



EBOR ACADEMY TRUST

Policy Number

23a

Whistleblowing Policy

Approved By: Ebor Academy Trust Board of Trustees
Approval Date: June 2026
Review Period: 3 years
Review Date: June 2029

For publication on Trust Website

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Date updated: June 2026
Version Number: V8

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1. INTRODUCTION

- 1.1 Ebor Academy Trust (EAT) is proud of its track record of probity and high ethical standards. However, we are not complacent and recognise that malpractice can occur. Any person at one time or another may have concerns about what is happening at work. Most concerns are easily resolved.
- 1.2 EAT wants everyone to feel able to raise concerns, such as perceived malpractice, at an early stage, in the knowledge that their concerns will be taken seriously and investigated and that their confidentiality will be respected. EAT would rather concerns were raised early, when the matter is just a concern.
- 1.3 This Whistle-blowing Policy is primarily for concerns where the interests of others or the EAT itself are at risk and there is a public interest in making the disclosure. The kinds of issues described in paragraph 1.5 are examples.
- 1.4 If concerns are about someone's own employment position, then it is more likely that the Grievance or the Dignity at Work Procedure should be used, this can be obtained from EAT Templates Folder on Google Drive. Sometimes concerns may have elements of both. For example, being told to take an excessive number of students on a school trip without the appropriate staffing levels which would affect staff and the wider school community.
- 1.5 WHAT IS 'WHISTLEBLOWING'?
Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:
- Criminal activity;
 - Miscarriages of justice;
 - Danger to health and safety;
 - Damage to the environment;
 - Failure to comply with any legal or professional obligation or regulatory requirements;
 - Bribery;
 - Fraud, corruption or mismanagement;
 - Negligence;
 - Breach of EAT internal policies and procedures;
 - Conduct likely to damage the EAT reputation;
 - Unauthorised disclosure of confidential information;
 - Concerns about the harm or risk of harm to children;
 - The deliberate concealment of any of the above matters.

This policy applies to all employees working at all levels of EAT, including officers, teachers, consultants, trainees, homeworkers, part-time and fixed-term workers, casual and agency staff (collectively referred to as staff in this policy). Governors and trustees may also raise concerns through this policy.

It is possible that contractors who work for the Trust may come across matters which cause them concern and which relate to the actions of the Trust/school or its employees. Contractors are invited to follow the procedures set out in this policy and are assured that they will not suffer any form of retribution for having raised a genuine concern, even if it proves to be unfounded.

These procedures are in addition to the Trust's Complaints Procedure and other statutory reporting procedures.

2. LEGISLATION

The requirement to have clear whistle-blowing procedures in place and available to staff 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](#) and [Bribery Act 2010](#).

This policy should also be read alongside Keeping Children Safe in Education, which requires all staff to raise safeguarding concerns about colleagues or practices.

This policy complies with our funding agreement and Articles of Association.

3. PROTECTING THE WHISTLEBLOWER

Under the Public Interest Disclosure Act 1998 a Whistleblower is protected from detriment and unfair dismissal. EAT will support and not discriminate or victimise concerned staff who apply the Whistleblowing procedure, provided any claim is made in good faith, even if they turn out to be mistaken.

4. WHEN SHOULD WHISTLEBLOWING PROCEDURES BE USED?

- 4.1 If a member of staff has concerns about wrongdoing at EAT and feels that those concerns are sufficiently serious to require reporting, this procedure outlines what should be done.
- 4.2 Each individual member of staff should feel able to speak freely on such matters but have the right to protect themselves against unfounded false or malicious accusations.
- 4.3 Whistleblowing should only be used when the party implementing the procedure (Representor/Whistleblower) has reasonable grounds for believing that a serious offence has been or may be committed. It must never be used without good grounds, falsely or maliciously.
- 4.4 Our organisation is committed to the highest standards of openness, integrity, and accountability. In accordance with the Employment Rights Act 2026, employees, workers, and relevant stakeholders are encouraged to raise genuine concerns about suspected wrongdoing in the public interest, including unlawful conduct, breaches of legal obligations, risks to health and safety, environmental damage, and serious workplace misconduct. This expressly includes concerns relating to sexual harassment, sexual misconduct, or the inappropriate handling or concealment of such matters. Individuals who make disclosures in good faith will be protected from dismissal, detriment, or any form of retaliation. All concerns will be treated seriously, handled sensitively and, where possible, in confidence, and will be investigated promptly and fairly. The organisation will ensure that appropriate and accessible channels are available for reporting concerns internally and, where appropriate, externally to prescribed bodies, in line with statutory requirements.
- 4.5 Whistleblowing is not appropriate for dealing with pupil complaints, which will be dealt with under separately published procedures.

- 4.6 Whistleblowing is not appropriate to specific cases of child safety or safeguarding which will be dealt with under the procedures specified in that connection. If any staff member has concerns that a pupil is being dealt with unfairly in school, they should raise their concern, in the first instance with the Headteacher or Designated Safeguarding Lead (DSL). However, concerns about failures in safeguarding procedures are valid whistleblowing concerns.

5. THE PROCEDURE

Any issue raised will be kept confidential while the procedure is being used.

- 5.1 The Whistleblower (the person raising the concern) should raise their concern with their line manager, Headteacher or CEO or if it is believed the HT/CEO or line manager is involved in some way, it should be reported to the board Trustee responsible for whistleblowing: Andrew Winters, (correct at the time of writing, see website for further details) C/O Ebor Academy Trust, The Leyes, Osbaldwick York YO10 3PR.
- 5.2 Concerns should be made in writing wherever possible. However, concerns will be accepted verbally in certain situations. Concern 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.
- 5.3 The whistleblower should not mention the concern to the subject of the complaint or to other colleagues as this could affect the investigatory process.
- 5.4 Staff are discouraged from making anonymous disclosures as this may make the investigation difficult or impossible to conduct.
- 5.5 The person with whom the matter is raised is referred to as the "Assessor".

The Assessor will:

- 5.5.2 Interview the Representor as soon as possible within seven working days, in confidence. Early interview will be essential especially if the concern relates to an immediate danger to loss of life or serious injury or risk to others;
- 5.5.3 Obtain as much information as possible from the Representor about the grounds for the belief of wrongdoing;
- 5.5.4 Consult with the Representor about further steps which could be taken;
- 5.5.5 Advise the Representor of the appropriate route if the matter does not fall under this Procedure;
- 5.5.6 Other than in the case of paragraph 4.4, report all matters raised under this EAT procedure to the Whistleblowing Trustee, Chair of Audit and Compliance Committee, the CEO or Chair of Trustees.

- 5.6. At the interview with the Assessor, the Representor may be accompanied by a recognised trade union representative or a work colleague who must respect confidentiality of the disclosure and any subsequent investigation. The Assessor may be accompanied by a member of EAT staff to take notes which will be made available after the meeting and propose how to deal with the matter.

The Assessor may at any time disclose the matter to a professionally qualified lawyer for the purpose of taking legal advice. The Assessor may also discuss the issue, in confidence, to other suitable professionals, such as independent HR consultants or school governance providers in order to assess the nature of the case and to inform the outcome of the investigation.

- 5.7 Promptly within ten working days of the interview, the Assessor will recommend one or more of the following:

- 5.7.1 The matter be further investigated internally by the EAT;
- 5.7.2 The matter be further investigated by external consultants appointed by the EAT;
- 5.7.3 The matter be reported to an external agency;
- 5.7.4 Disciplinary proceedings be implemented against a member of staff;
- 5.7.5 The route for the Representor to pursue the matter if it does not fall within this procedure; or
- 5.7.6 That no further action is taken by EAT. The grounds on which no further action is taken include:
 - The Assessor is satisfied that, on the balance of probabilities, there is no evidence that wrongdoing within the meaning of this procedure has occurred, is occurring or is likely to occur;
 - The Assessor is satisfied that the Representor is not acting in good faith;
 - The matter is already (or has been) the subject of proceedings under one of EAT's other procedures or policies;
 - The matter concerned is already (or has been) the subject of legal proceedings or has already been referred to an external agency.

- 5.8 The recommendation of the Assessor will be made to the Representor. However, should it be alleged that the Headteacher is involved in the alleged wrongdoing; the recommendation will be made to the CEO.

- 5.9 The CEO will ensure that the recommendation is implemented unless there is good reason for not doing so in whole or in part. Such a reason will be reported to the next meeting of the Board of Trustees.

- 5.10 The Whistleblower's identity will be kept confidential unless the Whistleblower otherwise consents or unless there are grounds to believe that the Whistleblower has acted maliciously. In the absence of such consent or grounds, the Assessor will not reveal the identity of the Whistleblower except:

- If the concern proceeds to a disciplinary hearing or criminal investigation;
- Where the Assessor is under a legal obligation to do so;

- Where the information is already in the public domain; or
- On a legally privileged basis to a professionally qualified lawyer for the purpose of obtaining legal advice.

5.11 The conclusion of any agreed investigation will be reported by the Assessor to the Whistleblower as far as possible, to keep employees informed of the decisions taken and the outcome of any enquiries and investigations carried out. However, it may not be possible or appropriate to inform staff in the event of a formal investigation that involves the police/security or of any matters which would infringe our duty of confidentiality to others. Usually, whistleblowers will be updated within 28 days of raising a concern. In the case of longer, more complex investigations, the whistleblower will be kept updated on the progress of the investigation, where confidentiality allows.

5.12 All responses to the Representor will be made in writing and sent to the Representor's home address.

5.13 If the Representor has not had a response within the above time limit or such reasonable extension as EAT requires, the Representor may go to an appropriate external agency, under paragraph 6, but will inform the Assessor before doing so.

5.14 The Representor may at any time disclose the matter on a legally privileged basis to a professionally qualified lawyer for the purpose of taking legal advice.

6 MALICIOUS ACCUSATIONS

6.1 A deliberately false or malicious accusation made by a Representor is a disciplinary offence and will be dealt with under the EAT's disciplinary procedure, as well as potentially exposing the Representor to legal liability.

7 INFORMING EXTERNAL AGENCIES

7.1 Within EAT, all staff have a duty of confidentiality. The duty of confidentiality is implied by the law in every contract of employment and prohibits employees from publicly disclosing employers' confidential information, unless it is in the public interest that the information is disclosed or unless EAT fails to follow required procedures. Other legal restrictions on the disclosure of information, for example under data protection legislation, may also apply.

7.2. The trust encourages staff to raise their concerns internally, but recognises that staff may feel the need to report concerns to an external prescribed body. A prescribed body is an organisation, normally with some regulatory function (for example, the Health and Safety Executive, LADO or Information Commissioner's Office). A list of prescribed bodies to whom staff can raise concerns with is included [here](#), and includes:

- DfE – for concerns about financial management, fraud or governance. The DfE has set up a [system for anyone to report financial irregularity](#).
- Ofsted – for concerns about safeguarding and wellbeing of pupils
- Local Authority Designated Officer (LADO) – for safeguarding concerns about staff
- Health and Safety Executive (HSE) – for workplace health and safety concerns
- Information Commissioner's Office (ICO) - for data protection breaches
- Protect (formerly Public Concern at Work) – for confidential advice.

It is the employee's responsibility to ensure that confidential information, in whatever format, is not disclosed to a third party. Whistleblowing to the media is not usually appropriate or permitted. The UK's whistleblowing law offers protection to workers who make disclosures to the media only under very specific and rare circumstances (e.g., where the concern is exceptionally serious, internal channels have been exhausted, and the worker reasonably believes it is in the public interest). For the safest route to protection under the law, individuals are advised to follow the internal process and then, if necessary, report to a Prescribed Person first.

8. LINKS WITH OTHER POLICIES

This policy links with our policies on:

- Staff Grievance
- Complaints
- Safeguarding and Child Protection
- Health and Safety Policy
- Ebor Financial Handbook
- Staff Disciplinary Policy

9. CONFIDENTIAL EMPLOYEE ENQUIRIES

Staff may, on a confidential basis, seek prior guidance from the Headteacher if they wish to establish whether any course of conduct on their part or on the part of another member of staff may amount to wrongdoing under these procedures. Such enquiry shall be kept confidential. The Headteacher will attempt to provide guidance on the basis of the information provided, but such guidance shall not prejudice the rights of the EAT or any person under these procedures.

10. MONITORING, EVALUATION AND REVIEW

- 10.1 The Board of Trustees will assess the implementation and effectiveness of this policy. The policy will be promoted and implemented throughout EAT.
- 10.2 The Audit and Risk Committee will receive a regular, anonymised reports on any whistleblowing disclosures