

The SWAN Trust

Whistleblowing Policy



Summer Term 2026

Introduction

The SWAN Trust is committed to the highest possible standards of honesty, openness and accountability. It seeks to conduct its affairs in a responsible manner, to ensure that all Trust activities are open and effectively managed, and that the Trust's integrity and principles of public interest disclosure are sustained.

In line with that commitment we encourage employees, those working on behalf of the Trust and its schools and others that we deal with, who have serious concerns about any aspect of the Trust and/or school's work to come forward and voice those concerns as follows:

With their immediate manager and/or more senior managers. Where any member of staff decides to report a serious incident, whether anonymous or not, this will be treated as a 'protected, internal disclosure' i.e. there will be no adverse repercussions for the member of staff.

Purpose of the policy

Employees are often the first to realise that there may be something seriously wrong within the school. However, staff may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Trust and school. They may also fear harassment or victimisation. Each person working for The SWAN Trust needs to realise that they not only have the right, but also a duty to report any improper actions or omissions.

The SWAN Trust also recognises and appreciates that staff who raise concerns regarding malpractice or wrong doing are an asset to the Trust and school, and not a threat. This policy makes it clear that they can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. The whistleblowing policy is intended to encourage and enable staff to raise serious concerns within the school and Trust.

This policy aims to:

- encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues to raise those concerns and receive feedback on any action taken

- ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- reassure staff that they will be protected from possible reprisals or victimisation if they have made any disclosure in good faith

Who is covered by the policy?

The policy applies to all Trust employees whether full-time or part time, permanent or temporary; members of the staff and those carrying out work for the Trust and school on school premises, for example, agency workers, contractors, consultants. It also covers providers of works, services and supplies, including the Trust's external contractors and those providing services under a contract with the Trust in their own premises. However, to facilitate the reading of this policy, the terms 'staff' or 'members of staff' have been used, with the intention to cover all individuals mentioned above.

Scope of the policy

A wrongdoing disclosed under the policy should be in the public interest, this means it affects others. There are existing grievance procedures in place to enable employees to lodge concerns relating to their own employment.

The whistleblowing policy is intended to cover serious concerns that fall outside the scope of other procedures, in accordance with the Public Interest Disclosure Act 1998. These include:

- Conduct which is an offence or a breach of law
- Failure to comply with a legal obligation
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees/staff
- Damage to the environment
- Information relating to the above issues that has been or is likely to be deliberately concealed

Examples of the above categories are likely to include:

- The unauthorised use or misuse of public funds
- Possible fraud and corruption
- Sexual, physical or psychological abuse of service users
- Harassment and bullying of staff

Therefore, any serious concerns that a member of staff has about any aspect of service provision or the conduct of staff or members of the Trusts Governance, others acting on behalf of the Trust or service users, can be reported under the whistleblowing policy where the member of staff has a reasonable belief in those concerns and they relate to one of the specified areas set out above.

Links with other policies

In investigating financial irregularities, this policy should be read in conjunction with the SWAN Finance Policy.

This policy does not replace the Trust's complaints procedures. As this policy is in addition to the Trust's complaints procedures, and other statutory reporting procedures applying to some services, managers are responsible for making service users aware of the existence of these procedures.

Safeguarding against harassment or victimisation

The Trust is committed to good practice and high standards and wants to be supportive of employees. It is recognised that the decision to report a concern can be a difficult one to make. If a member of staff has a reasonable belief that what they are saying is true, they have nothing to fear because they will be doing their duty to their employer and/or those for whom they are providing a service.

The Trust will take a zero tolerance approach to any act of harassment or victimisation (including informal pressures). The Trust will take appropriate action to protect staff when they raise a concern, by supporting the member of staff and consider action under the appropriate procedure against the person or persons responsible for the reported acts, provided the member of staff:

- Discloses the information in good faith
- Believes the concern to be true
- Does not act maliciously or make false allegations
- Does not seek any personal gain

There are national guidelines to help you as a whistleblower. See the government guidance: <https://www.gov.uk/whistleblowing>.

There is also a whistleblowing charity Protect Speak Up, Stop Harm that has a helpline on 0203 117 2520. This helpline offers independent and confidential advice to those who are unsure whether, or how, to raise a public interest concern. www.protect-advice.org.uk

Unsubstantiated allegations

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken.

Confidentiality

All concerns will be treated in confidence but at the appropriate time, the whistleblower may be asked to come forward as a witness, and this will be discussed with them.

Anonymous allegations

This policy encourages staff to put their name to their allegation whenever possible.

The Trust will take all concerns raised seriously. When carrying out an initial review of a concern, the Trust will take into account the following factors:

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

How to raise concerns

There are two ways in which to raise a concern:

1. Staff may raise concerns with their immediate manager or another manager or, if it is believed that such managers are involved, the CEO and Headteacher, the Chair of the Local Governing Committee or Trustees, or the School's Designated Safeguarding Lead (DSL) should be approached. (Contact details may be found on the school website or by contacting the Trust office

- admin@swantrust.co.uk) Should the whistleblower feel the need to involve a person external to the Trust they may approach Protect Speak Up, Stop Harm, www.protect-advice.org.uk.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are asked to provide the background and history of the concern (including relevant dates) and the reason why they are particularly concerned about the situation.

The earlier the concern is expressed, the easier it is to take action. In order to assist with the investigation, staff should provide as much detail and supporting evidence as possible. Staff are not expected to prove that an allegation is true, only to have sufficient grounds for concern.

The whistleblower may invite a recognised Trade Union representative or a work colleague to be present during any meetings or interviews in connection with the concerns raised.

2. While concerns will usually be raised internally, the Trust recognises that staff may feel unable to do this, and that they may wish to contact an independent organisation.

How the Trust will respond

The Trust will investigate and respond to all concerns raised by staff or service users through any channels including the Judicium HR Contact Centre, 0345 548 7000.

While it is not essential that the concerns be provided in writing, the person receiving the concern will, ensure that a written account of it is made. This will help with the subsequent investigation by facilitating clear record-keeping.

When a concern is raised directly with the school or Trust, they should undertake the following actions:

- Take the concern seriously
- Consider the concerns fully and objectively
- Recognise that raising a concern can be a difficult experience for employees
- Ensure confidentiality
- Refer to a manager of appropriate seniority, to agree the level at which the concern will be investigated and identify who will take responsibility for the coordinating the enquiry

Staff members who are under investigation will not be involved in the investigation process. This will include Local Governing Committee and Trustee members. Advice and guidance on the use of the Whistleblowing policy can be obtained from the CEO and Headteacher.

Initial enquiry

In order to protect the individuals and those accused of misdeeds or possible malpractice, 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 Trust will have in mind, is that of the public interest. If urgent action is required, this will be taken before any investigation is conducted.

The purpose of the initial inquiry is to ascertain if the conduct or behaviour involves a member of staff or a senior leader so that further enquiries and investigation can be progressed accordingly.

Preliminary review

A preliminary review establishes the need to carry out an investigation. Further to the results of the initial enquiry and preliminary review, and at the discretion of senior management, the following steps will then need to be considered:

- Concerns or allegations, which fall within the scope of specific procedures, e.g. child protection or discrimination issues, will normally be referred for consideration under those procedures
- Where there is any financial impropriety, the concern should be referred to Internal Audit, before taking any other action
- Ensure that matters of a criminal nature are reported to the Police, after consultation with Internal Audit
- Whether the disciplinary or other relevant management policies, procedures and processes of the Trust need to be applied
- Appointment of an officer to carry out the investigation under these procedures

Investigation Depending on the nature of concerns, investigation may be carried out under the Disciplinary Policy or the Trust's Staff Code of Conduct and Behaviour Policy.

Investigation Timescales

Within 14 school days of a report being received, the person who is dealing with the concern that has been raised will respond in writing:

- Acknowledging that the concern has been received
- Supplying information on staff support mechanisms, and
- Advising whether further investigations or action is required and, if not, why not.

A further update will also be provided 28 school days after the report was received, advising of additional progress made and the estimated date a final response will be available.

If the whistleblower has chosen to remain anonymous and non-contactable, they will need to contact their original reporting route in order to receive updates.

Investigation process

The impartial investigating manager appointed to undertake the investigation will establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. Other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

It is essential that written records of all interviews be kept throughout the investigation, together with written details of any action taken. The investigation will result in a written report and recommendations for corrective action which will be passed to the manager responsible for deciding whether formal action shall be taken.

Where any meeting is arranged involving an individual member of staff, which can be off-site, a recognised Trade Union representative or a work colleague may also attend. The Trustees or Local Governing Committee will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, if a member of staff is required to give evidence in criminal or disciplinary proceedings, the Trustees or Local Governing Committee will arrange for them to receive appropriate procedural and/or legal advice.

A member of staff raising directly with a senior member of staff a concern will be, subject to legal constraints, advised in writing of the outcome of the investigation and, where appropriate, what action is being taken.

Monitoring arrangements

The CEO and Headteacher has overall responsibility for the maintenance and operation of this policy and maintains a record of concerns raised and the outcomes (but in a form which does not compromise confidentiality) and will report as necessary to the appropriate agencies.

The Financial regulations state that the CEO and Headteacher will ensure that whistleblowing procedures are defined, documented, widely circulated and reviewed at appropriate intervals.

The practical aspects of monitoring are to assess whether:

- The policy is being used appropriately
- Concerns are being handled and investigated properly
- There are any discernible patterns of concern across the Trust
- The policy has been effective in identifying and deterring malpractice, and
- More needs to be done to raise awareness of the policy.

Employees should be aware that going directly to the media is not appropriate or permitted in any circumstances and may limit their protection under the Public Interest Disclosure Act and they could therefore be subject to disciplinary action as a result. An employee considering such a course of action is strongly advised to seek prior advice from their Trade Union or an independent organisation such as Protect Speak Up, Stop Harm, www.protect-advice.org.uk

General guidance can be found at <https://www.gov.uk/whistleblowing>

Confidential Employee Enquiries

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