



All Saints'
Academy
Cheltenham

Whistleblowing Policy

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Staff Owner:	Mr Ben Williams
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Trustee Owner:	Mr Henry Watson
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1. Introduction

The policies of All Saints' Academy, with its distinctive Anglican and Catholic foundation, exist to support the Sponsor's Christian vision, ethos and values that are embedded in the day-to-day and long-term running of the Academy. Each policy evidences the commitment of the Sponsor to developing Body, Mind and Spirit.

Employees are often the first to realise that there may be something wrong within the Academy. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Academy. They may also fear harassment or victimisation and it may be easier, therefore, to ignore the concern rather than report what may just be a suspicion of malpractice.

The Academy is committed to the highest standards of openness and accountability. It expects employees, and others that it deals with, who have serious concerns about any aspect of the Academy's work, to come forward and voice those concerns. The phrase 'whistleblowing' in this procedure refers to the disclosure internally or externally by employees of malpractice, as well as illegal acts or omissions at work.

This Procedure makes it clear that employees can report, in a confidential manner, their concerns without fear of victimisation, subsequent discrimination or disadvantage and is intended to encourage and enable serious concerns to be raised with the Academy, rather than overlooking a problem or 'blowing the whistle' outside. It is stressed that under the Public Interest Disclosure Act 1998, employees of the Academy who, in the public interest, speak out against corruption or malpractice at work have statutory protection against victimisation and dismissal.

2. Aims and scope of this procedure

This Procedure aims to:

- Encourage employees to feel confident in raising serious concerns in those cases where they do not wish to use the normal reporting routes
- Provide alternative avenues for raising concerns
- Ensure that responses to concerns are made
- To reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have raised a concern in the public interest.

There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. This Procedure is intended to cover concerns that fall outside the scope of other procedures and include:

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- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees (where the concerns raised have not been addressed through normal departmental procedures) • Damage to the environment
- The unauthorised use of public funds including fraud and corruption
- Sexual or physical abuse
- Other unethical or unprofessional conduct
- Notification of any suspicions of price-fixing cartels providing services/goods to the Academy.

The Academy fully understands that employees who are members of a recognised trade union, in the first instance, may wish to seek advice and guidance from their union on the application of this Procedure.

Any serious concerns that employees have about any aspect of service provision, or the conduct of employees or members of the Board of Trustees, Academy or others acting on behalf of the Academy, can be reported under this Procedure. This may be about something that:

- Makes an employee feel uncomfortable in terms of apparent non-adherence to known standards
- Appears to be contrary to the requirements of the Academy's Code of Conduct
- Falls below established standards of practice
- May amount to improper conduct
- • Appears to be an attempt to mislead.

3. Safeguards: harassment or victimisation

The Academy recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from the person(s) who is the subject of the complaint. However, if employees believe that what they raise as a concern to be the truth and in the public interest they should be confident that they are fulfilling their duty to their employer and those for whom they are providing a service.

The Academy will not tolerate any form of sexual, racial or general harassment or victimisation and will take appropriate action to protect employees, when they raise a concern in the public interest, from suffering a detriment (including bullying or harassment) either from the employer or from coworkers.

Any investigation under this procedure, into allegations of potential malpractice will be dealt with separately to any grievance, disciplinary or redundancy procedure concerning an employee. Equally,

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any investigation will not be influenced by any such procedures involving an employee. However, the outcome of the investigation may lead to action under other Academy procedures.

4. Confidentiality

All concerns will be treated in confidence, and every effort will be made to protect an employee's identity if that is their wish. However, this cannot be guaranteed if, say, following an investigation a case is taken to Court, where the employee may need to be called as a witness.

5. Anonymous allegations

In order to ensure that employees receive protection of the Public Interest Disclosure Act 1998 employees should put their name to their allegation. Concerns expressed anonymously are sometimes less credible. Anonymous concerns and allegations, whether made to the Principal or the Board of Trustees, will therefore be investigated at the discretion of the Academy.

In exercising this discretion, the factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources' factual evidence.

6. Untrue Allegations

If an employee makes an allegation in the public interest, but it is not confirmed by the investigation, no action will be taken against them. If, however, the allegation is frivolous, malicious or for personal gain, disciplinary action may be taken against them.

7. How to raise a concern

Employees who wish to raise a serious concern should do so verbally, in writing or by email (marked 'Confidential') to the Principal or Chair of Trustees (Henry Watson hwatson@asachelt.org or Clerk to Trustees clerk@asachelt.org).

Employees who wish to make a written statement/report are invited to set out:

- The background and history of the concern
- Relevant dates, person involved
- Details of supporting evidence.

Although employees are not expected to prove an allegation, they will need to demonstrate that the disclosure is in the public interest.

8. How the Academy will respond

In all cases in order to protect individuals and those involved in the concern, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Academy will take into account is public interest; however, there is a zero-tolerance attitude to any fraudulent activity. Concerns or allegations which fall within the scope of specific procedures (for example, child protection) will normally be referred for consideration under those procedures.

Within 10 working days of a concern being raised, the employee will be contacted.

- Acknowledging that the concern has been received
- Indicating how it is proposed to deal with the matter
- Telling the employee whether any initial enquiries have been made
- Telling the employee whether further investigations will take place and, if not, why not.

Allegations reported to the Academy will normally be investigated by the Principal/ Board of Trustees. However, in some circumstances, sometimes to avoid contaminating evidence which may then go to a criminal investigation, they may decide to involve external investigators.

The Academy's Conduct Procedures will be used where the outcome of an investigation indicates improper behaviour by an employee.

A representative of a trade union recognised by the Academy or workplace colleague may accompany an employee during any stage of an investigation conducted under this Procedure.

The Academy will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, where an employee is required to give evidence in criminal or disciplinary proceedings the Academy will arrange for them to receive advice about the procedures involved.

The Academy accepts that employees need to be assured that matters of concern have been properly addressed and, therefore, subject to confidentiality or legal constraints, employees will be informed of the outcome of any investigation.

Whenever possible, feedback on the outcome of any investigation will be given. If a concern is raised anonymously this will not be possible. The Academy cannot guarantee that all matters will be dealt in the way an employee may wish, but it will strive to handle the matter fairly and properly.

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9. Further Action

This Procedure is intended to assist employees who wish to raise concerns within the Academy and it is hoped that employees will be satisfied with any action taken. However, if they are not, and they feel it is right to take the matter outside the Academy, the following organisations are possible contact points:

External Contact	Contact Information
Health & Safety Executive	Tel: 0300 003 1647 or Online form: Raising your concern
Environment Agency	Tel: 03708 506 506 or Website: Environment Agency
Department for Work and Pensions	Telephone: 0800 854 440
External Auditors – Bishop Fleming	Address: 10 North Place, Cheltenham, GL50 4DW. Tel: 01242 505970
Department of Education	Contact the Department for Education - Contact type - DFE Online Forms
Serious Fraud Office	Website: Reporting serious fraud, bribery or corruption
Her Majesty's Revenue & Customs	Tel: 0800 788 887 or Website: Reporting Tax Evasion
The Diocese of Gloucester	Jane Borgeaud (Director of Education) Tel: 01452 835607 Email: jborgeaud@glosdioc.org.uk
Public Concern at Work (Protect)	https://protect-advice.org.uk/contact-protect-advice-line/
Ofsted	Complaints about Academies and childminders Contact https://www.gov.uk/complain-about-Academy Complaints about other providers Ofsted inspects Contact https://contact.ofsted.gov.uk/online-complaints

If employees do decide to take the matter outside the Academy, they must ensure that they do not disclose to a third party any Academy confidential information. If employees are in any doubt, they are strongly advised to seek confidential advice before taking any action to ensure that they are not putting themselves in a vulnerable position.

10. Responsibilities

The Board of Trustees are responsible for the general policy and following up any concerns. The Board of Trustees are responsible for making and reviewing its policy.

The Principal is responsible for:

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- the implementation of the policy and procedures;
- determining the procedures to be followed in the Academy; and
- ensuring that employees know the procedures and know the persons with whom concerns may be raised, and their contact details.

11. Equal Opportunities

In implementing this policy account must be taken of the Academy's equal opportunities policies and procedures.

12. Monitoring and Review

This policy will be reviewed periodically, which will be at least every three years. When statutory law changes the policy is held automatically to have been amended by that change and will be updated as soon as practically possible.