Truro and Penwith
Academy Trust

Whistleblowing Policy

Document Control

Version	Date Approved	Approved By	Summary of Changes	Next Review Date
1.0	March 2022	Trust Board	Initial policy	May 2025
2.0	May 2025	Trust Board	Date update	March 2026
3.0	March 2026	Trust Board	Sexual harassment and employment rights act.	March 2029
4.0	July 2026	Trust Board	Addition of need to notify the Head of Corporate Governance of any disclosures	July 2029

Truro and Penwith Academy Trust

Whistleblowing Policy

Where a disclosure is received the person receiving the disclosure must notify the Trust's Head of Corporate Governance.

Whistleblowing Policy and Procedure (Making a Disclosure in the Public Interest)

1 Introduction

1.1 The Trust is committed to operating in an ethical and principled way. The aim of this policy and procedure is to provide staff and other members of the Trust (referred to as ‘employees’ throughout this document) with a means for raising genuine concerns of suspected bribery, breaches of the law and other serious malpractice or wrongdoing within the organisation.

1.2 The Trust encourages employees to raise genuine concerns about suspected wrongdoing at the earliest practicable stage. This policy and procedure is intended to provide safeguards to enable members of staff to raise concerns about malpractice without fear of reprisal.

1.3 The Public Interest Disclosure Act came into effect in 1999 and gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The law allows employees to raise such concerns externally and this policy informs staff how they can do so. However, a failure to raise a concern under this procedure may result in a disclosure losing its protected status under the law.

1.4 This policy and procedure also seeks to balance the need to allow a culture of openness against the need to protect other employees against vexatious allegations or allegations which are not well-founded.

1.5 The principles of openness, probity and accountability which underpin legislation protecting whistleblowers are reflected in this policy and procedure. The Trust is also committed to ensuring compliance with the Bribery Act 2010 and the Employment Rights Act 2025.

1.6 Students and pupils are also encouraged to raise genuine concerns about suspected wrongdoing by making a complaint to a teacher or other member of staff within their school. This policy and procedure is designed for the use of staff of the Trust.

2 Applicability of this policy and procedure

2.1 This policy applies to all employees of the Trust, including apprentices; and

2.2 Employees which includes any casual workers and employees of subcontractors; and

2.3 Agency workers engaged by the Trust.

2.4 Employees might be unsure whether it is appropriate to raise their concern under this policy and procedure. Employees in this situation are encouraged to approach the Trust Head of Corporate Governance.

3 Protected disclosures

3.1 The law protects employees who, out of a sense of public duty and in good faith, want to reveal suspected wrongdoing or malpractice.

3.2 The law allows employees to raise what it defines as a ‘protected disclosure’. In order to be a protected disclosure, a disclosure must relate to a specific subject matter (See Section 4 below) and the disclosure must also be made in an appropriate way (See Section 5). A ‘protected disclosure’ must, in the reasonable belief of the employee making it, also be made in the public interest. A protected disclosure must consist of information and not merely be allegations of suspected malpractice.

4 Specific Subject Matter

If, in the course of employment, an employee becomes aware of information which they reasonably believe tends to show one or more of the following, they must use this policy and procedure:

- that a criminal offence has been committed, is being committed or is likely to be committed;
- that an individual has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
- that a miscarriage of justice, improper conduct or unethical behaviour 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;
- that information tending to show any of the above, is being, or is likely to be, deliberately concealed.
- That sexual harassment has taken place or been witnessed

5 Procedure for making a disclosure

5.1 Information which an employee reasonably believes tends to show one or more of the situations given in Section 4 should promptly be disclosed to their line manager so that any appropriate action can be taken.

5.2 If it is inappropriate to make such a disclosure to their line manager, an employee can raise the issue with the Trust’s Chief Executive.

5.3 In all instances where an employee has a safeguarding concern, they must make a disclosure to the school DSL, or if the matter directly relates to the Headteacher, to the Trust Safeguarding Lead.

5.4 If the disclosure relates to the Chief Executive, an employee can raise the issue with the Chair of the Trust Board by contacting the Trust Head of Corporate Governance.

5.5 Employees are encouraged to identify themselves when making a disclosure. If an anonymous disclosure is made, the Trust will not be in a position to notify the individual making the disclosure of the outcome of action taken by the Trust.
Anonymity also means that the Trust will have difficulty in investigating such a concern. The Trust reserves the right to determine whether to apply this procedure in respect of an anonymised disclosure in light of the following considerations:

- the seriousness of the issues raised in the disclosure;
- the credibility of the concern; and
- how likely it is that the concern can be confirmed from attributable sources.

5.6 For further guidance in relation to this policy and procedure, or concerning the use of the disclosure procedure generally, employees should speak in confidence to the Trust Head of Corporate Governance.

5.7 Where an employee raises a concern relating to sexual harassment, the Trust will treat this as a potential protected disclosure. Managers must be aware that complaints of this nature may fall under whistleblowing protections as well as safeguarding and equality frameworks.

6. Procedure for investigation of a disclosure

6.1 When an employee makes a disclosure, the Trust will acknowledge its receipt, in writing, within a reasonable time.

6.2 The Trust will then determine whether or not it believes that the disclosure is wholly without substance or merit. If the Trust considers that the disclosure does not have sufficient merit to warrant further action, the employee will be notified in writing of the reasons for the Trust's decision and advised that no further action will be taken by the Trust under this policy and procedure. Considerations to be taken into account when making this determination may include the following:

- if the Trust is satisfied that an employee does not have a reasonable belief that suspected malpractice is occurring; or
- if the matter is already the subject of legal proceedings or appropriate action by an external body; or
- if the matter is already subject to another, appropriate Trust procedure.

6.3 When an employee makes a disclosure which has sufficient substance or merit warranting further action, the Trust will take action it deems appropriate (including action under any other applicable Trust policy or procedure). Possible actions could include internal investigation; referral to the Trust's auditors; or referral to relevant external bodies such as the police, Ofsted, Health and Safety Executive or the Information Commissioner's Office.

6.4 If appropriate, any internal investigation would be conducted by a manager of the Trust without any direct association with the individual to whom the disclosure relates, or by an external investigator appointed by the Trust as appropriate.

6.5 Recommendations for further action will be addressed to the Trust's Chief Executive or Chair of the Board of Trustees as appropriate in the circumstances.

6.6 The employee making the disclosure will be notified that their concern has been appropriately addressed under this policy within a reasonable period of time. If the employee is not satisfied that their concern has been appropriately addressed, they can appeal by raising the issue with the Trust Head of Corporate Governance within 10 working days. The Chair of the Board of Trustees will make a final decision on action to be taken and notify appropriately.

7 Safeguards for employees making a disclosure

7.1 An employee making a disclosure under this procedure can expect the matter to be treated confidentially by the Trust and, where applicable, their name will not be disclosed to anyone implicated in the suspected wrongdoing, without their prior approval. For confidentiality purposes, if the employee requests to raise their concern verbally, it may be appropriate for the Trust to allow the employee to do so.

7.2 The Trust will take all reasonable steps to ensure that any report of recommendations, or other relevant documentation, produced by the Trust does not identify the employee making the disclosure without their written consent, or unless the Trust is legally obliged to do so, or for the purposes of seeking legal advice.

7.3 No formal disciplinary action will be taken against an employee on the grounds of a disclosure made under this policy or procedure. This does not prevent the Trust from bringing disciplinary action against an employee where the Trust has grounds to believe that a disclosure was made maliciously or vexatiously, or where a disclosure is made outside the Trust without reasonable grounds.

7.4 An employee will not suffer dismissal or any detrimental action or omission of any type (including informal pressure or any form of victimisation) by the Trust for making a disclosure in accordance with this policy and procedure. Equally, where an employee is threatened, bullied, pressurised or victimised by a colleague for making a disclosure, disciplinary action will be taken by the Trust against the colleague in question.

7.5 An Employee who makes a protected disclosure about sexual harassment must not suffer any detriment or unfair dismissal as a result of raising their concern. This protection applies even where an employee has already raised the matter under another policy, such as the Trust's grievance procedure.

8. Disclosure to external bodies

8.1 This policy and procedure has been implemented to allow employees to raise disclosures internally within the Trust. An employee has the right to make a disclosure outside of the Trust where there are reasonable grounds to do so and in accordance with the law.

8.2 Employees may make a disclosure to an appropriate external body prescribed by the law. This list of ‘prescribed’ organisations and bodies can be found in information on the GOV.UK website.

8.3 Employees can also make disclosures on a confidential basis to a practising solicitor or barrister.

8.4 If an employee seeks advice outside of the Trust, they must be careful not to breach any confidentiality obligations or damage the Trust’s reputation in so doing.

9. Accountability

9.1 The Trust will keep a record of all concerns raised under this policy and procedure (including cases where the Trust deems that there is no case to answer and therefore that no action should be taken) and will report to the Board of Trustees on an annual basis as appropriate.

10. Further assistance for employees

10.1 The Trust will not tolerate any harassment or victimisation of employees who make disclosures. If, at any stage of this procedure an employee feels that they are being subject to informal pressures, bullying or harassment due to making a disclosure, they should raise this matter, in writing, to the Trust’s Director of People and Strategy.

10.2 An employee making a disclosure may want to confidentially request counselling or other support from the occupational health service. Any such request for counselling or support services should be addressed to the Trust’s Director of People and Strategy.

10.3 Employees can also contact the charity Protect for confidential advice on whistleblowing issues. Contact details are as follows:

Whistleblowing Advice Line: 020 3117 2520

www.protect-advice.org.uk

11. Review

This Policy and Procedure will be reviewed regularly and at least every 3 years.