DDAT
Derby Diocesan Academy Trust

# Whistleblowing Policy

# September 2026

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## 1. Introduction

1.1. The 1998 Public Interest Disclosure Act inserted provisions into the Employment Rights Act 1996 to give protection to 'whistleblowers' who raise concerns, by making a protected disclosure, about serious fraud or malpractice at their place of work against victimisation or dismissal, provided they have acted in a responsible way in dealing with their concerns.

1.2. For a disclosure to qualify for protection under whistleblowing legislation, the individual must reasonably believe that:

- the information disclosed tends to show one or more types of wrongdoing recognised by law;
- the disclosure is made in the public interest
- the disclosure is made through an appropriate channel

1.3. This policy has been implemented following consultation with the recognised trade unions. It has been formally adopted by the Local Trust Committees.

## 2. Purpose and Scope

2.1. The Derby Diocesan Academy Trust (DDAT) is committed to operating with honesty and integrity. It expects all colleagues to operate on this basis and to adhere to the Trust's policies, procedures and code of conduct. Fraud, misconduct or wrongdoing will not be tolerated.

2.2. The aim of this policy is to encourage colleagues to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected. It aims to establish a fair and impartial investigative procedure and ensure that staff receive a response to their concerns and are aware of how to escalate them if they are not satisfied with the outcome.

2.3. These acts can be in the past, present or future, e.g. a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen, the Trust will take any concerns that you may raise relating to the above matters very seriously.

2.4. Any colleague raising a concern under this policy will not be treated less favourably for raising concerns, as outlined in this procedure. This means that any colleague who raises a concern under this policy will not be subjected to any detriment nor will they be dismissed for doing so.

2.5. DDAT will also accept and consider whistleblowing concerns raised by parents, carers, members of the public, and other third parties where the concern relates to wrongdoing, safeguarding, fraud, malpractice, misconduct or other matters within the scope of this policy. Individuals may remain protected under whistleblowing legislation even if they no longer work for DDAT.

2.6. A confidential support service is available through Education Support https://www.educationsupportpartnership.org.uk/helping-you/telephone-support-counselling.

2.7. This policy applies to all colleagues, regardless of length of service, but does not form part of their contract of employment and can be varied from time to time.

2.8. This policy enables DDAT to comply with the Public Interest Disclosure Act 1998 and the Public Interest Disclosure (Prescribed Persons) Order 2014. The Whistleblowing Policy is intended to cover major concerns that may fall outside the scope of other DDAT policies such as Health and Safety. These include (this list is not exhaustive):

1. a criminal offence
2. a miscarriage of justice
3. risk or actual damage to the environment
4. breach of a legal or professional obligation or regulatory requirement
5. a danger to health and safety
6. bribery
7. financial fraud or mismanagement
8. negligence
9. sexual harassment
10. abuse, neglect, or exploitation of a child or vulnerable adult
11. safeguarding failures
12. failure to comply with statutory safeguarding responsibilities, including Keeping Children Safe in Education requirements
13. conduct likely to damage public confidence in the Trust or its Schools
14. the deliberate concealment of any of the above

Sexual harassment (as defined by section 26(2) of the Equality Act 2010) is a qualifying disclosure under whistleblowing legislation where a worker reasonably believes that sexual harassment has occurred, is occurring or is likely to occur, and that the disclosure is made in the public interest. Individuals making such disclosures are protected from detriment and, where applicable, unfair dismissal under the Employment Rights Act 1996. From 6 April 2026, sexual harassment became a specific category of wrongdoing capable of forming a protected disclosure.

**Protected Disclosures**

For a disclosure to qualify for protection under whistleblowing legislation, the individual must reasonably believe that:
● the information disclosed tends to show that one or more of the types of wrongdoing listed in section 2.6 has occurred, is occurring or is likely to occur; and
● the disclosure is being made in the public interest.

The whistleblower is not required to prove that the wrongdoing has occurred. A reasonable belief, honestly held, will be sufficient provided it is based upon the information available at the time the disclosure is made

**Third-Party Disclosures**

DDAT recognises that concerns about wrongdoing may sometimes be identified by individuals who are not employees of the Trust.

The Trust will accept disclosures made by volunteers, governors, trustees, contractors, suppliers, consultants, placement students, parents, carers and members of the public where the disclosure relates to matters covered by this policy.

Whilst individuals who are not workers may not receive statutory whistleblowing protection under the Employment Rights Act 1996, DDAT will take all disclosures seriously and investigate concerns where appropriate.

Concerns relating to safeguarding or child protection will be dealt with in line with statutory safeguarding requirements regardless of the status of the individual making the disclosure.

## 3. When to raise a concern through the Whistleblowing Policy

3.1. If the disclosure is made to DDAT, it must be in the public interest and the person making the complaint (“the whistleblower”) has a reasonable suspicion that the alleged malpractice has occurred, is occurring or is likely to occur.

3.2. Colleagues are encouraged to raise concerns internally as soon as possible where they reasonably believe wrongdoing has occurred, is occurred, or is likely to occur.

3.3. If the disclosure is made to other external bodies and is of an "exceptionally serious" nature which, in a school setting could include the alleged abuse of children or vulnerable adults in a school’s care or corruption, the whistleblower will not be required to:

- believe that they will be subject to a detriment for raising the disclosure internally
- believe that the evidence is likely to be concealed or destroyed
- have raised the matter concerned internally first

## 4. Rights of the whistleblower

4.1. A colleague who has reasonable belief that wrongdoing has, or may be committed, and raises a genuine concern relating to any of the above is considered a whistleblower and is protected under this policy. DDAT will treat every disclosure in confidence and only reveal the identity of the person making it if absolutely necessary (e.g. if required in connection with legal action).

4.2. All colleagues are encouraged to use this policy to raise genuine concerns and will not be treated less favourably for doing so, even if they are mistaken in their belief.

4.3. Any colleague who raises a concern under this policy will not be subjected to a detriment, nor will they be dismissed for doing so. Any colleague who believes that they have been subjected to a detriment for raising a complaint should raise the matter with DDAT's CEO or Chair of the Board of Trustees. Victimisation of a whistleblower by another colleague for raising a concern under this policy will lead to disciplinary action.

4.4. This policy does not deal with any complaints relating to a colleague's own treatment at work or own contract of employment. Those matters should be raised under the DDAT Grievance Procedure or the Anti-Harassment and Bullying Policy and Procedure, as appropriate. An exception to this would be if the matter of concern arises from the colleague's own treatment at work that is arising from the whistleblowing matter they have raised previously.

4.5. Nothing in this policy prevents any individual from seeking confidential advice from a legal adviser before making a disclosure. Disclosures made to a legal adviser for the purpose of obtaining legal advice are protected under whistleblowing legislation.

## 5. Employer responsibility

5.1. As the employer of staff in the schools, DDAT has overall legal responsibility for ensuring that the Trust has a Whistleblowing Policy in place. DDAT recognises that the decision to report a concern can be a difficult one, not least because of fear of reprisals from those responsible for the alleged failure or malpractice.

5.2. DDAT does not tolerate harassment or victimisation and will take all necessary action to protect any individual raising a concern under this policy.

## 6. Data Protection

6.1. DDAT will process all personal information obtained through the whistleblowing process in accordance with UK GDPR, the Data Protection Act 2018, and the Trusts Data Protection Policy.

6.2. Information will only be shared with those who have a legitimate need to know and will be retained securely for as long as necessary to fulfil legal, regulatory, safeguarding and operational requirements.

6.3. Appropriate safeguards will be implemented to protect the confidentiality, integrity, and security of any information received through the whistleblowing process.

## 7. Raising a concern – Internal Procedure

7.1. Concerns are most appropriately raised in writing; a form for recording the concern is available for use at Appendix 1 which can be found at the end of this document.

7.2. Any submission should set out the background and history of the problem, stating names, dates and places where possible. The submission should also clarify the reason why there is felt to be particular concern about the situation and should include sufficient grounds for this concern. It is advised that the earlier a concern is raised, the easier it is to take action.

7.3. Staff are encouraged to involve their trade union or professional association and may be accompanied by a recognised Trade Union representative or work colleague during any meetings, with reasonable time off from work being permitted for this purpose. It should be noted that, should any staff member making a disclosure under the terms of the Whistleblowing Policy already be subject to disciplinary, grievance or redundancy procedures, these procedures will not be halted as a result of any disclosure.

7.4. The individual raising the concern should raise their concern with the Executive Headteacher / Headteacher / Head of School, or if the complaint is about the Executive Headteacher / Headteacher / Head of School, with the CEO. If the complaint is about the CEO, this should be raised with the Chair of Trustees.

7.5. If the concern relates to the Chair of Trustees, multiple Trustees, or there is a concern that the matter cannot be dealt with impartially within DDAT, the concern may be raised with the Vice Chair of Trustees, the Education and Skills Funding Agency (ESFA), Ofsted, the Local Authority Designated Officer (LADO) where safeguarding concerns are involved, or another appropriate prescribed person.

7.6. Contact details are outlined below:

- Executive Headteacher / Headteacher / Head of School – contact appropriate school (details on school website)

- DDAT CEO
  **Email:** sarah.clark@ddat.org.uk
  **Address:** Top Floor Unit 3 Endcliffe Mount, Deepdale Business Park, Ashford Road, Bakewell, Derbyshire, DE45 1GT

- Chair of Trustees
  **Email:** sarah.Charles@ddat.org.uk
  **Address:** Top Floor Unit 3 Endcliffe Mount, Deepdale Business Park, Ashford Road, Bakewell, Derbyshire, DE45 1GT

  ***(Note – if raising a concern through a letter, please send to the person concerned at the school address in an envelope marked 'Private and Confidential').***

## 8. Raising a concern – External Procedure

8.1. DDAT encourages staff to raise concerns internally in the first instance by going through the internal procedure wherever appropriate. However, nothing within this policy prevents an individual from making a protected disclosure directly to a prescribed person or other body where permitted by law, and if there is a compelling reason such as involvement of senior management or serious health and safety concerns.

8.2. A worker should not suffer any detriment for making a protected disclosure through an appropriate external channel in accordance with whistleblowing legislation.

8.3. The following bodies are the external regulatory authorities ('prescribed persons') who are most likely (within an educational setting) to be contacted in accordance with legal protection for whistleblowers, should a staff member feel that it is appropriate to take the matter outside of DDAT (the list is not exhaustive):

- Ofsted – https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure
- Ofqual – https://www.gov.uk/government/organisations/ofqual/about/complaints-procedure
- National Audit Office – https://www.nao.org.uk/contact-us/
- The Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- The Local Government Ombudsman
- The Information Commissioner

- A relevant voluntary organisation
- The Police
- Health and Safety Executive
- Education and Skills Funding Agency (ESFA)

8.4. Members of Parliament also qualify as 'prescribed persons'.

8.5. If you are unsure whether to use the Whistleblowing Policy or you wish to obtain independent advice at any stage, you are advised to contact:

- A relevant trade union or professional association
- The independent charity Protect on 020 3117 2520: https://protect-advice.org.uk/
- NSPCC Whistleblowing helpline: 0800 028 0285 or email help@nspcc.org.uk

If a member of staff does not feel able to raise concerns in the ways outlined above, they are encouraged to seek independent advice from Protect, their trade union, legal adviser, or consult guidance on whistleblowing available through GOV.UK. The relevant legislation is the Public Interest Disclosure Act 1998 and the whistleblowing provisions contained within the Employment Rights Act 1996.

Further information is available here: www.gov.uk/whistleblowing

## 9. Investigating the concern

9.1. The action taken by the Executive Headteacher / Headteacher / Head of School, CEO or Chair of Trustees will depend on the nature of the concern. The concern will be logged by the CEO, or the Chair of Trustees if the concern relates to the CEO. The matters may be subject to:

- Internal investigation
- Referral to the Police
- Referral to other external enforcement agencies
- Consideration of DDAT's Disciplinary Procedure should it relate to an employee (or employees)

9.2. An initial assessment should be made to decide whether an investigation is appropriate and, if so, what form this should take and whether independent experts are required. Any concern that a child or vulnerable adult may be at risk of harm will be treated as a safeguarding concern and referred immediately in accordance with statutory safeguarding procedures.

9.3. It may be possible to resolve some concerns by agreed action without any requirement for an investigation. Within ten working days of a concern being

received, the Executive Headteacher / Headteacher / Head of School, CEO or Chair of Trustees will write to the staff member:

- Acknowledging receipt of the concern
- Indicating how it proposes to deal with the matter
- Giving an estimate timeframe in which a response is provided
- Indicating whether an initial enquiry has been made
- Indicating whether further investigations will take place

9.4. When a concern is received by the Executive Headteacher / Headteacher / Head of School, CEO/Chair of Trustees - referred to from this point onwards as the 'recipient' - they will:

- Meet with the person raising the concern within a reasonable timeframe. The person raising the concern may be joined by a Trade Union representative
- Obtain 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 whistleblowing 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 10 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 Local Trust Committee and/or Trustees, if appropriate. In some cases, they may need to arrange for an external, independent body to investigate. In other cases, 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
- Anonymous disclosures will be considered and may be investigated. When determining whether an anonymous concern should be pursued, DDAT will consider:
    - the seriousness of the issues raised;
    - the credibility of the concern;
    - the likelihood of confirming the allegation from available sources;
    - the safeguarding implications, where applicable; and
    - the public interest in investigating the matter.

## 10. Outcome of the investigation

10.1. 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.

10.2. They will inform the person who raised the concern of the outcome of the investigation, in writing. Due to confidentiality reasons, they will not receive the full report.

10.3. Beyond the immediate actions, the CEO, Trustees and other relevant staff if necessary will review the appropriate policies and procedures to prevent future occurrences of the same wrongdoing.

10.4. Whilst DDAT cannot always guarantee the outcome sought, it will try to deal with concerns fairly and in an appropriate way. If you are unsatisfied with the way in which your concern has been handled, please contact the DDAT Central HR Team who will advise accordingly of the escalation contacts.

10.5. The amount of contact between the person who considers the above issues and the staff member raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.

10.6. Subject to legal and confidentiality restraints, the staff member will receive information about the outcomes of any investigations.

## 11. Confidentiality

11.1. Anyone who raises a whistleblowing concern will be protected as far as possible. The investigation process may, however, reveal the source of the information, as a statement may be required as part of the evidence. If, however, the staff member does not wish to disclose their identity, it could make it difficult to proceed with the matter.

11.2. Anonymous concerns are welcomed and will be considered seriously. However, anonymous reporting may limit DDAT's ability to investigate thoroughly or provide feedback to the individual who raised the concern. Individuals are encouraged to provide their identity wherever possible so appropriate protections and support can be provided.

11.3. Following discussions, staff may consider raising a matter if there are two or more individuals who have had the same experience or have the same concerns. Care and judgement must, however, be exercised in all cases. Due consideration must be given to whether there are reasonable grounds for concern.

## 12. Untrue or malicious allegations

12.1. If an allegation is made in the public interest but is not confirmed by any subsequent investigation, no action will be taken against the staff member making the disclosure. However, malicious or vexatious allegations could lead to disciplinary action including proceedings for gross misconduct.

## 13. Monitoring, Governance and Review

13.1. The Board of Trustees is responsible for the running of DDAT and will maintain a record of Whistleblowing concerns raised under this policy, and associated outcomes in a format that will not compromise confidentiality, including:

- the number of concerns raised;
- the broad nature of concerns;
- outcomes of investigations; and
- any lessons learned or policy changes arising from investigations.

13.2. The Board of Trustees will monitor trends and ensure appropriate action is taken to address any recurring issues identified through whistleblowing disclosures.

13.3. Records of whistleblowing concerns will be maintained securely and confidentially in accordance with the Trust's data retention and information governance arrangements.

13.4. This policy will be reviewed every year, or sooner if required by changes in legislation, statutory guidance, or operational need.

## Appendix 1 – Whistleblowing Disclosure Form

**CONFIDENTIAL**

**Whistleblowing Disclosure Form**

This form should be used where an individual wishes to raise a concern under the Derby Diocesan Academy Trust (DDAT) Whistleblowing Policy.

You are not expected to prove that wrongdoing has occurred. Please provide as much information as possible to help DDAT assess and investigate the concern.

All disclosures will be treated seriously and handled as confidentially as possible.

**Section A – Your Details**

Name: _____

Role/Job Title (if applicable): _____

Organisation/Relationship to DDAT (if not an employee):

☐ Contractor
☐ Supplier
☐ Volunteer
☐ Governor/Trustee
☐ Parent/Carer
☐ Member of the Public
☐ Other _____

School/Department (if applicable): _____

Contact Number: _____

Email Address: _____

Preferred Method of Contact: _____

**Section B – Disclosure Details**

Please describe the concern you wish to raise, including details of the alleged wrongdoing and why you believe it should be investigated.

_____
_____

**Section C – Type of Concern**

☐ Criminal offence
☐ Fraud or financial mismanagement
☐ Bribery or corruption
☐ Miscarriage of justice
☐ Health and safety risk
☐ Environmental damage
☐ Breach of legal or regulatory obligation
☐ Sexual harassment
☐ Safeguarding concern
☐ Abuse, neglect or exploitation of a child or vulnerable adult
☐ Failure to comply with safeguarding requirements
☐ Deliberate concealment of wrongdoing
☐ Other (please specify)

_____

**Section D – Supporting Information**

Who is involved?

_____

When did the incident(s) occur?

_____

Where did the incident(s) occur?

_____

How did you become aware of the concern?

_____

Are there any witnesses? ☐ Yes ☐ No

If yes, please provide details:

_____

**Section E – Safeguarding Concerns**

Complete this section only if your concern relates to a child or vulnerable adult.

Name(s) of child(ren) or vulnerable adult(s) concerned (if known):

_____

School/location:

_____

Is anyone currently at risk of harm? ☐ Yes ☐ No ☐ Unsure

Please provide further details:

_____

**Section F – Evidence**

Please list any documents, emails, photographs, records or other evidence available to support your concern.

_____

_____

**Section G – Previous Reporting**

Have you previously reported this concern? ☐ Yes ☐ No

If yes, please provide details of who the concern was raised with and any response received.

_____

**Section H – Confidentiality**

Do you wish your identity to remain confidential so far as reasonably practicable? ☐ Yes ☐ No

Please note that DDAT will make every effort to protect your identity. However, there may be circumstances where disclosure is required by law, safeguarding obligations, regulatory requirements or as part of a formal investigation.

_____

**Section I – Declaration**

I confirm that:

☐ I believe the information provided in this form is true to the best of my knowledge.
☐ I am raising this concern in good faith.
☐ I understand that I am not required to prove the allegations but should provide information that I reasonably believe to be accurate.
☐ I understand that knowingly making a malicious or vexatious allegation may result in disciplinary action where applicable.

Signature: _____

Date: _____