# SHERBORNE AREA SCHOOLS' TRUST

SCHOOLS ACHIEVING SUCCESS TOGETHER

# Whistleblowing Policy

| SAST Document Control Table | | | |
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| **Document Title** | SAST Whistleblowing Policy | | |
| **Author** | SAST HR Team | | |
| **Version No.** | 8.0 | | |
| **Date Approved** | April 2024 | | |
| **Approved By** | Trust Board | | |
| **Date of Next Review** | September 2027 | | |
| **Document History** | | | |
| Version | Date | Author | Notes of Revisions |
| 2.0 | Jan 2020 | C.Watson | Update of external contact information due to change in personnel at Trust solicitors.<br><br>Inclusion of when a Whistleblowing Policy might apply in line with Academies Financial HB recommendations.<br><br>Management of anonymous allegations |
| 3.0 | September 2020 | C.Watson | Update of trusts list following merger with Southern Academy Trust |
| 4.0 | September 2021 | C.Watson | Update of trusts list and new CEO details and external contact (VWV Solicitors) |
| 5.0 | September 2022 | SAST HR Team | Update of Schools list |
| 6.0 | April 2023 | SAST HR Team | Update to CEO and Chair of Trustees details to reflect postholder resignation and appointment of new Chair of Trustees. |
| 7.0 | July 2023 | SAST HR Team | Update to Chair of Trustees and School Leadership details |
| 8.0 | April 2024 | SAST HR Team | Update to reflect changes to personnel, including new CEO |
| 9.0 | December 2024 | SAST HR Team | Update to reflect changes to personnel. |
| 10.0 | September | SAST HR Team | Update to reflect changes to |

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| | 2025 | | personnel |
| 11.0 | May 2026 | SAST HR Team | Updated to make include sexual harassment and to make clear the examples of whistleblowing |
| 12.0 | September 2026 | SAST HR Team | Updated in line with KCSIE 2026 |

**Sherborne Area Schools' Trust**
**Whistleblowing Policy and Procedure**

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## 1. Introduction

Sherborne Area Trusts' Trust (SAST) is dedicated to providing the utmost care for its pupils and staff. We aim to ensure that all members of the trust community feel safe in the knowledge that they can voice any concerns in confidence and that they will be taken seriously and dealt with appropriately.

Staff who are concerned about the conduct of a colleague towards a pupil are undoubtedly placed in a very difficult position. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the child is paramount. This policy enables staff to raise concerns or allegations regarding poor or unsafe practice, safeguarding failures, child protection concerns, misconduct, breaches of statutory guidance or any behaviour which may place a child at risk as well as any other concerns or allegations not related to child protection/safeguarding provision in confidence and for a sensitive enquiry to take place.

SAST takes responsibility for ensuring that all staff are aware of whistleblowing policy and procedures, and made to feel comfortable that they can voice their concerns no matter what the circumstances.

## 2. Definition of 'whistleblowing'

Whistleblowing inside the workplace is defined as the reporting by workers or ex-workers of wrongdoing, such as fraud, malpractice, mismanagement, breach of health and safety law, or any other illegal or unethical act either on the part of management, the governing body or fellow employees. Workers may include employees, agency workers, trainee teachers volunteers, contractors and outside agencies or other individuals working on behalf of the Trust. Whistleblowing is not the "leaking" of information nor the raising of a grievance within the trust (which would be dealt with under the staff grievance procedures).

## 3. Reporting concerns to the trust

We recognise that some concerns may be extremely sensitive and have therefore developed a process which allows for the confidential raising of concerns within the trust, but also recourse to an external party outside the management structure of the trust and the trust.
If you have a concern about another member of staff you should report it to a member of the trust/Trust Executive leadership team, the designated person for safeguarding, or the CEO or Headteacher. Complaints about the CEO should be reported to the Chair of Trustees.

All concerns will be listened to and taken seriously by SAST. If you are in any doubt as to whether a concern is valid, you should report it, and the trust can decide to what extent it needs to be investigated.

## 4. When might the whistleblowing policy apply?

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest". Staff are encouraged to come forward in good faith with genuine concerns knowing they will be taken seriously. A whistleblower should consider the following before taking action:

- Is it, or do you believe it to be, illegal?
- Is it or do you believe it to be, against codes of practice issued by the trust, the LEA, the DFE or a professional body?
- Does it contradict what the member of staff has been taught or should have been taught?
- Is it about an individual's behaviour or is it about general working practices?
- Is it a Health or Safety issue?

- Is it a Child Protection issue?
- Has the whistleblower witnessed the incident?

Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Sexual harassment (unwanted conduct of a sexual nature, as defined in the Equality Act 2010)
- Damage to the environment
- Miscarriage of justice
- Attempts to cover up the above, or any other wrongdoing in the public interest

**5. Wider disclosure**

We encourage all our staff to follow the internal procedures outlined in this policy, but understand that in some cases you may feel it is necessary to take your concerns to external agencies. This should, however, be done only as a last resort. Staff should only approach external agencies regarding their concerns without discussing them internally first if:

- they feel that they are being discriminated against and that there is no internal authority that can be contacted with trust
- they reasonably believe that they will be victimised if they follow internal procedures for whistleblowing
- they believe that the concern that they have raised has not been taken seriously or acted upon correctly.

We urge staff who take their concerns to external agencies to be careful not to disclose any confidential information. Information that is confidential and should therefore not be disclosed should be outlined in your contract of employment. **Note: it is against the law to publish any information which may lead to the identification of a teacher who is subject to an allegation.**

The authorities that may be of help to you are:

- Children's Social Care Services
- Police
- NSPCC (Email: help@nspcc.org.uk or call 0800 028 0285) – The NSPCC Whistleblowing Advice Line is available as an alternative route for staff who do not feel able to raise safeguarding concerns internally or who remain concerned about how safeguarding concerns are being handled.
- Health & Safety Executive
- Regional Trusts Commissioner
- Local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- Department for Education
- Ofsted

**6. Confidentiality**

All concerns will be treated in confidence, and SAST is committed to protecting the identity of whistleblowers as far as is possible. However, in some circumstances it may not be possible to do this, for example: if it will prevent a thorough investigation taking place; if there is reason to reveal the name by law; if the whistleblower has to give evidence at any hearings.

In cases where identities are revealed for whatever reason, the trust will do its best to support all parties involved and protect them from discrimination and victimisation.

Confidentiality is a priority throughout any investigation, and continues to be once the investigation is over, and we urge staff to closely follow all guidelines relating to confidentiality. Any member of staff that has acted knowingly against this, or revealed confidential information unnecessarily or for vicious reasons, may face prosecution.

**7. Anonymous allegations**

SAST will only consider anonymous allegations if the issues raised are:

- Very serious
- The credibility of the allegation is considered to be high
- The likelihood of confirming the allegation is high.

**8. False allegations**

SAST encourages all of its staff to voice their concerns and allegations safe in the knowledge that those who make allegations in good faith that do not prove to be true will not be reprimanded.

SAST may take disciplinary action against staff who make claims that are found to be knowingly false, malicious, or for personal gain.

**9. Responding to a concern**

SAST will investigate allegations and concerns but the act of investigation does not indicate that the trust has accepted the allegations as true.

Usually, the first course of action will be one of the following:

- an investigation by managers, internal audit, or through the disciplinary process
- an investigation under other procedures such as child/adult protection
- an investigation under procedures designed to deal with allegations made against professionals
- a referral to the police
- a referral to the external auditor or other external investigation
- an investigation under other forms of prosecution and inspection such as the protection of public health and safety
- a referral to an independent investigator.

Any concerns that fall under specific procedures will be followed up as described in their specific policy, e.g., child protection and safeguarding issues will be followed up as described in the trust's child protection and safeguarding policy.

**10. Whistleblowing procedures**

**10.1 The role of the whistleblower**

Concerns will usually be dealt with in this way:

1. Staff will raise their concern with their manager, either in person or in writing. If their

manager is the subject of the concern, they should go straight to the Head teacher or CEO. Staff will be dealt with in confidence and invited to an interview to discuss the allegation. Staff can go straight to the chair of the local governing committee or chair of the board of trustees with their concern, but they will be asked to explain why they did not feel comfortable taking it to a member of their leadership team.

2. The member of the leadership team that has heard the concern will decide upon the next course of action. If they decide that it is a genuine concern, and that it is appropriate to follow the whistleblowing procedure, they may take the matter to the CEO, Headteacher or or Chair of trustees.

**3.** If there is any reason that the member of staff making the complaint or raising the concern feels that they are unable to speak any member of SAST or local governing body/Board of trustees, they should **contact Alice Reeve at VWV (Veale Wasborough Vizards Solicitors) on 01173145383 (Ext 5383) or AReeve@vwv.co.uk**

**10.2 Role of the leadership team**

***Hold an interview***

Once an allegation has been brought to their attention, the senior staff member, CEO, Head teacher or Chair of Trustees will hold an interview with the person making the allegation, in confidence. This will take place immediately if there is concern that a child is at risk of harm, or within 5 days if this is not the case. During this interview they will:

- get as much information about the basis of the allegation as they can, and will record what is discussed
- discuss the next action points and steps that will be taken with the staff member who has raised the allegation, and ensure that they fully understand what is going to happen; if the standard whistleblowing procedure is not going to be followed, this should be explained and an alternative procedure outlined
- provide support to the whistleblower; they may be worried about their position, getting someone else into trouble, or what they suspect may be happening.

Staff may want to seek the support of their trade union when going through whistleblowing procedures. Staff are allowed to take a representative from their trade union to their interview and subsequent meetings.

***Decide on a course of action***

**If there is cause for concern** once the interview has been carried out, the leading member of staff will take the information that they have recorded to the Head teacher or CEO, Chair of Trustees, if the CEO/Head teacher is of concern).

**If it is decided that no further action will be taken** this will be explained to the whistleblower within 10 days. This may be because:

- the leadership member does not feel that there is enough evidence to warrant a continued investigation and that is unlikely that any malpractice has occurred or will occur
- there is a belief that the whistleblower is not acting in good faith

- the matter has already been raised and is being investigated.

The CEO or Headteacher, if not already involved, will be informed of the concern even if no further action is to be taken.

**10.3 Role of the CEO, Head teacher and chair of trustees**

The person who receives the report – whether it is the CEO, Head teacher or chair of trustees – must act on the concern fully. If there is a good reason not to, this will be explained at the next trustee board meeting and reported back to the whistleblower.

The CEO, Headteacher, chair of trustees will decide whether any external authorities need to be reported to on the matter, or whether it is a case for internal investigation.

The decision and progress of the case will be reported back to the leadership member involved, and this will be reported by them to the whistleblower.

The outcomes of any investigations will be reported to the whistleblower in writing to their home address within 10 days. If they do not receive any information and this time has passed, they may appeal for information through their manager or the HR Director or CEO.

**11. Recording, monitoring and evaluation**

All staff concerned and involved with any allegation or investigation should keep good records of meetings they attend, discussions that are held, work undertaken and any outcomes or action points that have been decided.

The CEO and board of trustees will review and evaluate all allegations, how they have been dealt with, and their outcomes, to prevent similar future cases, and ensure that procedures are being used correctly and are effective.

This policy will be reviewed annually and any relevant cases that have come up during the past year will be taken into account when it is being reviewed.

**12. Outcomes**

If the whistleblower is dissatisfied and feels that an allegation that they have made has not been dealt with seriously or properly, they can take the matter up with a number of external contacts (found under section 4 of this policy). All trust leaders will try their best to deal with allegations fairly and effectively.

**13. Independent advice**

This policy is designed to help staff with any whistleblowing concerns and procedures, but SAST understands that some staff may wish to get advice from independent external agencies.
Regional Trusts Commissioner
Local Authority Designated Officer
Ofsted

**14. Internal Contact details**

| Name | Role | Trust |
|---|---|---|
| Paul Lavis | Acting Chief Executive Officer | SAST |
| Georgina Spirrell | Chief Finance and Operating Officer | SAST |
| David Middleton | Chair of Trustees | SAST |
| Ian Bartle | Executive Headteacher | Sherborne Primary, Sherborne |
| Ian Bartle | Executive Headteacher | Thornford Primary, Thornford |
| Matt Barge | Executive Headteacher | St Mary's the Virgin Primary, Gillingham |
| Jim Gower | Headteacher | The Gryphon School, Sherborne |
| Ian Bartle | Executive Headteacher | St Mary's Primary, Bradford Abbas |
| Jonty Archibald | Headteacher | King Arthur's School, Wincanton |
| Ian Bartle | Executive Headteacher | Sherborne Abbey Primary |
| Phil Sales | Headteacher | Buckland Newton Primary |
| Kelly Knight | Headteacher | Harbour Vale Trust, Sherborne |
| Sara Watkins | Headteacher | Charlton Horethorne Primary |
| Ian Bartle | Executive Headteacher | St Andrew's Primary, Yetminster |
| Matt Barge | Executive Headteacher | Shillingstone Primary, Shillingstone |
| Mike Motteram | Headteacher | Sturminster Newton High School |
| Steph Bowen | Headteacher | Shaftesbury School, Shaftesbury |
| Matt Barge | Executive Headteacher | Motcombe Primary School, Motcombe |
| Matt Barge | Executive Headteacher | Shaftesbury Primary School, Shaftesbury |
| Matt Barge | Executive Headteacher | St Andrew's Primary, Fontmell Magna |
| Matt Barge | Executive Headteacher | St Nicholas, Child Okeford |