



preparing the way for others to follow

WHISTLEBLOWING POLICY

Key document details

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WHISTLEBLOWING POLICY AND PROCEDURES

1. Introduction

- 1.1 Pioneer Educational Trust (Pioneer) is committed to the highest possible standards of openness, honesty, integrity and accountability. As part of this commitment, Pioneer is keen that activity which falls below these standards is reported to us in order that it can be dealt with promptly. Pioneer acknowledges that employees are often the first to realise that there may be something seriously wrong within an organisation. Pioneer wishes to encourage you to come forward and voice any concerns about any aspect of our organisation. Officially this is called 'making a disclosure in the public interest' under the Public Interest Disclosure Act 1998.

Qualifying disclosures under the act are disclosures of information where the employee reasonably believes (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future.

- A criminal offence (e.g. fraud, corruption, etc.)
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- Deliberate attempt to conceal any of the above.

In addition to the 6 legally specified criteria above, Pioneer encourages you to disclose any concerns you have regarding

- Public funds being misused
- One or more of Pioneer's procedures (e.g. Code of Conduct, Financial Regulations) has been or is being breached by members/and/or employees
- Abuse (e.g. physical, sexual)
- Sexual harassment in the workplace
- Discrimination to any employee or student e.g. disability, race etc.

- 1.2 You, as a Pioneer employee, may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may also fear harassment or victimisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.
- 1.3 The purpose of this Whistleblowing Policy is to enable you to raise your concerns about such malpractice at an early stage and in the right way. We would rather that you raised the matter when it is just a concern rather than wait for proof. The Whistleblowing Policy is intended to encourage and enable you, as an employee, to raise serious concerns within Pioneer rather than overlooking a problem or reporting it outside without first reporting it internally. It should be read in conjunction with the Code of Conduct.
- 1.4 If something is troubling you, which you think we should know about or look into, please use this policy. Don't ignore the concern. If, however, you have a grievance about your own personal position or employment, please use Pioneer's Grievance Procedure which you can obtain from your line manager, or from Pioneer SharePoint. This Whistleblowing Policy is primarily for concerns where the interests of others or the organisation itself are at risk. Child protection concerns are most likely to be better raised under the Child Protection Policy.

2. Aims

2.1 This policy aims to:

- encourage you to feel confident in raising serious concerns;
- reassure you that, when you raise any concerns which you reasonably believe them to be true, i.e. “whistleblow”, you will be protected from reprisals or victimisation;
- provide avenues for you to raise concerns and receive feedback on any action taken;
- ensure that you receive a response to the concerns you have raised from Pioneer and, if you are not satisfied with that response, show how you may take the matter further.

3. Scope

3.1 This policy may be used by all Pioneer employees. This includes permanent and temporary Pioneer employees, agency employees and Pioneer employees seconded to a third party.

3.2 This policy does not form part of any employment contract or contract for services and may be changed or updated by Pioneer at any time.

4. How to raise a concern within Pioneer

4.1 As a first step, you should normally raise concerns with the Head Teacher. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that the Head Teacher is involved, you should approach the CEO. If you have concerns regarding the CEO you should contact the Chair of Trustees at mjervis@pioneereducationaltrust.org.uk

4.2 Concerns are better raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or meet the appropriate officer. It is important, however, that when the concern is raised, you make it clear that the issue is being raised under the Whistleblowing Policy.

4.3 The earlier you express the concern, the easier it is to take action. Please do not seek to investigate your concern or gather evidence yourself, report as soon as possible and we will investigate. You may also wish to involve your Trade Union representative at this stage.

4.5 Advice and guidance on how matters of concern may be pursued can be obtained from Pioneer’s HR Manager.

5. Safeguards

Detriment

5.1 Pioneer recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. Pioneer will not tolerate harassment or victimisation and will take action to protect you when you raise a concern. If you raise a genuine concern under this policy, you will not suffer any detriment in connection with your employment.

- 5.2 You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct, you may be subject to disciplinary action up to and including summary dismissal.

Confidentiality

- 5.3 Pioneer will do its best to protect your identity if you raise a concern and do not want your name to be disclosed. However, there may be circumstances in which, because of the nature of the investigation or disclosure, it will be necessary to disclose your identity. If this is the case, Pioneer will make efforts to inform you that this is likely to be necessary.

In order not to jeopardise the investigation into the alleged malpractice, you will be expected to keep the matter confidential.

Anonymous Allegations

- 5.4 This policy strongly encourages you to put your name to your allegation. Concerns expressed anonymously will be much more difficult for us to look into or to protect your position or to give you feedback. Concerns raised anonymously are much less powerful and less likely to be effective, but they will be considered at our discretion.

- 5.5 In exercising our discretion, the factors to be taken into account would include:

- the seriousness of the issues raised;
- the credibility and plausibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Untrue or Malicious Allegations

- 5.6 If you make an allegation, but it is not confirmed by the investigation, no action will be taken against you and you will continue to be protected against detriment. If, however, you make malicious or vexatious allegations, disciplinary action, up to and including summary dismissal, may be taken against you.

6. How Pioneer will address your concern

- 6.1 The action taken by Pioneer will depend on the nature of the concern. The matters raised may:

- be investigated internally;
- be referred to the Police;
- be referred to the Education and Skills Funding Agency (ESFA).

- 6.4 Within ten working days of a concern being received, Pioneer will write to you:

- acknowledging that the concern has been received;
- indicating, in overall terms, how it proposes to deal with the matter;
- giving, where possible, an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made; and
- telling you whether further investigations will take place, and if not, why not.

- 6.5 The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.

- 6.6 When any meeting is arranged, you have the right, if you so wish, to be accompanied by a Trade Union colleague, a work colleague or a professional association representative who are not involved in the area of work to which the concern relates.
- 6.7 Pioneer will take reasonable steps to minimise any difficulties which you may experience as a result of raising a concern.
- 6.8 Pioneer accepts that you need to be assured that the matter has been properly addressed and as such, where possible, Pioneer will provide information in this regard.
- 6.9 If you are dissatisfied with the outcome of the investigation into your concerns you may raise it with the Chair of the Trustees. If you initially raised your concern with the Chair as it related to the CEO, a panel of 3 trustees (not including the Chair) will be appointed to consider your concern further.

7 Independent Advice

- 7.1 If you are unsure whether to use this Policy or you want independent advice at any stage, you may contact:
- if applicable, your union;
 - the independent charity Protect (previously called Public Concern at Work) on [020 3117 2520](tel:02031172520) or whistle@protect-advice.org.uk. Their website is at <https://protect-advice.org.uk>. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

8 External reporting

- 8.1 This policy is intended to provide you with an avenue to raise concerns within Pioneer and to give you the reassurance you need to raise such matters internally. Pioneer hopes you will be satisfied. If you are not, and if you feel it is right to take the matter outside Pioneer, you should contact a prescribed person or body (guidance is available from [GOV.UK - Blowing the whistle: list of prescribed people and bodies](#)). This includes a list of public bodies which can deal with particular areas of concern e.g. Education, Finance etc. You can also make a disclosure to a solicitor.

You should tell the prescribed person or body if you reasonably believe that Pioneer:

- will cover the issue up;
- treat you unfairly if you complain;
- hasn't sorted the issue out which you've already reported.

We strongly encourage you to seek advice, e.g. from Protect, before reporting a concern to anyone external.

In taking your concern outside Pioneer, you should ensure that, as far as possible, the matter is raised without confidential information being divulged.

It will very rarely, if ever, be appropriate to disclose information to the media.

9 Oversight of Policy

- 9.1 Pioneer will maintain a corporate register of the number and nature of the concerns raised and the outcomes (but in a form which does not endanger confidentiality) and will report as necessary to the Board of Trustees.
- 9.2 This Policy will be reviewed on an annual basis to ensure the Policy remains up to date and to ensure it remains effective.

Appendix A

ILLUSTRATIVE LIST OF MALPRACTICE, ABUSE OR WRONGDOING

1. Any unlawful act, whether criminal (e.g. theft) or a breach of the civil law (e.g. slander or libel).
2. Maladministration (e.g. unjustified delay, incompetence, neglect advice).
3. Health and safety risks, including risks to the public as well as other employees (e.g. faulty electrical equipment).
4. Abuse of children and vulnerable adults (e.g. through physical, sexual, psychological or financial abuse, exploitation or neglect).
5. Damage to the environment (e.g. pollution).
6. The unauthorised use of public funds (e.g. expenditure for improper purpose).
7. Fraud and corruption (e.g. housing benefit fraud, to solicit or receive any gift/reward as a bribe).
8. Breach of the Member or Employee Code of Conduct.
9. Abuse of power (e.g. widespread bullying/harassment).
10. Flirting, gesturing, making sexual remarks about someone's appearance in any means of communication;
11. Asking question about someone's sex life;
12. Telling sexually offensive jokes/pranks and or sharing pornographic or sexual images.
13. Other unethical conduct.