ROOK'S NEST ACADEMY

WHISTLE BLOWING CODE OF PRACTICE 2026/2027

1. INTRODUCTION

1.1 It is in the interest of all concerned that disclosures of wrongdoing or irregularity are dealt with properly, quickly and discreetly. This includes the interests of the Trustees/Governing Body of the Academy, its employees and any persons that are the subject of such disclosures, as well as the whistle-blower themselves.

1.2 Whistleblowing is the disclosure or communication of information about malpractice by an individual or organisation to a person or body having potential to rectify it. The term has equal validity to breaches of civil and criminal law. The concept of whistleblowing is also associated with principles of accountability.

1.3 The Trustees/Governing Body and Headteacher will ensure that every employee receives the necessary and appropriate support when reporting unacceptable practice.

2. WHO THE CODE OF PRACTICE IS AIMED AT

2.1 This Code is provided primarily for use by employees in the Academy, but may also be used by others (e.g. Trustees/Governors and contractors) as appropriate. References to 'employees' or 'staff' should be deemed to include others as appropriate. However, separate procedures apply to complaints by members of the public.

3. PURPOSE AND SCOPE OF THE CODE

3.1 The Whistleblowing Policy requires all Trustees/Governors and staff to act responsibly to uphold the reputation of the Academy and maintain public confidence.

3.2 The Code of Conduct states "Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. It is the duty of each employee to report to the appropriate senior member of staff any impropriety or breach of procedure".

3.3 An employee's concerns may in the context of malpractice include concerns about possible corruption, dangerous procedures risking health and safety, abuse of clients, evasion of statutory responsibilities, damage to the environment, fraud, unlawful acts, maladministration, non-compliance with Trustees/Governing Body Policy, discrimination, failure to act on a situation which could potentially damage the academy financially, other unethical conduct, negligence or unprofessional behaviour. The concerns may be in respect of the actions or inaction's of employees, Trustees/Governors or elected members. The overriding concern should be that it would be in the public interest for the malpractice to be corrected and, if appropriate, sanctions applied.

4. PROCEDURE

4.1 Where an employee has concerns about possible abuse or malpractice which are not appropriate for raising through other procedures, e.g. grievance, they should be raised with:-

(a) the Headteacher; or
(b) where (a) is inappropriate, with a Senior Manager designated for the purpose by the Trustees/ Governing Body; or
(c) where both (a) and (b) are inappropriate, with an independent person or organisation designated for the purpose by the Trustees/Governing Body.

CODE OF PRACTICE ON WHISTLEBLOWING –CONFIDENTIAL REPORTING POLICY

1.1 Employees are often the first to realise that there may be something seriously wrong within the academy. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or Trustees/Governors. 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.

1.2 The Trustees/Governing Body are committed to the highest possible standards of openness, probity and accountability. In line with that commitment the Trustees/Governing Body expect employees and others with serious concerns about any aspect of the Academy's work to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This Policy document makes it clear that staff should do so without fear of reprisals. This confidential Reporting Policy is intended to encourage and enable staff to raise serious concerns **within** the Academy rather than overlooking a problem or blowing the whistle outside.

1.3 This Policy has been discussed with the relevant Trade Unions.

2. AIMS AND SCOPE OF THIS POLICY

2.1 This policy aims to:

- provide avenues for employees to raise concerns and receive feedback on any action taken;
- allow employees to take the matter further if they are dissatisfied with the Academy's response to the concerns expressed;
- reassure employees that they will be protected from possible reprisals or victimisation.

There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. This confidential reporting policy is intended to cover concerns that fall outside the scope of other procedures.

Thus any serious concern that an employee has about any aspect of service provision or the conduct of an employee, Trustees/Governors or others acting on behalf of the Academy can and should be reported under this Policy.

This concern may be about something (an action or inaction by an employee, Trustee/Governor or elected member) that is for example:

- unlawful or
- against the Trustees/Governing Body's Policies; or
- against established standards of practice; or
- improper conduct.

For a fuller list of possible types of concerns see paragraph 3.3 of the Whistleblowing Code of Practice above.

3. SAFEGUARDS

3.1 Harassment or Victimisation

The Trustees/Governing Body recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those who may be guilty of malpractice or from the Trustees/Governing Body as a whole. Neither the Trustees/Governing Body nor the EFA (Education Funding Authority) will tolerate any harassment or victimisation (including informal pressures) and appropriate action will be taken in order to protect a person who raises a concern in good faith.

3.2 Anonymity

Concerns raised anonymously may be considered and investigated, depending upon the seriousness of the issues raised and the credibility of the allegations, but the Trustees/Governing Body will also need to consider the possibility that anonymity can be used to put forward false allegations or malicious allegations. In general, therefore, and given the assurances on protection of identity given above, the Trustees/ Governing Body would expect serious concerns not to be raised anonymously.

3.3 False and Malicious Allegations

The Trustees/Governing Body will protect themselves and their employees from false and malicious expressions of concern by taking disciplinary action where appropriate. In addition, a concern which is genuinely believed may prove to be unfounded on investigation. The Trustees/Governing Body will try to ensure that the negative impact of either a malicious or unfounded allegation about any person is minimised. However, they acknowledge that it will not be possible to prevent all of the repercussions potentially involved.

3.4 Legal Support

Consideration will be given to the Council providing legal support in appropriate cases, each request for such to be considered on merit.

4. HOW TO RAISE A CONCERN

4.1 Concerns should normally be raised initially with the Headteacher. However, the most appropriate person to contact will depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if an employee believes that senior management is involved in the matter of concern, an approach should be made to the Chair of the Trustees/Governing Body.

4.2 Concerns may be raised verbally or in writing. Employees who wish to make a written report are invited to use the following format:

- the background and history of the concern (giving relevant dates);
- the reason why the employee is particularly concerned about the situation.

4.3 It should be noted that often the earlier a concern is expressed, the easier it is to take appropriate action.

4.4 Although employees are not expected to prove beyond doubt the truth of an allegation that is made, it will be necessary to demonstrate to the person contacted that there are sufficient grounds for real concern.

4.5 Advice and guidance on how matters of concern may be pursued can be obtained internally from:

Staff may wish to get confidential advice from:

- a Trade Union or Professional Association;
- relevant statutory bodies or regulatory organisations;
- EFA-https://www,education.gov.uk/help/contactus/efa, email:complaints.efa@eduction.gsi.gov.uk.
- Public Concern at Work - www.pcaw.org.uk, e-mail:whistle@pcaw.org.uk. Telephone 020 7404 6609.
- Ofsted – www.ofstd.gov.uk/contact-us/whistleblower-hotline, e-mail -whistleblowing@ofsted.gov.uk, Telephone 0300 123 3155
- an independent person or organisation nominated for the purpose.

4.6 Staff may invite their Trade Union or Professional Association to raise a matter on their behalf.

4.7 This Policy is intended to provide employees with an avenue to raise concerns within Rook's Nest Academy. However, if an employee is dissatisfied with the Trustees/Governing Body's response, she or he can raise the matter with any of the following:

- the District Auditor;
- Ofsted
- relevant professional bodies or regulatory organisations;
- Public Concern at Work;
- the police;
- an independent person or organisation nominated for the purpose.

If taking their concern outside the Academy, staff should ensure that, so far as possible, the matter is raised without confidential information being divulged. It should be noted that because Public Concern at Work is an accredited legal advice centre, the employee who approaches it does not breach the duty of confidence which is owed to the Academy.

5. HOW THE TRUSTEES/GOVERNING BODY WILL RESPOND

5.1 The action taken by the Trustees/Governing Body will depend on the nature of the concern. Where appropriate, the matters raised may:

- be investigated by the appropriate management;
- be referred to the police;
- form the subject of an independent inquiry.

5.2 In order to protect individuals and Academy Trustees/ Governors, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example, Child Protection or discrimination issues) will normally be referred for consideration under those procedures.

5.3 It should be noted that some concerns may be resolved by agreed action without the need for investigation. Equally some issues may be investigated without the need for initial enquiries. If urgent action is required, this would be taken before any investigation is conducted.

5.4 Within ten working days of a concern being raised, the Headteacher will write to the person raising the concern:

- acknowledging that the concern has been received;
- indicating how it is proposed to deal with the matter; and
- giving an estimate as to how long it will take to provide a final response.

If it is impossible for initial enquiries to be completed within ten days, the situation will be explained in the letter of acknowledgement. Where a decision is made that no investigation will take place, the reasons for this will be provided. In so far as possible, a final resolution of the matter will normally be aimed for within 28 days of the complaint being lodged.

5.5 The amount of contact between those considering the issues and the employee raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information may be sought from the person raising the concern.

5.6 Where any meeting is arranged, employees will have the right, if they so wish, to be accompanied by a Union or Professional Association representative or a friend who is not involved in the area of work to which the concern relates. At the request of the individual raising the concern, any meeting may be held away from the Academy and/or outside working hours if appropriate.

5.7 The Trustees/Governing Body will take appropriate steps to minimise any difficulties which an employee may experience as a result of raising a concern. For example, if an employee is requested to give evidence in criminal or disciplinary proceedings, the Trustees/Governing Body would need to consider what steps are required to protect them from detriment. Whilst the employee would have the right not to attend such proceedings, he/she should be made aware that a successful conclusion to the resolution of their concern may not be possible without their attendance.

5.8 The Trustees/Governing Body accept that employees raising a concern need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, the person raising the concern will receive as much information as possible about the outcomes of any investigation.

6. RESPONSIBILITY FOR IMPLEMENTING THE POLICY

The responsibility for ensuring that Rook's Nest Academy adheres to this policy rests with the Headteacher.

Signed: _____ Date: _____

Chairperson of the Trustees/Governing Body

Signed: _____ Date: _____

Headteacher

I acknowledge receipt of the Academy's Whistle Blowing Policy 2026/2027

Staff Name/Signature: _____ Date: _____