



Whistleblowing Policy

| | | |
|--------------------------|-----------|------------------------|
| Approved by: | Trustees | Date: July 2023 |
| Last reviewed on: | July 2023 | |

Contents

| | |
|---|---|
| 1. Introduction | 2 |
| 2. Legislation | 2 |
| 3. Definition of whistleblowing | 2 |
| 4. Procedure for staff to raise a whistleblowing concern..... | 3 |
| 5. NST procedure for responding to a whistleblowing concern | 3 |
| 6. Anonymous Allegations | 4 |
| 7. Malicious Allegations | 5 |
| 8. Escalating concerns beyond the trust..... | 5 |
| 9. Review and Monitoring | 5 |
| 10. Links with other policies..... | 5 |

Our Vision and Ethos

Nishkam schools are Sikh ethos multi faith schools that take a distinctive approach to many traditional faith schools. The Nishkam School Trust education model is led by virtues such as, compassion, humility, service, contentment, optimism, trust and forgiveness. Virtues are prevalent throughout our teaching and learning model and are modelled by our pupils, staff and teachers. Our pupils explore the divine context of humanity and wonder of all creation and also learn from the wisdom of all religions and in doing so explore the infinite human potential to do good unconditionally. We support all pupils and staff to develop aspects of their own religious, spiritual or human identities. In service of God, we pray for guidance in this endeavour and forgiveness for the errors we may make.

1. Introduction

Nishkam School Trust (NST) is committed to the highest possible standards of openness, probity and accountability. NST encourages individuals working at the Trust to come forward to raise and express serious concerns about any aspect of NST's services.

Whistleblowing is when an individual knows, or suspects, that there is some wrongdoing occurring within the Trust and alerts the employer or the relevant authority accordingly. Whistleblowing is also known as making a disclosure in the public interest.

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all staff in the trust know how to raise concerns about potential wrongdoing in or by the trust
- Set clear procedures for how the trust will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the trust in any capacity, including self-employed consultants or contractors who provide services on a personal basis and agency workers.

2. Legislation

The requirement to have clear whistle-blowing procedures in place is set out in the [Academy Trust Handbook](#). This policy has been written in line with the above document, as well as [government guidance on whistleblowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

This policy complies with our funding agreement and articles of association.

3. Definition of whistleblowing

Whistleblowing covers concerns made that report wrongdoing that is "in the public interest". Examples of whistleblowing 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
- Attempts to cover up the above, or any other wrongdoing in the public interest

- Damage to the environment

A whistleblower is a person who raises a genuine concern relating to the above.

Not all concerns about the Trust, or individual schools in the Trust, count as whistleblowing. For example, personal staff grievances such as bullying, or harassment do not usually count as whistleblowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

When staff have a concern, they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has:

- Further guidance on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure
- A free and confidential advice line
- NST will not tolerate harassment or victimisation of members of staff when matters are raised in accordance with the PIDA provisions. Any employee who victimises or harasses an individual as a result of having raised a concern in accordance with the whistleblowing policy will be dealt with under NST's disciplinary procedures.
- Allegations concerning Child Protection issues. All employees have a duty to report concerns about the safety and welfare of pupils/students.

4. Procedure for staff to raise a whistleblowing concern

4.1 When to raise a concern

Staff should consider the examples in section 3 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

4.2 Who to report to

School-based staff should report their concern to the Principal/ Headteacher. If the concern is about the School Leader or member of the Executive Team, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Chair of the Trust Board via NSTwhistleblowing@nishkamschools.org

Central team staff should report their concern to the CEO. If the concern is about the CEO/ Executive Leader, or it is believed they may be involved in the wrongdoing in some way, the central team staff should report the concern to the Chair of Trustees.

4.3 How to raise the concern

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

5. NST procedure for responding to a whistleblowing concern

All disclosures raised will be taken seriously and will be dealt with by appropriately trained senior leaders, fairly, consistently and professionally.

5.1 Investigating the concern

When a concern is received by the School Leader/ CEO/ Trustee/ other named person - referred to from here as the 'recipient' - they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy)

Establish whether there is sufficient cause for concern to warrant further investigation. If there is:

- The recipient should then arrange a further investigation into the matter, involving the CEO, Local Governing Body and/or Chair of Trustees if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In others, they may need to report the matter to the police
- The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps

Where appropriate employees who have raised concerns will also have access to support in the form of mentoring and where necessary counselling.

5.2 Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the CEO, Trustees and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

Retain confidentiality if you are required to come forward as a witness.

6. Anonymous Allegations

Employees should put their name to allegations whenever possible - anonymous concerns are much less powerful. Nonetheless anonymous allegations will be considered under the whistleblowing policy, especially when concerns relate to the welfare of children.

In relation to determining whether an anonymous allegation will be taken forward the Local Governing Body will take the following factors into account:

- The seriousness of the issue raised
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources

7. Malicious Allegations

If a member of staff makes an allegation in good faith but it is not confirmed by further inquiry the matter will be closed and no further action taken. If, however, the inquiry shows that untrue allegations were malicious and/or vexatious or made for personal gain then the governing body will consider taking disciplinary action against the member of staff.

8. Escalating concerns beyond the trust

The Trust encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).

The Protect advice line, linked to in section 3 of this policy, can also help staff when deciding whether to raise the concern to an external party.

9. Review and Monitoring

A general review of the policy will take place every two years.

10. Links with other policies

This policy links with our policies on:

- Staff grievance policy
- Complaints procedure
- Child protection policy