

Whistleblowing Policy

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Brunel Academies Trust (BAT) is a company limited by guarantee with registration number 10074054 and registered offices at Unit B4C Orbital Retail Park, Thamesdown Drive, Swindon, SN25 4AN; BAT is the parent company and Sole Corporate Member of the subsidiary company Brunel Education (BE). Brunel Education is a charitable company limited by guarantee with registration number 11991915, registered with the Charities Commission of England Wales (Charity Number 1214820) and with registered offices at Unit B4C Orbital Retail Park, Thamesdown Drive, Swindon, SN25 4AN.

Tier 1 policies are centrally held policies relating to Education, Governance, People Services, Finance, ICT and Operations and are the direct responsibility of BAT. Tier 1 policies are created by the BAT Central Services Team but adopted and reviewed by the BAT Board.

We are committed to a sustainable future and to improving the social, economic, and environmental well-being of the community. We are dedicated to environmental improvements that foster a sustainable future and lead to social and economical improvements in the communities we operate within.

Amendments to policy		
Date	Section	Amendment
September 2024	None.	None.
April 2026		Whistleblowing Protection for Sexual Harassment

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1 Policy Statement

- 1.1 The Trustees of BAT and Local Governing Committees are committed to the highest possible standards of transparency, probity, and accountability. They will listen to concerns raised and will take action to address any improper practice.
- 1.2 In line with this commitment, the individual(s) raising genuine whistleblowing concerns regarding any aspect of BAT's or a Provision's work are encouraged to come forward and voice those concerns, and can be confident that they can do so without fear of reprisal or victimisation.
- 1.3 This policy provides a framework to be used by individual(s) to raise concerns, and to be used by BAT in seeking to address and resolve them. It aims to ensure that any concerns are managed in a fair, consistent, prompt, and supportive manner and provides channels for the individual(s) to pursue their concerns further if they are dissatisfied with the response of Trustees or a Local Governing Committee.
- 1.4 This policy has been developed with due regard to the Department for Business Innovation and Skills Whistleblowing Code of Practice 2015, and in accordance with the provisions of the Employment Rights Act 1996 and the Public Interest Disclosure Act 1998, as amended by the Enterprise and Regulatory Act 2013.
- 1.5 This policy does not form part of any employee's contract of employment and may be amended at any time.

- 1.6 BAT will ensure that employees receive training in respect of this policy and that it is readily accessible. The Trust and Local Governing Committees will have regard to the Equality Act 2010 and the Equality Duty when communicating and implementing this policy.

2 Scope

- 2.1. Anyone regardless of whether or not they are protected by whistleblowing law can make disclosure using this policy. Further information about who is covered by the law is available from ACAS (<https://www.acas.org.uk/whistleblowing-at-work>).
- 2.2. In this policy the term 'individual(s)' refers to the whistleblower concern being raised by employees, officers, consultants, contractors, volunteers, people working for public bodies such as the NHS or Local Authority, casual workers, and agency workers, and the responsibility for raising concerns regarding unacceptable practice rests with all. This includes current and former workers, trainees, apprentices, agency workers, and, where applicable, applicants and non-executive directors, in line with the Public Interest Disclosure Act 1998 and subsequent case law.
- 2.3. This policy may also be used by Governors, Trustees, and Members.
- 2.4. To be covered by whistleblowing law an individual who makes a protected disclosure must reasonably believe two things:

- That they are acting in the public interest.
This means that personal grievances and complaints are not usually covered by whistleblowing law. Employees who are aggrieved have recourse to BAT's Resolution (Grievance) Procedure that can be obtained from People Services and the BAT website, and to other Policies and Procedures that deal with specific matters, such as BAT's Pay Policy.

Other individuals who wish to raise concerns of a personal nature have recourse to the Complaints Policy which is available from the BAT website.

All BAT policies can be found here: <https://www.brunel.org.uk/Policies/>.

This policy is intended to cover concerns that fall outside the scope of other procedures. For example, the concern may be about something that:

- Is unlawful
 - Is contrary to BAT or the Provision's Standing Orders or policies
 - Falls below established standards or practice; or
 - Amounts to improper conduct
- That the disclosure shows past, present, or likely future wrongdoing falling into one or more of the following categories:
 - criminal activity/offences (this may include types of financial impropriety such as fraud, bribery, or improper use of public funds)
 - failure to comply with an obligation set out in law (a statutory duty) or regulatory requirements (for example those set by an examination board)
 - miscarriages of justice
 - endangering of someone's health and safety
 - damage to the environment
 - the deliberate concealment of any of the above

- that sexual harassment has occurred, is occurring or likely to occur

The wrongdoing may result from a failure to act, as well as action.

Those who not covered by whistleblowing law, but who are covered by the scope of this policy, must also reasonably believe the above.

Where a complaint made under this policy falls outside its scope, BAT will advise the individual(s) of this in writing and will consult with them regarding an alternative avenue to seek to resolve their concerns.

A 'worker' is defined broadly in law and protections may apply even where employment status is not straightforward.

3 Safeguarding Concerns

Safeguarding is the responsibility of everyone

3.1 Allegations of abuse or any low level concerns arising in relation to an employee, a person with permission to be on the premises or carrying out any activity on behalf of BAT, or a volunteer, must immediately be reported and managed, in accordance with BAT's 'Statement of procedures for dealing with allegations made against / low-level concerns raised in relation to staff, including supply teachers, volunteers and contractors'. The statement is underpinned by the Statutory Guidance Keeping Children Safe in Education (current Statutory Guidance). The Statement of Procedures can be obtained from the employee's place of work or People Services.

3.2 Should circumstances arise where individual(s) have concerns in relation to poor or unsafe practice, or where the Safeguarding Policy may not be used appropriately to address potential failures within BAT's or an Provision's safeguarding regime, these concerns must be raised with the Trust Safeguarding Lead or, in their absence, the relevant Director of Education. Otherwise, the BAT Safeguarding Policy should be used as a matter of course.

4 Principles

4.1 Protection for whistleblowers

- The Trustees and Local Governing Committees recognize that a decision to report a concern can be difficult one to make, as there may be fear of reprisal, not least from those who may be responsible for any alleged wrongdoing. The Trust may be held responsible for acts of victimisation by other employees unless it can demonstrate that it has taken all reasonable steps to prevent such behaviour.
 - Steps will be taken to seek to protect any individual(s) raising a genuine concern, and any form of reprisal including harassment or victimization will not be tolerated. Any concerns raised in respect of reprisal will be taken seriously and managed appropriately.
 - Protection applies against any form of detriment. A detriment is any disadvantage suffered as a result of raising a concern and may include unfair

dismissal, disciplinary action, denial of promotion, exclusion, or unfavourable treatment

- Where an employee who is a whistleblower is the subject of procedures, such as for example, the BAT's Disciplinary or Redundancy Procedures, this does not mean that action under those procedures would cease as a result of them raising concern under this policy.

4.2 Confidentiality

- 4.1.1 We hope that individuals will feel able to voice whistleblowing concerns openly under this policy. Where an individual requests that their identity is protected, all reasonable steps will be taken to maintain their confidentiality. However, should an investigation into the concern require the individual(s) to be named as the source of the information, this will be discussed with the individual(s) before their name is disclosed.
- 4.1.2 Confidential disclosures (where identity is known but protected) are distinct from anonymous disclosures (where identity is not known). Individuals are encouraged to raise concerns confidentially where possible, as this assists effective investigation and protection.

4.2 Anonymous allegations

- 4.2.1 Individuals are encouraged to put their name to any allegations. Proper investigation may be more difficult or impossible if we cannot obtain further information, and it may be more difficult to establish whether allegations are credible. Anonymous allegations will be considered at the discretion of the Trust Safeguarding Lead in consultation with the Trustees. In exercising the discretion, the factors to be considered will include:
 - the seriousness of the issues raised.
 - the credibility of the concern; and
 - the likelihood of confirming allegations from attributable sources.

4.2.2 Anonymous whistleblowers will not ordinarily be able to receive feedback.

4.3 Unfounded allegations

- 4.3.1 In making a disclosure an individual should exercise due care to ensure the accuracy of the information they provide. If an individual makes an allegation where they have a genuine concern, but it is not confirmed by the investigation, no action will be taken against that person. Where allegations are confirmed as unfounded this outcome will be notified to the individual(s) who raised the concern, who will be informed that BAT or Local Governing Committee deems the matter is considered concluded, unless new and material evidence becomes available.

4.4 Malicious or vexatious allegations

- 4.4.1 If it is concluded that an individual has made malicious or vexatious allegations, or with a view to personal gain, action may be taken against that whistleblower. For employees this may include disciplinary action.

4.4.2 What is a malicious allegation?

A malicious allegation is one that is made with the intention of causing harm, such as deliberately seeking to defame a colleague or manager and raising an allegation with this intent.

4.4.3 What is a vexatious allegation?

A vexatious allegation is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.

4.5 Support for whistleblowers

4.5.1 It is recognized that raising concerns can be difficult and stressful. Advice and support will be made available, as appropriate to any individual(s) raising a concern and any individual(s) subject to investigation. Where an individual is a member of a trade union or professional association, they may wish to seek their advice and support.

4.5.2 Individuals may be accompanied at any meeting to discuss or investigate a protected disclosure by a trade union representative or workplace colleague only. Any companion must respect the confidentiality of the disclosure and any subsequent investigation.

4.5.3 Nothing in this policy prevents an individual from seeking independent legal advice. Disclosures made to a legal adviser are protected under law.

4.7 Support for Managers

- The Trust will ensure that all managers receive appropriate training in handling whistleblowing concerns.

4.8 Speak Up Culture

- BAT is committed to fostering a culture in which individuals feel able to raise concerns openly and safely. All concerns will be taken seriously and handled appropriately.

5 How to raise a concern

5.1 Who to report a concern to

5.1.1 This policy seeks to encourage and assist individuals to disclose information through an appropriate channel. In the first instance individuals should normally raise concerns with their immediate manager or the person responsible for managing their manager. This depends, however, on the seriousness and sensitivity of the issues and who is involved.

5.1.2 For example, if an employee believes that their immediate manager or their manager's superior is involved, they should approach the Head of Provision/Head of Service or the Chair of the Local Governing Committee where the manager is the Head of Provision/Head of Service.

Provision Level

In the first instance, the concern is raised with the Head of Provision/Head of Service.



Where the above parties are involved or the nature of the concern is such that it should be referred to a higher level of management, the concern can be referred to the Trust Safeguarding Lead or relevant Director of Education.



Where the above parties are involved or the nature of the concern is such that it should be referred to a higher level of management, the concern can be referred to the Chair of the Board of Trustees.



Where there are concerns, the nature of which mean that it is considered they cannot be raised with any person internal to BAT, please refer to Section 7 below.

5.1.3 An individual can bypass the direct management line and the Local Governing Committee if they feel the overall management and Local Governing Committee of the Provision is engaged in an improper course of action.

5.1.4 Concerns can be raised in writing with the Chair of the BAT, or where there are concerns in respect of BAT, the nature of which means that it is considered they cannot be raised with any person internal to the organisation, please refer to Section 7 below.

5.1.5 Where an individual is unsure as to whom to raise their concerns with, advice can be sought from BAT's People Services Team. Advice can also be sought from the organisations detailed in section 7 below.

5.1.6 The chart below sets out the people in roles at various levels within the organisation to whom individual(s) may voice concerns. The list is not exhaustive, and depending on the seriousness of concerns a decision may be taken to escalate or de-escalate them to be managed at a higher or lower level within the organisation.

5.2. How to raise your concern

- Concerns should be expressed in writing unless there is a reason an individual is unable to do so. Should an individual need support to raise concern, they should contact the People Services Team.
- The earlier an individual expresses concern, the easier it will be to take action. The individual(s) should set out in writing the background and history of their concerns, giving details including names, dates and places where possible, and the reasons why they are particularly concerned about the situation.

- Individual(s) do not need to provide evidence for the Provision or BAT to look into a concern but need to demonstrate that there are honest and reasonable grounds for the concern, and that it is in the public interest. Any evidence that the individual(s) may have and which would assist the Provision or BAT should be provided and not be withheld.
- If an individual is not able to put their concerns in writing, they should telephone or meet the appropriate person. Regardless of how the concern is raised, it is important that the individual makes it clear that they are raising the issue via the Whistleblowing Policy. In order to receive a response, the individual(s) should provide contact details for use by the Provision or BAT.
- In some instances, it may be appropriate for an employee to ask their trade union or professional association to raise a matter on their behalf.
- Concerns may also be raised through any confidential reporting channels established by the BAT, where available

6. How the Provision or BAT will respond

6.1. Stage 1: Acknowledgement and where required arranging to meet / discuss

- Where contact details have been provided, any concerns raised under the Whistleblowing Policy, either verbally or in writing, will be acknowledged in writing within 5 working days. The acknowledgement will summarise the Provision's or BAT's understanding of the concerns and identify who will take the next steps in the process.
- Where further details are required to determine what action to take at Stage 2, the individual(s) will be invited to attend a formal meeting to discuss their concerns. A member of the People Services Team will attend, and notes will be taken at the meeting. The individual(s) will be asked to sign and date the written account of their concerns.
- The individual has the right to be accompanied at any formal meeting relating to their whistleblowing complaint. If the individual is an employee, they may be accompanied by a workplace colleague or union representative. The companion can provide moral support and prompts but cannot respond to any questions on the individual's behalf.
- The person chairing the meeting will confirm the individual(s)'s understanding of the Whistleblowing Policy with them.
- Meetings may take place at a mutually agreed venue, via MS Teams or via telephone conference in circumstances where the individual is not able to attend a meeting.
- Anonymous allegations will be managed in accordance with Section 4.3 of this policy.

6.2. Stage 2: Exploring the concern and considering resolution

- The action to be taken will depend on the nature of the concerns. Some concerns may be resolved by agreed action without further need for investigation. Where a complaint appears to be trivial or vexatious there may be no further action taken and BAT's Disciplinary Policy may be followed where the individual is employed by BAT.

- Investigations will be conducted as promptly as possible. Where delays occur, the individual(s) will be kept informed of progress and the reasons for delay.
- Following the initial meeting the person responsible for chairing may seek professional advice from an appropriate person in the organisation who is not in any way implicated in the concerns, as to how to proceed.
- Where it is determined that an investigation is to take place, the terms of reference for the investigation will be documented. It may be necessary for the concerns to:
 - be investigated internally.
 - be referred to the Police.
 - be referred to an external auditor.
 - be referred to a relevant external body.
 - form the subject of an independent inquiry.
- Where possible, the individual(s) will receive written confirmation of how the Provision or BAT intends to address the concerns raised along with any further concerns which have arisen during the meeting, within 10 working days of the meeting or acknowledgment. This time frame may be extended due to the complexity of the case, and the individual will be informed. They will also receive a summary of any action taken to date and will be provided with a timescale for receipt of further information if the situation is not yet resolved. The individual will be provided with details of whom to contact should they be dissatisfied with this response.
- If the matters have been resolved during the meeting, a letter will be sent and the matter closed. However, should there be an investigation necessary, there will be an outcome following this.
- Feedback provided may be limited due to legal, confidentiality, or data protection obligations.

6.3. **Stage 3: Right to request that the concerns are escalated to a higher level in the organisation for review**

- When Stage 2 of the policy has been exhausted and the Provision or BAT has confirmed its response or the outcome of any investigation to the extent that it is able to, in accordance with the rights of those involved, the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR), if the individual is dissatisfied with the response, this policy gives them the right to request that the matter is referred to a higher level in the organisation for review.
- If the concerns have already been dealt with at the highest level of the organisation, recourse to internal procedures will have been exhausted at Stage 2, and Section 7 of this Policy will apply.
- Where an individual wishes to request a review, they must do so in writing within 10 working days of their receipt of the written confirmation of the response or outcome, clearly stating the grounds on which they wish to request a review takes place.

- The Provision or BAT will acknowledge receipt of the request within 5 working days, and where appropriate will aim to carry out a review and respond to the individual(s) in writing within 15 working days. Where further time is required the individual(s) will be informed in writing of the reasons for this.
- When the Provision or BAT has confirmed its response, or the outcome of any review to the extent that it is able to in accordance with the rights of those involved, the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR), this will conclude the internal procedure.

7. Raising concerns external to the Provision or BAT

- 7.1. This Policy is intended to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in a Provision or BAT.
- 7.2. For whistleblowers protected by the law (see section 2 above), the law recognises that in some circumstances it may be appropriate for the individual(s) to report their concerns to an external body such as a regulator. It would very rarely, if ever, be appropriate to alert the media, and in most cases an individual can expect to lose their legal rights in respect of whistleblowing should they do so. Individual(s) are strongly encouraged to seek advice before reporting a concern to anyone external, and to ensure that they do not disclose confidential information to a third party.

Individuals are encouraged to seek advice before making an external disclosure to ensure that legal protections are maintained.

- 7.3. The following external agencies are signposted for information and advice in respect of whistleblowing:
 - **Protect (formerly Public concern at work)**
Protect is a registered charity that individuals can contact for advice to assist them in raising concerns about poor practice at work. The charity also provides advice to employers as to the possible ways to address these concerns.
020 3117 2520 <https://protect-advice.org.uk/contact-protect-advice-line/>
Mondays, Tuesdays, Thursdays: 9.30am -1pm and 2pm – 5.30pm
Wednesdays and Fridays 9.30am – 1pm
 - **The NSPCC Whistleblowing Advice Line**
<https://www.nspcc.org.uk/what-you-can-do/report-abuse/dedicated-helplines/whistleblowing-advice-line/>
If you're a professional with concerns over how child protection issues are being handled in your own or another organisation, you can talk to the NSPCC anonymously.
0800 028 0285 help@nspcc.org.uk
Monday to Friday 8am – 8pm Weekends 9am – 6pm
Alternatively you can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH
 - **Blowing the whistle to a prescribed person: The current list of prescribed persons and bodies is maintained on GOV.UK.**
List of prescribed people and bodies you can report malpractice to, other than your employer:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>

- **The Health and Safety Executive**
Concerns with respect to Health and Safety can be reported using the link below.
<https://www.hse.gov.uk/contact/tell-us-about-a-health-and-safety-issue.htm>
- **ACAS**
The Advisory, Conciliation and Arbitration Service provides free and impartial information and advice to employers and employees on all aspects of workplace relations and employment law.
www.acas.org.uk
- **Gov.uk**
Guidance regarding whistleblowing for employees
<https://www.gov.uk/whistleblowing/what-is-a-whistleblower>

7.4. Should anyone raise a whistleblowing concern externally, BAT will work with those bodies to conclude the matter.

8. Register of Concerns

- 8.1. The Head of Provision/Head of Service or Chair of the Local Governing Committee will immediately notify the Director of People and Culture of any concerns that are raised under the Whistleblowing Policy, unless the concerns are such that the Director of People and Culture is implicated.
- 8.2. In this event the Provision must notify BAT's Chief Executive Officer, (CEO) or where the CEO is implicated, the Chair of the Board of Trustees of BAT Academies Trust, or a Trust Member as appropriate.
- 8.3. Upon receipt of notification the Director of People and Culture will inform the CEO (where not implicated). The Director of People and Culture will keep a Register of Concerns and will report closed cases to the Trustees on a termly basis and to Members on an annual basis; concerns may be reported sooner at the discretion of the CEO where reporting will not prejudice any investigation. The Register will include:
 - The date the concern was raised.
 - A summary of the concern, including the individuals involved.
 - Where applicable the date the investigation commenced.
 - The Investigating Officer appointed.
 - The response or outcome of the investigation and summary of actions taken.
 - The date the individual who raised the concern was notified of the response or outcome.
 - The date on which any Stage 3 request was received, the basis for the request, the response or outcome, and the date on which the individual who made the request was notified.
- 8.4. The Register will be maintained in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). Records will be retained and disposed of in accordance with the Trust's data retention schedule and applicable data protection legislation.

This policy has been approved by the People Committee and adopted by the BAT Board of Trustees. The policy will be reviewed every year or earlier if change to legislation.

Signed on behalf of the BAT Board of Trustees:

Signed:  CEO

Signed:  Chair of BAT Board of Trustees

Date: 17.06.2026