



TOP Whistleblowing Policy (Confidential Reporting Code)

We are committed to safeguarding and ensuring the health, safety and well-being of all pupils in accordance with safeguarding procedures and guidance for staff outlined in the schools' Health and Safety, Child Protection, Security and Safeguarding policies.

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4.0	September 2025	COO and Trust Safeguarding Lead	4.2 updated to give more information about the investigation process. 3.5 advice and guidance section aligned with Safeguarding Policy. Minor grammar/ formatting changes made.
5.0	September 2026	COO	Section 1.6 updated to be in line with Employment Regulations Act. More detail added to scope of policy. Detail added to reporting processes. Details of how to report a concern made clearer.

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1.0 Introduction and definition of terms

- 1.1 The Oak Partnership Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we wish to encourage employees, and others that we deal with, who have serious concerns about any aspect of the school's work to come forward and voice those concerns.
- 1.2 Employees are often the first to realise that there may be something seriously wrong within the Trust. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school/ Trust. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.3 This Confidential Reporting Code is intended to encourage and enable employees to raise concerns within the Trust rather than overlooking a problem or 'blowing the whistle' outside. This Code makes it clear that employees can do so without fear of victimisation, subsequent discrimination or disadvantage. The Oak Partnership is committed to listening to concerns, taking them seriously and ensuring that they are dealt with promptly and fairly.
- 1.4 The Code applies to all employees and those contractors working for the Trust on our premises, for example agency staff, trainees on vocational/work experience, consultants, builders, drivers.
- 1.5 The Code is in addition to the Trust's Complaints Procedure and other statutory reporting procedures.
- 1.6 In addition to the Trust's commitment to protect employees who raise concerns, workers who make a qualifying disclosure are protected from detriment, victimisation and dismissal under the Employment Rights Act 1996, as amended by the Public Interest Disclosure Act 1998 and subsequent legislation. Employees are encouraged to raise concerns through the Trust's internal whistleblowing procedures wherever possible.

From 6 April 2026, a disclosure that sexual harassment has occurred, is occurring, or is likely to occur may constitute a qualifying disclosure under whistleblowing legislation, provided that the statutory requirements for protected disclosures are met, including the worker's reasonable belief that the disclosure is in the public interest.

In addition, an employee who raises a concern under this Code and reasonably believes the disclosure to be in the public interest will be supported by the Trust and protected from retaliation in accordance with legal requirements and Trust procedure

Furthermore, an employee who raises a concern under this Code and reasonably believes the disclosure is in the public interest will be protected from any claim of defamation by the Trust's insurance policy

- 1.7 Throughout this policy, the term 'whistleblower' denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the Second Report of the Committee on Standards in Public Life: Local Spending Bodies

published in May 1996. The Nolan Committee used the term “whistleblowing” to mean the confidential raising of problems or concerns within an organisation by a member of staff. This refers to matters of impropriety e.g. a breach of law, school procedures or ethics.

Whistleblowing does not relate to the raising of a grievance within the School or Trust, these matters should be dealt with through the Trust’s grievance procedures.

2.0 Aims and Scope of The Code

2.1 This Code aims to:

- encourage the whistleblower to feel confident in raising serious concerns and to question and act upon concerns about practice;
- provide avenues for the whistleblower to raise concerns and receive feedback on any action taken;
- ensure that the whistleblower receives a response to their concerns and that they are aware of how to pursue them if they are not satisfied;
- reassure the whistleblower that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in the public interest.

2.2 There is a grievance procedure in place for staff to raise a concern relating to their own employment. This Confidential Reporting Code is intended to cover major concerns reasonably believed to be in the public interest that fall outside the scope of other procedures. These may include:

- conduct which is an offence or a breach of the law;
- negligence by any person or outside body;
- disclosures related to miscarriages of justice;
- health and safety risks, including actions likely to cause physical danger to any person or to give rise to a risk of significant damage to property;
- damage to the environment;
- poor or unsafe safeguarding practice;
- possible operational or financial fraud, mismanagement corruption or bribery;
- improper conduct under TOPT policies and procedures;
- failure to comply with any legal or professional obligation or regulatory requirements
- sexual or physical abuse;
- other unethical conduct;
- abuse of power or the use of school powers and authority for any unauthorised or ulterior purpose;
- any other concerns relating to the appropriate standards in public life;
- the deliberate concealment of any of the above matters.

Please note that this is not a comprehensive list but is intended to illustrate the range of issues which might be raised under this Code.

- 2.3 Thus, serious concerns which staff have about any aspect of service provision or the conduct of employees, Trustees or Local School Committee members or others acting on behalf of the Trust can be reported under the Confidential Reporting Code.

This may be something that:

- makes staff feel uncomfortable in terms of known standards, their experience or the standards they believe the school subscribes to; or
- is against Standing Orders and policies; or falls below established standards of practice; or
- amounts to improper conduct.

- 2.4 The Trust provides guidance to employees on the standards it expects from its employees through the policies agreed by the school, for example:

- Codes of Conduct
- Health and Safety Policy
- Equality Policy
- Anti-Fraud and Corruption Policy
- Expenses Policy

Also, through procedures, which include:

- Disciplinary Policy
- Grievance Policy

- 2.5 This Code does not replace the Trust's Complaints Procedure. Nothing within this policy should delay or replace immediate safeguarding reporting requirements. Concerns that a child is at risk of harm must be reported immediately in accordance with the Trust Safeguarding and Child Protection Policy.

3.0 How to raise a concern

- 3.1 As a first step, the whistleblower should normally raise concerns with their immediate manager (typically this will be the Head Teacher or other appropriate senior manager for central staff).

If they believe that this manager is involved, they should approach someone more senior. Typically, one of the following:

- The Trust Executive Leadership Team (COO, CFO, CEO or ELSI)
- The Chair of the Local Schools Committee (if it involves the Head Teacher)

If concerns are about the Chair of LSC or a member of the Trust Executive they should approach the Chair of the Board.

Where concerns relate to safeguarding allegations against staff, volunteers or others working with children, referrals should be made in accordance with safeguarding

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procedures, including referral to the Local Authority Designated Officer (LADO) where appropriate.

- 3.2 If these channels have been followed but the whistleblower continues to have concerns or believe that those listed above are implicated then they should approach one of the following: DfE/ OFSTED.
- 3.3 Concerns may be raised verbally or in writing. They will need to include the background and history of the concern (giving relevant details, e.g. names, dates) and the reason why they are particularly concerned about the situation. When raising a concern, the whistleblower must declare any personal interest they have in the matter.
- 3.4 The earlier the whistleblower expresses their concern, the easier it is to act.
 - 3.4.1 Although the whistleblower is not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate that there are reasonable grounds for a concern. However, they must not attempt to investigate a concern or accuse individuals directly.
 - 3.4.2 Advice and guidance on how to pursue matters of concern may be obtained from:
 - HR
 - General guidance can be found at: Advice on whistleblowing <https://www.gov.uk/whistleblowing>.
 - The NSPCC whistleblowing helpline is available [here](#) for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: help@nspcc.org.uk.
 - 3.4.3 Staff may invite their trade union/professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns they have raised. Meetings can be arranged off-site if they wish.

4.0 How the School/Trust will respond

- 4.1 The action taken by the school/Trust will depend on the nature of the concern.

Where appropriate, the matters raised may:

- be investigated by the Trust;
- be referred to the Police;
- be referred to the Department for Education Regional Director;
- be referred to an external or internal auditor;
- form the subject of an independent inquiry;

- be dealt with under a more appropriate Trust procedure.

- 4.2 In order to protect individuals and those accused of misdeeds or possible malpractice, a preliminary investigation/ initial enquiries will be made to decide whether a full investigation is appropriate and, if so, what form it should take. If urgent action is required this will be taken before any investigation is conducted.

The overriding principle which the school/Trust will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues or financial irregularities) will normally be referred for consideration under those procedures.

The individual(s) in receipt of the information or allegation (the investigating officer(s)) will carry out a preliminary investigation/ initial enquiry. This preliminary investigation will seek to establish the facts of the matter and assess whether the concern has foundation and can or should be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance. For example, involvement of other members of school staff, HR, legal advisors, the police or the Department for Education.

Following a preliminary investigation, a decision will be made by the investigating officer, in conjunction with a member of the Executive Team, if the matter should be investigated fully by the investigating officer/s. Some concerns may be resolved by agreed action without the need for investigation. Any person appointed to investigate a whistleblowing concern must be independent of the matters being investigated and declare any potential conflict of interest.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), in conjunction with a member of the Executive Team, or other designated person, will consider how best to report the findings and what corrective action needs to be considered. This may include some form of disciplinary action and/or third-party referral such as the police.

- 4.3 The person with whom the whistleblower raised the concern will write to the whistleblower to:

- acknowledge that the concern has been received.
- indicate how it proposes to deal with the matter.
- give an estimate of how long it will take to provide a final response.
- tell you whether any initial enquiries have been made.
- tell you whether further investigation will take place, and if not, why not;

The school/Trust will take steps to minimise any difficulties which the whistleblower may experience as a result of raising a concern. For example, if they are required to give evidence the school/Trust will arrange for them to receive advice about the procedure.

The school/Trust accepts that whistleblowers need to be assured that the matter has been properly addressed and they will be informed of the final outcome of the

investigation. In some circumstances, however, it may not be possible to reveal the full details where this relates to personal issues involving a third party or legal constraints.

If a whistleblower makes an allegation that they reasonably believe is in the public interest, but it is not confirmed by the investigation, no action will be taken against them.

- 4.4 The Chief Executive Officer will be informed of all reported disclosures and the actions being taken, unless it is inappropriate to do so.
- 4.5 In the case of disclosures on alleged financial fraud and corruption, the Chief Financial Officer will be informed immediately and subsequently coordinate the investigation of the alleged malpractice.
- 4.6 All whistleblowing concerns received should be logged in a whistleblowing tracking system.

5.0 How the matter can be taken further

- 5.1 If the whistleblower feels that the matter has not been dealt with satisfactorily, they ask the Trust to review the action taken (by contacting the CEO or Chair of the Board) and there are other people they can contact beyond the Trust, and these are:
 - the External Auditor;
 - trade union/professional association;
 - relevant professional bodies or regulatory organisations (for example Health and Safety Executive, OFSTED, Department for Education); the Police; a solicitor.
- 5.2 If staff do take the matter outside the school/Trust, they should ensure that they do not misuse confidential information. The person they contact should be able to advise on this.
- 5.3 The Code, in line with the legislation, provides protection for employees who raise concerns internally. It is inconsistent with the satisfactory operation of the Code to pursue such concerns with the media (newspapers, TV, radio, etc.) and employees who do so are unlikely to be protected by the provisions of the Public Interest Disclosure Act and may be subject to disciplinary action.

6.0 Anonymous Allegations

- 6.1 This Code encourages staff to put their name to allegations whenever possible.
- 6.2 Concerns expressed anonymously or through a third party are much less powerful and may not be possible to investigate. The Trust will consider the seriousness of the concern, credibility of the information provided and likelihood of confirming the allegation from attributable sources

7.0 Harassment or Victimisation

- 7.1 The Oak Partnership recognises that the decision to report a concern can be a difficult one to make. However, employees have a responsibility to the Trust and to those for whom they are providing a service to raise serious concerns using the approach outlined in this Confidential Reporting Code.
- 7.2 The Trust will not tolerate any harassment or victimisation (including informal pressures) and will take action to protect the whistleblower when they raise a concern where they reasonably believe the disclosure is in the public interest.
- 7.3 Disciplinary action will be taken against an employee if they try to stop the whistleblower from raising a concern or if an employee is responsible for any act of recrimination against the whistleblower for raising a concern.
- 7.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect the whistleblower.

8.0 Confidentiality

- 8.1 All concerns will be treated in confidence and every effort will be made not to reveal a whistleblower's identity. It must be appreciated, however, that the investigation process may reveal the source of the information, and that a statement may be required as part of the evidence and/or staff may need to come forward as a witness at the appropriate time.

9.0 False Allegations

- 9.1 Individuals are encouraged to come forward in good faith with genuine concerns in the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief and/or deliberately cause harm to the individual and their professional reputation, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

10.0 Review

- 10.1 The Code will be kept under review and as a result may be subject to amendment annually.

Appendix 1- Confidential Reporting- Procedure flowchart

