



CEAT Whistleblowing Policy (incorporating Anti-Bribery Statement)

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Trustees' Sub Committee	-
Statutory Policy	Yes

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1. Introduction

Central England Academy Trust ("the Trust") is committed to the highest standards of openness, honesty, integrity and accountability. The Trust encourages all employees, trustees, governors, volunteers, contractors and agency workers to raise genuine concerns about wrongdoing, malpractice, safeguarding failures or unlawful conduct without fear of reprisal.

The Trust aims to create a culture where individuals feel confident to speak up in the knowledge that concerns will be taken seriously, investigated appropriately and treated with sensitivity and fairness.

This policy provides a framework for reporting concerns which are in the public interest and explains the protection available to whistleblowers.

This policy does not form part of any employee's contract of employment and may be amended by the Trust from time to time.

2. Aims

This policy aims to:

- Encourage individuals to report concerns at the earliest opportunity.
- Ensure concerns are properly investigated.
- Protect whistleblowers from victimisation, harassment or detriment.
- Provide clear reporting routes.
- Ensure compliance with the Public Interest Disclosure Act 1998.
- Promote a culture of openness, transparency and accountability.
- Provide assurance that confidentiality agreements, settlement agreements or non-disclosure agreements cannot prevent an individual from making a protected disclosure in the public interest.

3. Legislation and Guidance

This policy has been developed with reference to:

- Public Interest Disclosure Act 1998
- Employment Rights Act 1996
- Academy Trust Handbook
- Government Whistleblowing Guidance
- Keeping Children Safe in Education
- Relevant safeguarding legislation and guidance

This policy complies with the Trust's Articles of Association and Funding Agreement.

4. What is Whistleblowing?

Whistleblowing is the reporting of concerns about suspected wrongdoing that is in the public interest.

Examples include, but are not limited to:

- Criminal offences
- Fraud, theft or corruption
- Bribery
- Financial malpractice
- Misuse of public funds
- Safeguarding concerns
- Child protection failures
- Health and safety risks
- Failure to comply with legal obligations
- Breaches of Trust policies where there is a significant public interest element
- Sexual harassment
- Abuse of authority
- Environmental damage
- Deliberate concealment of any of the above

A whistleblower is a person who raises a genuine concern regarding wrongdoing.

Matters not normally covered by this policy

This policy is not intended for complaints about an individual's own employment circumstances.

Examples include:

- Pay and conditions disputes
- Bullying directed solely at the complainant
- Interpersonal issues between colleagues
- Workload concerns
- Performance management matters

These issues should normally be dealt with under the Trust's Grievance Procedure unless there is a wider public interest concern.

Where uncertainty exists, advice should be sought from the CEO, Headteacher or Chair of Trustees.

5. Reporting a Concern

All concerns should be raised as soon as possible.

The Trust recognises that reporting concerns can be difficult and reassures staff that they will receive appropriate support throughout the process.

School-based staff

Concerns should normally be raised with:

- A line manager
- A member of the leadership team
- The Designated Safeguarding Lead (where appropriate)
- The Headteacher

Where the concern relates to the Headteacher, the concern should be raised with the CEO.

Central Trust staff

Concerns should be raised with:

- The CEO
- Their line manager

Concerns regarding the CEO

Concerns regarding the CEO should be reported directly to the Chair of Trustees.

Concerns regarding the Chair of Trustees

Concerns regarding the Chair of Trustees may be raised with another Trustee or an appropriate external body.

6. How to Raise a Concern

Concerns should preferably be made in writing.

The disclosure should include, where possible:

- What has happened
- Who is involved
- Dates, times and locations
- Any witnesses
- Any available evidence
- Why the individual believes the matter is a concern

The Trust encourages individuals to identify themselves when raising concerns as this can assist the investigation.

Anonymous disclosures will still be considered and investigated where appropriate.

Individuals concerned about their identity being revealed should discuss this with the person receiving the disclosure.

7. Confidentiality

The Trust is committed to protecting the identity of whistleblowers wherever possible.

However, there may be circumstances where confidentiality cannot be maintained, for example:

- Where disclosure is required by law
- Where evidence must be presented in disciplinary or legal proceedings
- Where safeguarding considerations require disclosure

Any decision to disclose a whistleblower's identity will be discussed with them wherever possible.

All parties involved must maintain confidentiality throughout and after any investigation.

8. Protection for Whistleblowers

Individuals who raise genuine concerns under this policy will not be subjected to:

- Dismissal
- Disciplinary action
- Victimisation
- Bullying
- Harassment
- Any other detriment

This protection applies even where the concern proves to be mistaken, provided it was raised honestly and in good faith.

Any retaliation against a whistleblower may result in disciplinary action.

9. Trust Procedure for Responding to Concerns

Initial consideration

The person receiving the concern ("the recipient") will:

- Acknowledge receipt of the concern.
- Arrange a meeting with the whistleblower as soon as reasonably practicable.
- Allow representation by a trade union representative or workplace colleague if requested.
- Establish the nature and scope of the concern.
- Determine whether the concern falls under this policy or another procedure.

Investigation

If the concern warrants investigation:

- An appropriate investigating officer will be appointed.
- External investigators may be appointed where necessary.
- Matters may be referred to the Police, Local Authority, ESFA, Ofsted or other relevant agencies where appropriate.

The whistleblower will be informed:

- How the matter will be investigated.
- Anticipated timescales.
- Whether further enquiries are required.

Welfare Support

Throughout any investigation, the Trust will provide appropriate support and wellbeing check-ins for:

- The whistleblower.
- Any individual who is the subject of the concern.

Where appropriate, access to occupational health, employee assistance services or other support mechanisms will be offered.

10. Outcomes

At the conclusion of the investigation:

- A written record of findings will be produced.
- Appropriate recommendations and actions will be identified.
- Relevant external agencies will be notified where required.

The whistleblower will be informed of the outcome, subject to legal and confidentiality requirements.

The Trust cannot always disclose the full details of actions taken, particularly where doing so would affect individual rights or confidentiality.

The Trust Board will monitor whistleblowing concerns and review lessons learned to improve governance and practice.

11. Anonymous Disclosures

Anonymous concerns will be considered seriously.

Factors influencing whether an investigation will proceed include:

- The seriousness of the allegations.
- Whether sufficient evidence has been provided.
- The likelihood of obtaining further information.

12. Malicious or Vexatious Allegations

The Trust encourages individuals to raise genuine concerns.

No action will be taken against a person who raises a concern honestly and in good faith, even if it is not subsequently substantiated.

However, where an allegation is found to be knowingly false, malicious, vexatious or made for personal gain, disciplinary action may be taken.

13. Escalating Concerns Beyond the Trust

The Trust strongly encourages concerns to be raised internally first.

However, individuals may report concerns externally where appropriate.

These may include:

- Local Authority
- Police
- Ofsted
- Department for Education

- ESFA
- Health and Safety Executive
- NSPCC
- Other prescribed persons and bodies identified by the Government

Independent advice can also be obtained from:

Protect (formerly Public Concern at Work)

Protect provides free, independent and confidential whistleblowing advice.

Telephone: 020 3117 2520

Advice Line: 020 3117 2520

14. Contact Details

Chair of Trustees

Mrs Carole Davies

Telephone: 02476 740932

Chief Executive Officer

Mr Andrew Dickinson

Telephone: 02476 740932

15. Related Policies

This policy should be read alongside:

- Child Protection and Safeguarding Policy
- Staff Grievance Policy
- Complaints Policy
- Disciplinary Policy
- Code of Conduct
- Financial Procedures Policy
- Staff Behaviour Policy / Code of Conduct

APPENDIX 1 – ANTI-BRIBERY STATEMENT

1. Introduction

- 1.1 The Bribery Act 2010 introduced a new, clearer regime for tackling bribery. This anti-bribery statement sets out the policy for dealing with bribery or suspected bribery, namely the prohibition of any form of theft, fraud, bribery or corrupt practices, whether covered directly by the Bribery Act 2010 or not.
- 1.2 The Trust is committed to maintaining an honest, open and constructive culture so as to best fulfil its objectives. It is therefore committed to the elimination of theft, fraud, bribery and corruption, to the rigorous investigation of any such allegations and to taking appropriate action against wrong doers, including possible criminal prosecution.
- 1.3 The overall aims of this statement are to:
- i. assist in promoting a climate of openness and a culture and environment where staff feel able to raise concerns sensibly and responsibly;
 - ii. set out the Trust's responsibilities in terms of the deterrence, prevention, detection and investigation of bribery and corruption;
 - iii. ensure the appropriate sanctions are considered following an investigation, which may include any or all of the following:
 - criminal prosecution;
 - civil prosecution;
 - internal/external disciplinary action (including professional/regulatory bodies).
- 1.4 All employees should be aware that theft, fraud, bribery and corruption will normally be regarded as a serious disciplinary offence which will be addressed in accordance with the Trust's Disciplinary Policy and associated procedures.

2. Definitions

- 2.1 'Bribery' means the taking of an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages. A bribe might be taken in order to gain any commercial, contractual or regulatory advantage for the Trust in a way which is unethical or for personal advantage, pecuniary, or otherwise, for the individual or anyone connected with the individual.
- 2.2 'Corruption' means the offering or acceptance of inducements, gifts, favours, payment or benefit-in-kind which may influence the action of any person. Corruption does not always result in a loss. A corrupt person may not benefit directly from their deeds; however, they may be unreasonably using their position to give some advantage to another. It is a common law offence of corruption to bribe the holder of a public office and it is similarly an offence for the office holder to accept a bribe.

3. Rationale

- 3.1 Bribery is a criminal offence for both individuals and commercial organisations and can be punished with imprisonment of up to 10 years or unlimited fines.
- 3.2 The Trust will not commit an offence of failing to prevent bribery, if it can show that it had 'adequate procedures' in place to prevent bribery.

4. Scope

- 4.1 This statement applies to all employees regardless of position held, as well as those acting on behalf of the employer, including Governors, other volunteers, temporary workers, consultants, contractors, and/or any other parties who have a business relationship with the Trust. It will be brought to the attention of all employees and Governors and will form part of the induction process for new staff.
- 4.2 The Trust has procedures in place that reduce the likelihood of theft, fraud, bribery or corruption occurring. These include Standing Orders, Financial Regulations, documented policies and procedures, including whistleblowing and a system of internal control (including Internal and External Audit) and risk assessment.

5. Core Principles

- 5.1. The Trust operates a zero-tolerance attitude in respect of theft, fraud, bribery and corruption.
- 5.2 All staff have a personal responsibility to protect the Trust from theft, fraud, bribery or corruption, are responsible for maintaining the highest standards of business conduct and are expected to behave honestly and with integrity.
- 5.3 In the event that a member of staff becomes suspicious that theft, fraud, bribery or corruption is being committed, they are fully authorised to take immediate action to prevent further or to secure evidence. Any such action should be reported to senior management. Where such action or reporting is not possible the Whistleblowing Policy should be used to report the matter.
- 5.4 If it subsequently becomes clear that those suspicions and actions were ill founded, then the Trust will not discipline the member of staff concerned, unless it is considered that the action was motivated by personal animosity.
- 5.5 Individuals must not communicate directly with any member of the press, media or any other third party about a suspected act of theft, fraud, bribery or corruption, but should address any such concerns in accordance with the Whistleblowing Policy.
- 5.6 All gifts, payments or any other contribution received, whether in cash or in kind, shall be documented, regularly reviewed, and properly accounted for.

- 5.7 The Trust will procure goods and services ethically and transparently with the quality, price and value for money determining the successful supplier/contractor, not by receiving (or offering) improper inducements.
- 5.8 The Trust prohibits employees and associated persons from offering, giving, soliciting or accepting any bribe in any way, or to give, or be perceived to have given, a financial or other advantage to any person, (whether a UK or foreign public official, political candidate, party official, private individual, private or public sector employee or any other person) in order to induce that person to perform his/her functions or activities improperly.
- 5.9 The Trust may, in certain circumstances, be held responsible for acts of bribery committed by intermediaries acting on its behalf such as subsidiaries, clients, business partners, contractors, suppliers, agents, advisors, consultants or other third parties. The use of intermediaries for the purpose of committing acts of bribery is therefore prohibited.
- 5.10 Facilitation payments are prohibited under the Bribery Act like any other form of bribe. They shall not be given by the Trust or its employees in the UK or any other country.
- 5.11 This statement is not intended to prohibit appropriate corporate entertainment and / or hospitality undertaken in connection with the Trust's business activities, provided the activity is customary under the circumstances, is proportionate, and is properly recorded / disclosed as set out in the Financial Regulations.