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Approved by	Audit Committee		
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## Whistleblowing Policy

### Introduction and purpose

Anthem is committed to carrying out its work with honesty and integrity and expects all employees to maintain high standards.

This policy aims to:

- Ensure that employees feel that it is safe and acceptable to tell us about their concerns without fear of suffering discrimination, victimisation or other repercussions for doing so.
- Provide employees with a procedure to raise their concerns.
- Ensure that concerns are dealt with quickly, appropriately, consistently and fairly.

This policy has been written to comply with<sup>1</sup>legislation and guidance governing the making of disclosures concerning wrongdoing in the workplace.

This policy does not form part of the employee’s contractual terms and conditions of employment and may be amended from time to time, subject to prior consultation with the recognised trade unions.

Not all concerns about Anthem count as whistleblowing. This policy should not be used for complaints about an employee’s own personal circumstances e.g. the way they have been treated at work. Such complaints should be raised using the Grievance Policy or the Dignity at Work Policy as appropriate.

### Scope

This policy applies to all staff employed by Anthem, including directly employed central team staff, the Education Executive Team (this term includes the CEO, COO and Education Directors), headteachers, teachers, ECTs, school support staff, volunteers, contractors, casual and agency staff (collectively referred to as ‘employees’ for the purposes of this policy).

For the purposes of this policy the term ‘headteachers’ includes headteachers and principals. In this policy, the term ‘teacher’ refers to classroom teachers, middle and senior leaders.

### Equality and accessibility

Anthem is mindful of the obligations under the Equality Act 2010 and this policy will be applied fairly and consistently to all staff, with reasonable adjustments made for those with qualifying disabilities as appropriate.

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<sup>1</sup> Public Interest Disclosure Act 1998

A copy of this policy and a copy of all relevant documents will be made available for all staff. The policy is also available in hard copy on request and can be made available in large print or other accessible formats if required.

## Definitions

### Whistleblowing

Whistleblowing is the disclosure of information that relates to a genuine concern of suspected wrongdoing or dangers at work. The wrong-doing disclosed must be in the public interest. This means that it must affect others, for example the general public. Employees are protected by law if they report any of the following:

- a criminal offence
- breach of a legal obligation
- a miscarriage of justice
- danger to the health and safety of any individual
- damage to the environment
- deliberate attempt to conceal any of the above

Such unacceptable acts or omissions may have been carried out by employees, caused by faults in procedures or may be oversights that need to be rectified. The act or omission may have finished, be in process or not yet started.

More information can be found on <https://www.gov.uk/whistleblowing> or from the whistleblowing charity, Protect <https://protect-advice.org.uk> (formerly Public Concern at Work).

### Detriment

Provided that this procedure is used correctly, and the employee makes the disclosure in good faith, they will not suffer any detriment as a result of reporting the wrongdoing.

### Support and protection for employees

Anthem recognises that the reporting a concern can be a difficult decision to take, not least because of the fear of reprisal. Anthem aims to encourage openness and will support employees who raise genuine concerns in good faith under this policy, even if the concern turns out to be unfounded.

Any staff who threaten or retaliate against whistleblowers in any way will be subject to disciplinary procedures.

We will respect the employee's confidentiality as far as we possibly can but there may be times when we cannot guarantee this, for example if there has been a criminal offence, a child protection or safeguarding issue.

### Malicious or vexatious complaints

Where there is strong evidence that a complaint is vexatious or malicious and made without genuine basis, or with a view to personal gain, it will be treated as a serious issue and may result in disciplinary action.

## Anonymity

Anthem does not encourage anonymous reporting. Such reports are less powerful as it makes investigation more difficult or impossible, as we may be unable to obtain further information and/or establish if the allegation is credible. Anthem therefore encourages employees to put their name to the allegation as we will respect confidentiality as far as we possibly can and provide the employee with support and protection as outlined above.

Anonymous allegations will be considered at the discretion of the Headteacher or EET, taking into account:

- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from an attributable source
- Evidence supplied

## Procedures

### When to raise a concern

Employees should refer to the definition of Whistleblowing above when deciding if their concern is of a whistleblowing nature.

### Who to report the concern to

Employees are encouraged to report their concerns by emailing the dedicated whistleblowing mailbox: [whistleblowing@anthemtrust.uk](mailto:whistleblowing@anthemtrust.uk)

Employees may also contact the Chief Operating Officer or the Chair of the Audit Committee. Their contact details are available from <https://www.anthemtrust.uk/get-in-touch>

### What to include

The email should include the background and history of the concern, including where possible:

- Names
- Dates
- Places
- Copy documents
- Why the employee is concerned about the situation

In some circumstances, the employee may ask a trade union representative to raise the matter on their behalf.

### Investigation and outcomes

On receipt of the concern, a senior manager will be assigned to meet with the employee within a reasonable timescale.

At all meetings under this procedure, the employee may be accompanied by a workplace colleague or trade union representative. Meetings will be arranged with at least five working days' notice. If the

employee's representative is unable on the proposed date, the employee may propose an alternative date and time. The alternative date and time must be no later than five working days after the original date.

Once an employee has raised a concern, the manager will carry out an initial assessment to determine the scope of any investigation. The employee will be informed of the outcome of that assessment. Further meetings with the employee may be necessary to find out more information.

In some circumstances, it may be necessary to appoint an Investigating Officer or a team to carry out an investigation. The investigation may result in recommendations for change to prevent or minimise the risk of future wrongdoing.

The employee will be kept informed of progress and timescales as far as possible. However, the need for confidentiality may prevent certain details from being shared. The aim will be to provide reassurance that the matter has been dealt with properly.

## **Safeguarding and allegations against staff**

All employees are expected to be familiar with the provisions of both the Safeguarding and Child Protection Policy and Allegations Against Staff Policy.

The procedures set down within the Allegations Against Staff Policy must be used in any case where it is suspected or alleged that a member of staff or a volunteer at the school has:

- behaved in a way that may have harmed a child or may have intended to harm a child. (The Safeguarding and Child Protection Policy outlines what it means to harm a child)
- acted outside of the law in relation to dealings with a child, OR
- behaved in any way that suggests they may be unsuitable to work with children.

The procedures set down within the Safeguarding and Child Protection Policy must be followed if an employee has any concern about school practices or the behaviour of colleagues which are likely to put students at risk of abuse or other serious harm.

## **Escalation to external bodies**

- Employees are encouraged to raise their concerns within Anthem, as set out above. However, there may be circumstances that result in the employee feeling that the most appropriate course of action is to report their concerns to an external body, such as:
  - Health and Safety Executive
  - Environment Agency
  - Information Commissioner
  - Department for Education
  - Department for Business, Innovation and Skills
  - Police
  - Charity Commission
  - Office for Standards in Education, Children's Services and Skills (Ofsted)
  - NSPCC
  - Local Authority
  - ESFA

This list is not exhaustive.

Employees may wish to contact the Protect Advice Line to help them decide whether to raise their concern with an external body. <https://protect-advice.org.uk/advice-line/>

## **Media**

Under no circumstances should an employee approach a commercial body or the media with details of the suspected wrongdoing. Anthem may consider such action to be gross misconduct. Action may be taken under the Disciplinary Policy.

## **Confidentiality**

The whistleblowing process will be treated with confidentiality. All related documentation will be stored securely and confidentially. Employees involved in investigations or proceedings must treat any related information communicated to them as confidential.

## **Record keeping**

All records and materials relating to these procedures will be kept securely in line with Retaining Records Policy.