



ANGLIAN LEARNING

*Dynamic, empowered learners who thrive and lead in
their communities: locally, nationally and globally*

WORKPLACE WHISTLEBLOWING POLICY & PROCEDURE

| | |
|--|--|
| THIS POLICY WAS APPROVED: | AUTUMN 2025 |
| POLICY VERSION: | V3.0 |
| THIS POLICY WILL BE REVIEWED: | AUTUMN 2028 |
| MEMBER OF STAFF WITH RESPONSIBILITY FOR REVIEW: | DIRECTOR OF PEOPLE |
| THIS POLICY WAS CONSULTED WITH: | EXECUTIVE LEADERSHIP TEAM AND PEOPLE & CULTURE COMMITTEE |
| THIS POLICY WAS CONSULTED WITH EXTERNAL UNIONS (HR POLICIES) | AUTUMN 2025 |
| THIS POLICY WAS DISTRIBUTED TO: | UPLOADED TO CONNECT |

Contents

| | |
|---|----|
| 1. Introduction | 3 |
| 1.1 About This Policy | 3 |
| 1.3 Key Principles | 4 |
| 1.4 Confidentiality | 5 |
| 2. Roles and Responsibilities | 6 |
| 2.1 Senior Leaders and Line Managers | 6 |
| 3. Whistleblowing Overview | 7 |
| 3.1 What Counts as Whistleblowing? | 7 |
| 3.2 Who Can Be a Whistleblower at Work? | 9 |
| 3.3 Whistleblowing Protection | 9 |
| 3.4 Support | 9 |
| 4. Whistleblowing Procedure - Raising A Concern Internally | 10 |
| 4.1 Overview | 10 |
| 4.3 Stage Two – Fact-finding and Formal Investigations | 12 |
| 5. Whistleblowing Procedure - Raising A Concern Externally | 16 |

1. Introduction

1.1 About This Policy

This policy should be read in conjunction with the Trust's:

- Safeguarding & Child Protection Policy,
- Financial Regulations,
- Anti-Fraud & Bribery Policy,
- Health & Safety Policy,
- Grievance Policy and
- Disciplinary Policy.

It is not necessary to read all of the above policies; instead, select the ones that are relevant to the concern that has led you to this policy. For further advice please contact the HR Shared Services Team. All listed policies are available on Connect.

The purpose of this policy is to:

- Provide clarity on what whistleblowing in the workplace is and other avenues for raising concerns which do not meet the whistleblowing criteria.
- Provide a clear and supportive framework which allows individuals to voice their concerns and have confidence that they will be addressed appropriately.
- To ensure everyone involved in the whistleblowing process is treated fairly, consistently and with respect, and provide clarity on the protection afforded to whistleblowers.
- To clearly set out the procedure for whistleblowing at work and the subsequent steps that should be taken.

This version of the policy replaces all versions published prior to November 2025. 'Live' whistleblowing cases as of the date this policy is launched may continue to be managed under the policy and procedure in force at the time the individual blew the whistle or transferred to the new policy. Advice should be sought from the HR Shared Services Team on this.

This policy does not form part of any contract of employment or workers' terms of engagement and may be amended at any time.

As a minimum, this policy will be reviewed on a three-yearly basis, or sooner in light of any legislative changes, by the HR Shared Services Team.

The Director of People has overall responsibility for the effective operation of this policy. The HR Shared Services Team has delegated responsibility for advising senior leaders and managers on its implementation.

Questions about the application of this policy should be raised with the HR Shared Services Team.

1.2 Who Does This Policy Apply To?

This policy applies to employees, casual workers and agency staff that have a current or former link to the Trust. Trustees and governors are also encouraged to

familiarise themselves with the policy in order to signpost accordingly. This policy does not apply to whistleblowing by trustees, governors, contractors, parents and carers of pupils, pupils, visitors, volunteers, or members of the public. Whilst these individuals have the right to whistle blow in accordance with The Public Interest Disclosure Act 1998, they should do so via the procedure set out in the Trust's Complaints Policy. Following receipt of a complaint, the Trust will determine the appropriate course of action on a case-by-case basis.

1.3 Key Principles

- Anglian Learning is committed to creating a safe, open, and transparent workplace culture, where staff are encouraged to raise concerns at the earliest opportunity. Staff are often the first to realise that there may be something wrong within an organisation. It is important that they feel able to express their concerns without fear of harassment or victimisation; otherwise, they may find it easier to ignore the concern rather than report it. The Public Interest Disclosure Act 1998 recognises this fact and is designed to protect employees who make certain disclosures of information in 'the public interest' from detriment and/or dismissal. This policy builds on the provisions of the Act and any subsequent legislation, as incorporated into the Employment Rights Act 1996.
- The Trust is committed to fostering a safe, open culture for staff where they feel able to raise concerns at an early stage for the matter to be addressed promptly. Wherever possible, whistleblowing matters will be dealt with at an early informal stage with a view to avoiding unnecessary escalation to formal proceedings.
- The reporting procedure set out in this policy does not apply to reporting safeguarding concerns. Instead, safeguarding concerns should be reported in line with the Trust's Safeguarding & Child Protection Policy. Upon receiving information about the concern, the Trust will assess whether it constitutes whistleblowing and the appropriate course of action to take.
- Where a member of staff raises a whistleblowing claim during any existing procedure, that process may be temporarily suspended in order to deal with the whistleblowing allegation. However, where the whistleblowing allegation and the existing procedure are related or it is deemed that delaying the conclusion of the original process will have a detrimental impact, it may be appropriate to deal with both issues concurrently. Management will have discretion to decide which option is appropriate and advice should be sought from the HR Shared Services Team.
- Whistleblowing matters will be dealt with promptly and continue for no longer than is deemed reasonably necessary. Any delays e.g. due to school holidays, will be communicated to the individuals involved.
- Collective whistleblowing complaints will follow the same procedure as an individual whistleblowing complaint, with further details set out in section 4.2.3 of the policy.
- At the Trust's discretion, it may dismiss a whistleblowing concern without the need to complete the formal procedure where there are reasonable grounds to believe the complaint is vexatious.
- Where more than one whistleblowing complaint is submitted by the same individual or the complaints overlap in nature, consideration will be given to whether the new whistleblowing complaint should form part of the original

complaint or should be treated separately with two procedures running concurrently. An outcome from one whistleblowing complaint can be reached whilst a separate whistleblowing matter is being dealt with.

- The Trust will ensure the whistleblower is reasonably updated at each key stage of the whistleblowing process. Whilst the Trust is committed to ensuring transparency in its processes there will be certain information that cannot be shared with the whistleblower for confidentiality reasons, e.g. details of disciplinary action taken against staff resulting from the whistleblowing report.
- Confidentiality should be maintained by all parties and in line with section 1.4 below.
- At any stage of the procedure, the Responsible Person may refer to an adviser, internal or external to the Trust, for guidance to bring about a resolution of the whistleblowing complaint acceptable to both sides outside the formal procedure. Such conciliation is without prejudice to the position of both parties in the procedure.
- It is not appropriate for any parties to attempt to predetermine the outcome, and decision-making will be based on fairness, reasonableness, and proportionality.
- The whistleblower will receive written confirmation of the outcome and the opportunity to ask any subsequent questions. It is important to note that there will be certain information that cannot be shared with the whistleblower for confidentiality reasons e.g. details of disciplinary action taken against staff resulting from the whistleblowing report. There is no statutory right to appeal, the mechanism for expressing concerns about the outcome can be found in section 4.5 of the policy.
- The Trust recognises that raising or being the subject of a whistleblowing complaint can potentially be an upsetting and stressful time. Regular communication is key, as well as ensuring the individual is aware of the support services available to them, including but not limited to access to the Employee Assistance Portal and Occupational Health.
- Normal working arrangements will continue throughout the whistleblowing process. Where this is not considered possible, advice should be sought from the HR Shared Services Team before any action is taken.

1.4 Confidentiality

Maintaining confidentiality throughout a whistleblowing case is vital and is the responsibility of all involved. Whistleblowing cases will be treated sensitively, with information shared with only those who have a legitimate need and right to have access to the information.

All individuals involved in whistleblowing matters must treat any information communicated to them in connection with this as confidential.

Where the Trust is required to share information with third parties, e.g. the police and Local Authority Designated Officer (LADO), the Trust will ensure that only those details that are strictly necessary are disclosed. The whistleblower and, where relevant, any other key parties will be informed if there is a requirement to make a report to a third party. Where appropriate, the individual(s) will be notified prior to the sharing of information; however, in certain circumstances, this will not be possible, and the Trust reserves the right to make a final judgement call on this.

Any data obtained during the course of an investigation or any subsequent proceedings will be managed in accordance with the Trust's Data Protection Policy and in compliance with GDPR. A copy of the Trust's Data Protection Policy is available on Connect.

Where there is evidence that any party has breached confidentiality, it may result in disciplinary action being taken.

2. Roles and Responsibilities

2.1 Senior Leaders and Line Managers

- Familiarise themselves with this policy and liaise with the HR Shared Services Team if they have questions.
- To set and role model clear standards of expected behaviour in accordance with this policy, the Trust's Staff Code of Conduct and relevant professional standards.
- To ensure new starters are aware of and have access to this policy.
- To foster an environment that encourages staff to raise concerns in a timely manner without fear of judgement or suffering a detriment.
- To ensure any action taken under this policy is done in a fair, proportionate, compassionate, and timely manner.
- To bring to the HR Shared Services Teams' attention any potential conflicts of interest in a timely manner.
- To seek advice from the HR Shared Services Team for general questions about applying the policy and the relevant HR Business Partner, where formal action may need to be taken.
- Support, and in some cases lead, on the preparation and submission of documentation for submission to third parties e.g. LADO referrals.

2.2 Staff

- The responsibility for raising concerns about unacceptable practice and/or behaviour lies with all members of staff. Staff should use line manager or team meetings and other opportunities to raise questions and seek clarification on issues which are of day-to-day concern. Whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, employees must act to prevent an escalation of the problem and to prevent themselves being potentially implicated.
- Familiarise themselves with this policy and liaise with the HR Shared Services Team if they have questions.
- Familiarise themselves with the Staff Code of Conduct and liaise with their line manager or School HR contact if they have any questions.
- In good faith and based on reasonable belief, promptly raise whistleblowing concerns in accordance with this policy.
- Seek advice from their line manager, senior leader e.g. Headteacher/Head of Shared Service, or the HR Shared Services Team if unclear on whether the concern meets the criteria for whistleblowing.

- To bring to the HR Shared Services Team's attention any potential conflicts of interest in a timely manner.
- To cooperate fully with informal and formal procedures.
- Remain in contact and readily available to attend meetings as required.

2.3 HR Shared Services Team

- Role model clear standards of expected behaviour in accordance with this policy, the Trust's Staff Code of Conduct and relevant professional standards.
- To provide specialist advice in relation to legislation, policy and HR best practice.
- To provide support and answer questions to all parties involved.
- Signpost to internal and external support services as required.
- Attend and provide support at formal meetings.
- Liaise with unions about specific cases as appropriate.
- Support, and in some cases lead, on the preparation and submission of documentation for submission to third parties e.g. LADO referrals.
- Advise on note taking best practice and where required, take notes at meetings.

3. Whistleblowing Overview

3.1 What Counts as Whistleblowing?

ACAS defines whistleblowing at work as *'the action someone takes to report wrongdoing at work that affects others.'*

The act of 'blowing the whistle' is legally known as making a disclosure in the public interest. Any wrongdoing you disclose must be in the public interest i.e. is or will affect the general public if left unaddressed.

The Public Interest Disclosure Act 1998 sets out a list of matters that are covered by whistleblowing which are called Qualifying Disclosures. A whistleblower must have reasonable belief that one of the following failures has occurred:

- (a) that a criminal offence has been committed, is being committed or is likely to be committed,
- (b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject,
- (c) that a miscarriage of justice has occurred, is occurring or is likely to occur,

(d) that the health or safety of any individual has been, is being or is likely to be endangered,

(e) that the environment has been, is being or is likely to be damaged, or

(f) 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.

Examples of Qualifying Disclosures include, but are not limited to:

- Committing fraudulent activity such as tax evasion, undeclared conflicts of interest resulting in preferential treatment of a supplier/contractor, falsifying GCSE exam results to increase overall success rates at an academy, falsifying safeguarding training completing dates to improve SCR compliance, which risks masking important training and knowledge gaps.
- Failing to address unsafe working conditions e.g. routinely failing to provide necessary PPE (Personal Protective Equipment) in line with risk assessments, failing to maintain fire prevention and safety provisions such as missing or damaged fire alarms and extinguishers increasing the risk of failing to notify of and contain a fire.
- Endangering the environment through the incorrect disposal of potentially harmful waste, e.g. improper disposal of harmful chemicals used by science departments, resulting in potential harm to individuals within the school and waste management personnel.
- A bullying and/or discrimination culture across a team or organisation, including the act of using AI to manipulate images of staff into inappropriate or harmful content, rather than individual instances of bullying (individual instances of bullying should be raised via the grievance policy and procedure).
- A Headteacher failing to appropriately address a number of safeguarding concerns, including delays in taking action, inadequate record keeping in MyConcern, lack of involving appropriate bodies e.g. LADO, and overall poor handling of the cases.
- An organisation knowingly covering up or disposing of evidence to conceal any wrongdoing, e.g. concealing evidence of a school accepting wide-scale student plagiarism arising from AI. This may include deleting incriminating emails, messages or AI transcripts, shredding documents that provide an audit trail or asking employees to provide false information when questioned.

It is not necessary for the individual to have proof that such an act is being, has been, or is likely to be committed - a reasonable belief is sufficient.

This policy should not be used for raising concerns or making a complaint about your personal circumstances. Personal issues, e.g. grievances about your pay or terms and conditions, workplace disputes, general dissatisfaction with the work environment, bullying, harassment and discrimination do not count as whistleblowing and therefore are not covered by whistleblowing legislation. Anglian Learning is committed to taking these matters seriously, and these concerns should be raised and managed in line with the Trust's grievance procedure as detailed in the Grievance Policy. The only exception is where the case is considered to be in the public interest.

3.2 Who Can Be a Whistleblower at Work?

Current and former employees, casual workers and agency workers of the Trust can be whistleblowers when applying this policy.

3.3 Whistleblowing Protection

It is vital that employees and workers feel safe in coming forward and raising concerns. Anglian Learning takes a zero-tolerance approach to any form of negative experiences arising from whistleblowing. If you believe you have suffered any such treatment you should inform a senior manager e.g. Headteacher/Head of Service, or the HR Shared Services Team immediately.

Should the Trust become aware that a whistleblower is or has suffered a detriment as a result of blowing the whistle, appropriate action will be taken. This may include taking formal disciplinary action up to and including dismissal against the individual(s) involved.

In addition to the Trust's zero tolerance approach to poor treatment arising from voicing concerns, the Public Interest Disclosure Act 1998 provides further protection. Whistleblowing Protection ensures that whistleblowers are not dismissed or suffer a detriment as a result of making the disclosure. Protection starts from day one of employment (for employees) or from the first day work is undertaken (for casual workers and agency staff). Once protection is gained it is permanent i.e. if the individual leaves the organisation, they retain the protection in the event that they raise whistleblowing concerns in the future.

In accordance with the Public Interest Disclosure Act 1998, whistleblowers are protected from:

- Suffering a detriment as a result of making a disclosure. This includes being treated worse than before and/or having their situation made worse, e.g. being offered fewer casual shifts, being excluded from decision making that you would have previously been involved in, experiencing bullying.
- Unfair dismissal – if dismissed as a result of whistleblowing this would automatically be considered unfair dismissal

Further advice on whistleblowing and protection can be accessed via the whistleblowing charity Protect - <https://protect-advice.org.uk/> / 020 3117 2520 and ACAS website - <https://www.acas.org.uk/whistleblowing-at-work/how-to-make-a-whistleblowing-disclosure>

3.4 Support

As acknowledged in section 1.3 above (Key Principles), the Trust recognises that the decision to report a concern can be a difficult one to make. In addition to fostering an open and respectful culture which encourages individuals to speak out, is important that the individuals are supported throughout the whistleblowing procedure. The type of support offered will be discussed and agreed with the whistleblower to ensure their individual needs are met.

4. Whistleblowing Procedure - Raising A Concern Internally

4.1 Overview

The earlier a whistleblower expresses their concerns, the easier it is to take appropriate action.

Concerns are best raised by the source i.e. the individual that has the concern. However, the Trust recognises that in some instances the whistleblower may prefer to ask a Trade Union to raise the matter on their behalf.

Where appropriate the Trust will address any whistleblowing concerns informally in the first instance. If, after following the informal procedure, the whistleblower is not satisfied their concerns have been addressed informally or where informal resolution is not considered appropriate, the formal procedure as set out in section 4.3 below should be followed.

Where the whistleblower is not an employee or casual worker of the Trust i.e. an agency worker, they can choose whether to raise the concern with the Trust as the organisation the concern relates to or their employer. Where a concern is raised with the employer, the Trust would look to work with the whistleblower and employer to address the concerns.

4.2 Stage One - Raising a Concern

4.2.1 Informal Resolution

Whistleblowers should seek to resolve their concerns informally and promptly by raising them with their line manager.

Where the individual(s) feel unable to raise the concerns with their line manager e.g. if their line manager is implicated or has a potential conflict of interest, they should share their concerns with either the HR Shared Services Team, a senior leader e.g. Headteacher/Head of Services, or a member of the Executive Leadership Team.

Where the concern relates to the actions of a Headteacher/Principal, the individual should report their concerns to a member of the Executive Leadership Team.

Where the concern relates to the actions of one or more members of the Executive Leadership Team (excluding the CEO), the individual should report their concerns in writing to the Board of Trustees, specifically the Chair of Trustees, copying in the Head of Governance Support, Compliance and Risk.

Where the concern relates to the actions of the Trust's CEO, the individual should report their concerns in writing to the Board of Trustees, specifically the Chair of Trustees, copying in the Director of People.

Where the concern relates to the Trust as a whole, the individual should report their concern to the Department for Education or Ofsted; whichever is most appropriate.

4.2.2. Providing Information

Concerns are best raised in writing and where possible should:

- Clearly set out what the concern is.
- Clearly state that you consider the concern to meet the whistleblowing criteria and as such you are raising the concern as a whistleblower - whilst this is encouraged, it is not essential. Providing there is sufficient evidence that the concern meets one or more of the Qualifying Disclosures, it should be treated as whistleblowing.
- Include the background and any key contextual information behind the concern, including any relevant dates.
- Detail whether you have already raised the concern with anyone else and their response.
- Where applicable, include any other relevant evidence, e.g. documents, emails, photographs.

If a whistleblower does not feel able to put their concern in writing, they should be encouraged to express their concern(s) verbally. It is important to make the individual aware that, where a verbal report is made, the individual may be asked to provide a written statement at a later date or sign a statement written based on their verbal account to ensure there is a record.

Individuals are encouraged to put their name to a whistleblowing concern. Proper investigation and resolution may be more difficult or impossible if we cannot obtain further information. Anonymous allegations will be considered at the discretion of the Trust. In exercising the discretion, the factors to be taken into account would include:

- The seriousness of the issues raised,
- The credibility of the concern, and
- The likelihood of confirming the allegation from attributable sources.

4.2.3 Collective Whistleblowing

A whistleblowing concern shared and raised by two or more individuals either directly or on their behalf by a Trade Union (or other appropriate workplace representative) will be considered a collective whistleblowing case.

Individuals cannot raise the same issue separately once they have raised a collective whistleblowing concern i.e. cannot blow the whistle on the same issue

multiple times. They can however provide separate supporting information if they wish albeit the Trust encourages them to work collaboratively on this to ensure their collective concerns are fully captured. The procedure and rules set out in sections 4.2 – 4.5 will also apply to collective whistleblowing.

4.2.4 Acknowledgment of Whistleblowing Concerns

Upon receipt of a whistleblowing concern the Trust will respond in writing to confirm receipt and next steps. Where possible the Trust will confirm at this stage:

- If it agrees that the concerns constitute whistleblowing and will therefore be managed in line with this policy and procedure. Where the Trust feels the concern(s) does not meet the criteria for a Qualifying Disclosure it will confirm which policy and procedure will be applied instead e.g. the grievance policy.
- Who will carry out the fact-finding exercise and the expected timeframe for this.

Where it is not possible to provide this information at the acknowledgement stage, it should be shared with the individual as soon as possible thereafter.

The Trust is committed to acknowledging any concerns that are received and taking swift action however delays may occur e.g. due to school holidays.

4.3 Stage Two – Fact-finding and Formal Investigations

4.3.1 Fact-Finding

Upon receipt of a whistleblowing complaint, an appropriate person will be tasked with carrying out fact-finding. A member of the HR Shared Services Team will be appointed to the case in order to provide HR policy, procedure and best practice advice.

Depending on the level of detail provided by the whistleblower at the time of raising the concern, it may not be necessary to meet with the individual in order to carry out the fact-finding. This will be considered on a case-by-case basis.

Where advice is required from the police or LADO, usually no fact-finding (e.g. taking witness statements from staff and/or pupils) should take place until the initial anonymous advice has been sought.

In many cases an initial fact-finding exercise will be sufficient to establish facts and potential options for resolution. Where this is the case there is no requirement to carry out a further in-depth investigation.

Any delay with the fact-finding e.g. due to school holidays, will be communicated to the individual as soon as reasonably practicable.

4.3.2 Formal Investigations

Where the initial fact finding identifies that an in-depth formal investigation is required, a formal investigation may be commissioned by a member of the Executive Leadership Team or Headteacher/Head of Service. Depending on the circumstances it may be appropriate to refer the matter on to the police i.e. if the concern relates to alleged criminal activity, arrange for an audit to be undertaken if there are concerns about financial miss-management, or refer the matter on for an independent inquiry.

An Investigation Officer will be appointed, either an internal or external party, and tasked with carrying out an impartial investigation to establish the facts. When determining who would be a suitable Investigation Officer, the Trust will consider a number of factors including any perceived conflict of interest.

A Responsible Person will be appointed and tasked with reviewing the investigation evidence before determining what, if any, further action is required. The Responsible Person will normally be a member of the Trust's Executive Leadership Team, a Headteacher/Head of Service or Deputy Headteacher/Head of Service. When determining who would be a suitable Responsible Officer the Trust will consider a number of factors including a perceived conflict of interest. The Responsible Officer may or may not be the same person that originally commissioned the formal investigation.

The investigation should commence as soon as reasonably practicable and be carried out without unreasonable delay. All parties are expected to cooperate and make themselves readily available to meet with the Investigation Officer.

Where the Trust is aware of an external investigation relating to the internal allegations e.g. police or LADO, the Trust will consider whether its internal investigation should be paused until the outcome of the external investigation is known.

At the end of the investigation the Investigation Officer will collate their findings into an investigation report. The investigation report will be provided to the Responsible Person for consideration.

Any delay with the investigation e.g. due to school holidays, will be communicated to the individual as soon as reasonably practicable.

4.3.3 Right to be accompanied

The statutory right to be accompanied does not extend to whistleblowing cases. However, as a supportive measure the Trust will offer the following provision to whistleblowers:

Whistleblowers may choose to be accompanied to any formal meetings e.g. investigation meetings and appeals. Requests to be accompanied to informal meetings e.g. when raising the concern initially to a line manager, will be considered on a case-by-case basis.

The companion can be either:

- A work colleague (a Trust employee)
- A trade union representative who is certified or training in acting as a companion
- An official employed by a trade union

The companion should be allowed to:

- Summarise the whistleblowing concern
- Respond on behalf of the whistleblower to any comments or points made during meetings
- Talk with the whistleblower during meetings
- Take written/typed notes – electronic recording is not permitted
- Sum up the whistleblowers concern (or case in the event of an appeal)

The companion is not permitted to answer questions on behalf of the aggrieved party.

The whistleblower should inform the HR Shared Services contact (or line manager where the concern is being raised informally) if they would like to bring a companion to a meeting and provide the companion's details so the necessary arrangements can be made.

Where the chosen companion is unable to attend the scheduled meeting, the meeting will be postponed by typically no more than seven calendar days to allow the companion to attend.

Witnesses are not entitled to bring a companion to any meetings.

4.4 Stage Three – Outcome

At the end of a fact-finding exercise or formal investigation a report will be produced setting out the findings.

The decision maker e.g. line manager or Responsible Person, will arrange to meet with whistleblower to summarise the findings and confirm next steps. The potential outcomes for a whistleblowing case are:

- Upheld – there is sufficient evidence to support the whistleblowing concern
- Partially Upheld – there is partial evidence to support all or some of the whistleblowing concern
- Not Upheld – there is insufficient evidence for supporting the whistleblowing concern

Whilst the Trust expects all concerns to be raised in good faith, if a whistleblowing concern is found to be vexatious, the whistleblower will be informed of this along with any action that will be taken e.g. disciplinary action.

At the outcome meeting the following details should be confirmed and followed up in writing usually within seven calendar days (delays possible outside of term-time):

- The outcome,
- The decision maker's reasons for the outcome, and
- Details of any further action that will be taken to resolve the concerns that were raised or any other concerns that have come to light during the course of the investigation.

In the event that the whistleblower is unable to attend on their scheduled meeting e.g. due to ill health or their companion's availability, the Trust will explore what, if any, reasonable adjustments can be put in place and an alternate date (typically within seven calendar days of the original date) will be offered. In the event that the whistleblower is unable to attend the rescheduled meeting, the Trust may choose to offer a third date option (typically within seven calendar days) or deliver the outcome via a paper exercise.

Where an investigation report is available, a copy (along with appendices/notes etc.) will be provided to the whistleblower. Where necessary sections of the report and appendices may be redacted.

Where the whistleblowing outcome concludes that a member of the Trust's conduct has fallen short of the Trust's expectations and Staff Code of Conduct, consideration should be given to whether further action should be taken under the relevant policy e.g. the disciplinary policy for employees and workers. On a case-by-case basis consideration will be given as to whether a new investigation under the relevant procedure e.g. disciplinary, is required before any action is taken, or if the whistleblowing investigation will suffice. It will not be possible to share any specific details relating to conduct matters with the whistleblower due to confidentiality.

Any delay in communicating the outcome e.g. due to school holidays, will be communicated to the individual as soon as reasonably practicable.

4.5 Appeal

Whilst there is no legal right to appeal the outcome of a whistleblowing complaint, the Trust recognises the importance of allowing staff the mechanism to voice their concerns. As such, should a whistleblower have concerns about the procedure that was followed or feel the action taken by the Trust does not fully address the original concern, an appeal can be made.

Appeals should be made in writing to the HR Shared Services Team within seven calendar days from the date of the outcome letter. The appeal notice should set out the grounds of appeal i.e. why the individual is appealing, and any resolution sought.

The HR Shared Services Team is responsible for liaising with the relevant individuals in accordance with the Trust's Scheme of Delegation and will provide advice in relation to appeal proceedings.

All appeal hearings will be held as soon as possible and, in normal circumstances, within fourteen calendar days after receipt of the appeal. It is important to note that the fourteen calendar day window is likely to be extended where it falls outside of term time. Any delay to the appeal process e.g. due to school holidays, will be communicated to the individual as soon as reasonably practicable.

The outcome of the appeal will be confirmed in writing as soon as possible and usually within seven calendar days of the hearing. There will be no further right of appeal.

4.6 Recording of meetings

Electronic recording of meetings is not permitted at any stage of the whistleblowing procedure unless by prior agreement of all parties. Instead, summary notes should be taken at all formal meetings with a copy provided to the individual after the meeting. Note taking at informal meetings should be considered on a case-by-case basis.

5. Whistleblowing Procedure - Raising A Concern Externally

In most cases, the member of staff should not find it necessary to raise a concern externally, as the Trust's culture and procedure for raising a whistleblowing concern should give whistleblowers the confidence that the matter will be treated seriously with proportionate action taken. However, the law recognises that in some circumstances it may be appropriate for the whistleblower to report their concerns to an external body such as a regulator.

By law, you can make a whistleblowing disclosure externally to one of the following:

- A legal adviser
- Recognised Trade Union
- Government ministers – this only applies if you work for a statutory body which Anglian Learning is not
- Your constituency's Member of Parliament
- A regulator or professional body e.g. LADO, Secretary of State for Education for matters relating to an education setting, the Environment Agency for matters relating to actual or potential effect on the environment.
- Any other person or body, for example, the police or media – there must be a good reason to, or it must be related to an 'exceptionally serious failure'

It will very rarely, if ever, be appropriate to alert the media and in some cases doing so risks hindering the Trust's efforts to address the concerns.

Employees are strongly encouraged to seek advice, either internally within the Trust or externally e.g. Trade Union, independent legal advice and Protect (leading UK whistleblowing charity, before reporting a concern to anyone external.

The full list of prescribed people and bodies can be found on the GOV.UK website and accessed via: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies#education>

Where a whistleblower deems it necessary to raise their concern externally, it is their responsibility to ensure that confidential and/or sensitive information is not disclosed.

**** End of Document ****