



The Black Pear Trust

WHISTLE-BLOWING POLICY THE BLACK PEAR TRUST

Approved by:	Trust Board	
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1. Aims

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 colleagues 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 colleagues know the protection available to them if they raise a whistle-blowing concern
- Assure colleagues 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 \(2025\)](#).

This policy has been written in line with the above document, as well as [government guidance on whistle-blowing](#). 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

Whistle-blowing covers concerns made that report wrongdoing that is “in the public interest”.

- **Protected Disclosure:** A concern raised in the public interest about wrongdoing.
- **Whistle-blower:** A person who raises a concern under this policy.
- **Detriment:** Any unfair treatment as a result of raising a concern

Examples of whistle-blowing include (but are not limited to):

- any unlawful act, whether criminal or a breach of civil law;
- maladministration, as defined by the Local Government Ombudsman;

- breach of any statutory Code of Practice;
- breach of, or failure to implement or comply with the Financial Regulations or Standing Orders;
- breach of contract;
- any failure to comply with appropriate professional standards;
- fraud, corruption, dishonesty or the abuse of public funds;
- actions which are likely to cause physical danger to any person, or to give rise to a risk of significant damage to property;
- sexual, physical or emotional abuse or neglect of pupils
- sexual, physical or emotional abuse of members of staff;
- any breach of the school's Staff Behaviour (Code of Conduct) policy
- loss of income to the school;
- abuse of power, or the use of the school powers and authority for any unauthorised or ulterior purpose;
- discrimination in employment or in the provision of education;
- any other matter which cannot be raised under any other procedure;
- an attempt to cover up any of the above

A whistle-blower 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 whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. 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](#)

4. Procedure for staff to raise a whistle-blowing 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 headteacher. If the concern is about the headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the CEO. If the concern is about the CEO 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 board of trustees.

Central team staff should report their concern to the CEO. If the concern is about the CEO, 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.

While staff are encouraged to put their name to any disclosures, anonymous concerns will be considered. However, such concerns may be more difficult to investigate and verify

5. Trust procedure for responding to a whistle-blowing concern

5.1 Investigating the concern

When a concern is received by the headteacher/CEO/Chair of Trustees – 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/ 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

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. If the whistle-blower is not satisfied with the outcome, they may escalate the concern to a prescribed body. A list of such bodies is available [here](#).

6. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation.

7. 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.

8. Approval

This policy will be reviewed every 3 years.

These procedures have been agreed by the board of trustees, who will approve them whenever reviewed.

9. Links with other policies

This policy links with our policies on:

- Grievance policy
- Complaints procedure
- Child protection policy
- Anti-Bribery Policy

Appendix A: Whistleblowing Disclosure Form

This form is for use by any individual working within The Black Pear Trust who wishes to raise a concern under the Whistle-blowing Policy.

1. Personal Details

Name:

Job Title:

Department/School:

Date of Disclosure:

2. Nature of Concern

Does your concern relate to your line manager or someone in your reporting line?

☐ Yes ☐ No

Summary of the concern:

(Please describe the issue clearly, including relevant dates, locations, and individuals involved. Attach additional pages if needed.)

3. Individuals Involved

(Please list names and roles of any individuals involved or who may have witnessed the issue.)

4. Evidence Provided

(Please list or attach any documents, emails, or other evidence that support your concern.)

5. Desired Outcome

(What action or resolution are you hoping for?)

6. Declaration

I confirm that the information provided is true to the best of my knowledge. I understand that if I knowingly make false or malicious allegations, disciplinary action may be taken.

Signature:

Date:

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Date Received:

Received By (Name & Role):

Initial Action Taken:

Investigation Outcome:

Date of Response to Whistle-blower: