whistleblowing procedure is specific and is essentially about employment issues for employees. It is separate and distinct from other Policies and procedures that the Governors/Trustees have in place for complaints, including complaints involving pupils, staff performance and capability, health and safety, staff grievance and staff discipline. This procedure should not be used to raise matters relating to an employee's own terms and conditions of service and is intended to cover concerns that fall outside the scope of these other Policies and procedures. Employees who wish to raise a concern or grievance about their own employment, should refer to the school's grievance procedure.

3. Legal context

Whistleblowing is defined in Section 43B of the Employment Rights Act 1996 as the disclosure of information by a person who reasonably believes that it is in the public interest, and which shows:

- that a criminal offence has been committed, is being committed or is likely to be committed,

- that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject,
- that a miscarriage of justice has occurred, is occurring or is likely to occur,
- that the health or safety of any individual has been, is being or is likely to be endangered,
- that the environment has been, is being or is likely to be damaged, or
- that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

In the legislation whistleblowing is called a 'protected disclosure'. The Public Interest Disclosure Act 1998 (PIDA 1998) protects employees from suffering a detriment in their employment or being unfairly dismissed by their employer if they make disclosures in accordance with the legislation.

As of 2025, the Employment Rights Act lists sexual harassment as a protected whistle-blowing disclosure.

An employee has certain common law confidentiality obligations to their employer. However, in a limited set of circumstances, whistleblowing may override these obligations if an employee reveals information about their employment or the work of the School/Trust. This procedure sets out the circumstances under which these disclosures may lawfully be made.

Irrespective of the legal provisions relating to whistleblowing, the Governors/Trustees and the Senior Leadership team will seek to establish a culture in this school in which members of staff can express their concerns, be confident that such concerns will be taken seriously, investigated and appropriate action taken in response.

4. Aims and scope

This procedure applies to all employees including full and part-time, casual, temporary and substitute staff, and to individuals undertaking work experience or training in the school. The aim of this procedure is to:

- encourage those working in the school to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- provide guidance on how to raise concerns;
- provide avenues to raise those concerns and receive feedback on any action taken;
- ensure that employees receive a response to their concerns and are aware of how to pursue them if they are not satisfied; and
- offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action

Employees must act in good faith and must have a reasonable belief that the information they disclose and any allegations contained in the disclosure are accurate.

A concern must relate to something which:

(a) is a breach of the School's Policies or procedures;

(b) falls below established standards or practice;

(c) amounts to improper conduct, including something that may be:

- unlawful conduct;
- a failure to comply with a statutory or legal obligation;
- a neglect of duty;
- maladministration, misconduct or malpractice;
- an actual or possible miscarriage of justice;
- a health and safety risk or action which involves risks to the public (includes pupils) as well as other staff;
- action that has caused or is likely to cause danger to the environment;
- action that has caused or is likely to cause physical danger to any person or risk serious damage to school property;
- misuse or unauthorised use of public or other funds;

- fraud, corruption or unethical conduct;
- breaches of financial regulations or policies
- unfair discrimination or harassment related to the protected characteristics – age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation,
- undermining of fundamental British values or promoting radical and/or extremist views;
- sexual, physical or emotional abuse of members of staff or pupils
- mistreatment of any person
- any attempt to prevent disclosure of any of the issues listed.

The above issues could have arisen in the past, be currently happening or likely to happen in the future.

5. Allegations in relation to child protection

If the concern raised relates to a child protection issue neither the Head teacher nor the Chair of the Governors/Trust Board will undertake their own internal child protection enquiries but will consult the LA Designated Officer (LADO) for Child Protection A decision will be made as to whether to make a referral to the LA Children's Safeguarding Team.

In relation to child protection concerns, anyone can make a referral to the LA Children's Safeguarding Team, this can be made either before raising their concern with the Governors/Board of Trustees, or where the Head teacher or Chair of Governors/Trust Board fails to take action after the concern has been raised and the member of staff remains concerned about the situation.

In such cases, the Governors/Trustees will refer to the Allegations management section of the Child Protection procedures and local authority advice – Cumberland SCP - 'Allegations against staff (LADO)' | Westmorland and Furness SCP - LADO - Allegations against those who work or volunteer with children [delete whichever is not relevant].

6. Whistleblower's safeguard against reprisal, harassment and victimisation

The Governors/Trustees recognise that the decision to whistle blow can be a difficult one for members of staff and others but that it is in the long-term interests of the school that concerns are addressed. Although we aim to create a culture where all staff members feel able to raise concerns, it is important that staff and others are aware of the legal requirements surrounding whistleblowing.

As outlined in section 3. above, statutory protection is provided to whistleblowers by the Employment Rights Act 1996, namely "Part IVA: protected disclosures". Part IVA provides protection to employees in circumstances where their disclosure can be classed as a protected disclosure. In brief a protected disclosure is one which is:

- a qualifying disclosure; and
- is made in the public interest

If a member of staff is unclear about whether their concern is a protected disclosure, they may seek further advice from their trade union representative or 'Protect' the UK's whistleblowing charity which provides free advice for those who wish to express concerns about fraud or other serious malpractice.

Protect (Speak up, stop harm) – Free, confidential whistleblowing advice. Tel No: 020 3117 2520

Disclosure of information is not a protected disclosure within the meaning of Part IVA if:

- the person making it commits an offence by doing so, or
- it is made by a person to whom the information has been disclosed in the course of obtaining legal advice and a claim to legal professional privilege could be maintained in legal proceedings.

Part IVA provides that it would be automatically unfair to dismiss or make any employee/member of staff redundant because they had made a protected disclosure; and that it would be unlawful to subject them to any other detriment, such as demotion or a fine. In the event of such action an Employment Tribunal has the power to order re-instatement, re-engagement or order the award of compensation to successful claimants.

The Governing Body/Board of Trustees will absolutely not tolerate harassment or victimisation of members of staff or others when matters are raised in accordance with Part IVA provisions. Any member of staff who victimises or harasses a member of staff or other individual as a result of their having raised a concern in accordance with the whistleblowing procedure will be dealt with under the Governors/Trustees staff disciplinary procedure.

7. Confidentiality and anonymous allegations

The Governors/Trustees encourage members of staff to put their name to allegations whenever possible – anonymous concerns are much less powerful. Nonetheless, anonymous allegations will be considered in extreme circumstances under the whistleblowing procedure, especially concerns raised relating to the safety and welfare of children. In determining whether to take an anonymous allegation forward the Governors/Trustees will take the following factors into account:

- the seriousness of the issue raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources and obtaining information from them.

The Governing Body/Board of Trustees will do its utmost to protect the identity of any member of staff who raises a concern and who do not want their name disclosed. It is, however, important that all staff understand that any investigation into the concern could reveal them as the source of the information; and statements may be required from members of staff as part of the evidence which would be seen by all parties involved. If the investigation leads to prosecution the whistleblower is likely to be called on to give evidence in Court. If the whistleblower is unwilling to give details of their concern because of fear of disclosure of their identity but the Chair of Governors/Trust Board or Head teacher remains concerned about the seriousness of the allegation, the Chair of Governors/Trust Board or Head teacher will discuss this with the member of staff and ask them to reconsider so that the matter can be taken forward.

A member of staff will not be placed under undue pressure to disclose their name and the Governing Body/Board of Trustees will proceed with investigating the concern on the basis of an anonymous allegation. If a further meeting is required with the whistleblower, then the member of staff may be asked if they want this to be held at a mutually agreed place away from the workplace. The member of staff may also ask their Trade Union representative or professional association to raise the matter on their behalf or to support them in raising the concern to further protect their confidentiality.

8. Untrue and malicious/vexatious allegations

When it is, or becomes, apparent from the investigation that the person making the disclosure has acted frivolously, maliciously or for personal gain, the School may consider taking action against the employee in accordance with the School's Disciplinary or Capability procedures. If the disclosure itself amounts to a criminal offence, this procedure will not protect the employee from the consequences of that criminal offence.

9. Process for raising and enquiring into a concern

9.1 How to raise a concern

As a first step, a member of staff should normally raise a concern with their immediate line manager, or the Head teacher. Where the Head teacher is the subject of a concern, or in a situation where there is a conflict of interest in reporting the matter to the Head teacher, the concern must be reported to the Chair of Governors/Trust Board. The person to be approached depends to an extent on the seriousness and sensitivity of the issue and who is thought to be involved.

If a member of staff feels unable to express their concerns within the school, they can raise them with a suitable organisation outside of the school setting, See section 9.6 on taking matters further for a list of suggested organisations. However, where the concern relates to a child protection matter if the member of staff does not raise this through the school, they must consult the LADO to lead on child protection or if that person is not available, the LA Children's Safeguarding Team. This is in case the organisation with

which they raise their concern is not familiar with child protection procedures and consequently does not instigate them.

The sooner a concern is raised the easier it is for the Senior Leaders in the school to take action. Concerns are better raised in writing for the avoidance of doubt.

The member of staff should set out the background and history to the concern, giving names, dates and places where possible, and the reason why they are concerned. If the member of staff feels unable to put the matter in writing, they can still raise their concern verbally and should telephone or arrange to meet the appropriate person. Where a concern is raised verbally, the person receiving the concern should make a written note of it immediately, recording the date and time, and sign it. Where possible the record should be read back to the whistleblower to confirm its accuracy. The member of staff may also ask their Trade Union or professional association to raise the matter on their behalf or to support them in raising the concern.

If the member of staff believes that the concern is what is termed a 'low-level' concern in relation to a child protection issue, they may prefer to use the school's low level concern procedure. An explanation of what constitutes a low-level concern (which may be no more than a niggling doubt that something appears to be wrong or amiss) and the procedure to follow is outlined in the school's staff Code of Conduct or Behaviour Policy. The low-level concern procedure is accompanied by a form which must be completed – this can be anonymous.

Although members of staff are not expected to prove beyond doubt the truth of the concern or allegation, they need to demonstrate to the person contacted that they have sufficient evidence or other reasonable grounds for the concern. In determining what action to take, the person who is appointed to handle the member of staff's concern needs to assess whether there are sufficient grounds for the Head teacher or Governors/Trustees to act. All low-level concerns must be directed to the Head teacher or DSL. Where the issue is raised with the DSL, they will discuss the issue with the Head teacher as soon as possible.

9.2 Response following the raising of a concern

The action to be taken will depend on the seriousness of the concern. The matters raised may need:

- inquiry internally in the school;
- to be discussed with the school's HR provider;
- to be passed to the Police if they relate to alleged criminal activity;
- to be passed to the DfE;
- to be referred to the LADO if there is concern relating to child protection, or if that person is not available the relevant LA Children's Safeguarding Team.

For those concerns which are referred to the Police, or other statutory authority, the whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

The Academy Trust handbook states that The Board of Trustees must notify the DfE, as soon as possible, of any instances of fraud, theft and/or irregularity exceeding £5,000 individually, or £5,000 cumulatively in any financial year. Unusual or systematic fraud, regardless of value, must also be reported. The DfE have produced guidance on how to 'report fraud or financial irregularity'.

For matters not requiring referral to the Police, LA/DfE at the outset, initial enquiries should determine whether the formal whistleblowing procedure should be instigated for considering the concerns raised. Some concerns may be resolved by agreed action without the need for investigation, although in such cases a record of the disclosure and the action taken will be made by the School and a copy of such written report provided to the member of staff who made the disclosure. Where formal inquiry is instigated, concerns will be looked at initially under the whistleblowing procedure. However, some allegations may raise issues which may subsequently need to be dealt with under other existing Governing Body/Trust Board procedures, such as staff disciplinary or staff grievance.

All concerns will be treated sensitively and with due regard to confidentiality and where possible every effort will be made to protect the identity of the person raising the concern if they so wish. Nevertheless, this information will need to be passed on to those with a legitimate need to have this information and it

may be necessary for the person raising the concern to provide a written statement or act as a witness in any subsequent disciplinary proceedings or enquiry. This will always be discussed first. Additional support may be sought from the member of staff's Trade Union.

Where any meeting is arranged with the member of staff who is the subject of a whistleblowing allegation, the Governing Body/Trust Board will make clear, the purpose of the meeting. Where the meeting is intended to notify the member of staff that they may be subject to disciplinary proceedings, then the Governing Body/Trust Board will ensure that the meeting is held in accordance with the school's disciplinary procedure and the member of staff has the right to be accompanied by a Trade Union/professional association representative or a colleague at the meeting as long as the Trade Union representative or colleague is independent of the issue. If the meeting is intended to only establish facts relating to the allegation the member of staff will be given the opportunity to be similarly accompanied.

9.3 Timescale for response

The person receiving the whistleblowing allegation needs to respond to the issues raised. It will be made clear to the whistleblower that it is necessary to look into the concerns, and that at this stage the concerns/allegations are neither accepted nor rejected.

It is considered best practice for the person in school identified to deal with the concern raised to provide a written response to the whistleblower normally within 10 working days (except in the case of anonymous allegations):

- acknowledging that the concern has been received;
- indicating how it is proposed to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- informing them of whether any initial enquiries have been made;
- informing them whether further enquiries or investigations will take place;
- giving information on support available to them whilst matters are looked into, and confirming confidentiality will be maintained wherever possible but explaining that there is no guarantee that the whistleblower can remain anonymous.

If a lengthier process is involved, regular feedback on progress will be given in writing to the member of staff who made the disclosure.

The person with whom the concern has been raised will, where necessary, notify the School's HR provider that a whistleblowing allegation has been made.

Further advice on dealing with concerns is available from the School's HR provider or the School's financial or legal advisers.

9.4 The inquiry process

Initial enquiries will be made to decide whether an investigation is appropriate. Where an investigation is necessary, it may take the form of one or more of the following:

- an internal investigation by the Head teacher or a governor/trustee, which may, for example, take the form of a disciplinary investigation;
- an investigation by the Internal Audit Service;
- a referral to the Police;
- the setting up of an external independent inquiry.

Under no circumstances will the full Governing Body/Board of Trustees consider whistleblowing allegations/concerns since there may be a need to institute staff disciplinary or other proceedings at a later stage. Instead, the Governing Body/Board of Trustees will appoint an appropriate person to deal with the whistleblowing concern. This could be the Head teacher, a Governor/Trustee or another person such as a Governor/Trustee of another school, LA Governor Support Officer or other LA Officer. The person will not be the Chair of Governors/Trust Board. The person appointed should:

- look into the allegation - seeking evidence and interviewing witnesses as necessary;
- maintain confidentiality wherever possible but be mindful that there can be no guarantee that the whistleblower can remain anonymous;

- if appropriate, bring the matter to the attention of the DfE regarding complaints about financial management of schools via the DfE reporting mechanism;
- if appropriate, for example, for allegations of criminal behaviour report the matter to the Police;
- report the matter to the LADO if the allegation relates to a child protection issue or, if that person is not available the relevant LA Children's Safeguarding Team. In the case of a concern relating to inappropriate behaviour towards a child, the LADO will be informed at the earliest opportunity and a Case Manager will be appointed. (Refer to School Child Protection Policy and procedures for additional information and guidance on the process for referral to the Designated Officer).

For those concerns which are referred to the Police, or other statutory authority, the person investigating will halt the whistleblowing process until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

If the person appointed by the Governing Body/Board of Trustees to handle the concerns raised needs to talk to the whistleblower, the member of staff will have the right to be accompanied by a Trade Union or professional association representative or a staff colleague not involved in the area of work to which the concern relates, at any meeting.

The inquiry should normally be completed within 10-15 working days following the initial response to the whistleblower. If the inquiry extends beyond the timescales outlined for specific reasons, all individuals concerned will be notified of this in writing with an indication of when the inquiry will be completed.

The person appointed to conduct the inquiry must keep all notes of telephone and face to face discussions, records and documents reviewed, tests undertaken and results in date order and in a safe and secure place. They should ensure that the correct form of evidence is obtained and appropriately kept including original documents, certified copies of papers, physical objects, secondary evidence (for example, discussions), and details of any circumstantial evidence.

9.5 The inquiry report

Following completion of the inquiry process a written report will be made by the person appointed to undertake the enquiries and submitted to the Chair of the Governing Body/Board of Trustees normally within 5 working days.

The report will keep the name of the whistleblower confidential, unless they have expressly agreed that they wish to be named, and should set out:

- how the inquiry arose;
- who the concerns are raised against;
- the position in the school of the person against whom the concerns are raised and their responsibilities;
- how the inquiry was undertaken;
- the facts and evidence which were identified;
- a summary of the findings and recommendations in respect of the concern itself and any work required on system weaknesses identified during the inquiry.

Following receipt of the inquiry report, the Chair of Governors/Trust Board will convene a Committee with at least one other Governor/Trustee and possibly an independent person from outside the Governing Body/Trust Board, for example, the LA or Governor/Trustee of another school, to consider the concern and the inquiry report and decide on the action to be taken. This will normally take place within 5 - 10 working days following receipt of the inquiry report. The Committee will determine:

- the need for disciplinary action or other appropriate action to be taken under a Governing body/Trustee procedure, for example, staff performance, staff grievance, etc. If a need for disciplinary action is determined the Chair of Governors/Trustees must ensure that the Governing Body staff discipline Committee members are not tainted by also considering the concern under the whistleblowing process;
- the further action to be taken and the reasons why;
- if no action should be taken and the reasons why.

The Committee should notify the Chair of Governors/Trust Board of the outcome immediately.

Following notification of the Committee's decision, the Chair of Governors/Trust Board will notify the whistleblower of the outcome in writing normally within 5 working days (except in relation to anonymous allegations). This will set out the action to be taken or if no further action is to be taken the reasons why.

9.6 Taking the matter further

If no action is to be taken following the raising of a concern and/or the member of staff is not satisfied with the way the matter has been dealt with, the member of staff should raise their concern with another organisation, such as listed below.

If a member of staff does not wish to raise their concern with their school it is open to them to take concerns to other organisations such as:

- the Local Authority;
- a Diocesan Authority
- DfE
- the school's HR provider
- a Solicitor
- the Police - for concerns of criminal behaviour
- a Trade Union or professional association/regulatory body
- the Citizens Advice Bureau
- The Local Government Ombudsman
- Equality and Human Rights Commission
- Ofsted (guidance on how to make complains about a provider)
- Protect (The UK's whistleblowing charity that provides free advice). Telephone 020 3117 2520
- NSPCC – The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally or who believe that their concerns are not being taken seriously. Staff can call 0800 028 0285 or e-mail help@nspcc.org,uk.

Note: if the matter is taken to another organisation staff must take care not to disclose privileged confidential information and must still have regard to Part IVA of the Employment Rights Act 1996 in raising their concerns. The disclosure must be made "in the public interest"; and in the circumstances it must be reasonable for the disclosure to be made.

If there is an issue of an exceptionally serious nature which is believed to be substantially true, then the concern may be disclosed to someone other than those listed above. In determining whether it is reasonable for the disclosure to have been made, the identity of the person to whom the disclosure is made will be taken into account. Disclosures to anyone outside of the recognised bodies specified above may not be protected disclosures under the Act.

Employees have a duty not to disclosure confidential information. This does not prevent employees from seeking independent advice at any stage or from discussing the issue with the charity 'Protect' on 020 3117 2520 in accordance with the provisions of the Public Interest Disclosure Act 1998.

10. Review and reporting of the procedure

The Governing Body/Board of Trustees will make all staff, including casual or temporary school staff and individuals undertaking work experience or training in the school and volunteers aware of the whistleblowing procedure:

- on induction when they first take up appointment or placement in the school – individual copy provided;
- with the inclusion of a reference to the procedure and where a copy of it can be obtained in letter of appointment/placement;
- by way of a leaflet or poster in the staffroom
- by inclusion on the school's internal shared IT drive.

The procedure will be reviewed annually to ensure its continued relevance to the school or setting.