

TrinityLearning Whistleblowing Procedure

Policy Statement

It is important that any fraud, misconduct or wrongdoing by staff or volunteers working on behalf of TrinityLearning is reported and properly dealt with. We require all individuals to raise any concerns that they may have about the conduct of others within TrinityLearning or the way in which the organisation is run. This policy sets out the way in which individuals may raise concerns and how those concerns will be dealt with.

What is Whistleblowing?

Whistleblowing is when a worker reports certain types of wrongdoing or misconduct within an organisation. The wrongdoing disclosed must be in the public interest. This means it must affect others, for example pupils or the general public.

The wrongdoing must relate to or show one of the following:

- a criminal offence
- a failure to comply with a legal obligation
- a possible miscarriage of justice
- a Health & Safety risk
- damaging the environment
- misuse of public money
- corruption or unethical conduct
- abuse of pupils, students or other users
- deliberate concealment of any of these matters
- any other substantial and relevant concern

The concern could be about something that has happened in the past, is currently happening or is likely to happen in the future. It is not necessary to have proof that such an act is being, has been, or is likely to be committed as a reasonable belief is sufficient and it is the charity's responsibility to ensure that an investigation takes place.

Concerns or complaints that employees wish to raise formally, about their own employment, should normally be raised using TrinityLearning's Grievance Procedure, unless the employee believes the concern is in the public interest. This includes for example, concerns related to working conditions, working relations, employment rights or bullying or harassment.

Legal Protection

Whistleblowers are protected by law from being treated unfairly or losing their jobs because they 'blow the whistle'.

Whistleblowers must hold a reasonable belief that the concern they are raising is in the public interest.

If you make a protected disclosure, you have the right not to be dismissed, removed from your volunteer role, subjected to any other detriment, or victimised, because you have made a disclosure. We encourage you to raise your concerns using this procedure in the first instance.

Concerns can be raised anonymously, but TrinityLearning or the person receiving the allegation may not be able to take it further if they haven't been provided with all the information they need. Whistleblowers can give their name but request confidentiality and, in these circumstances, every effort will be made to protect their identity. All disclosures made under this procedure will be treated sensitively, consistently and fairly.

Reporting concerns to the media, in most cases will lead to the loss of your whistleblowing law rights.

Procedure

Step 1: Deciding who to report the concern to

Concerns can be raised verbally or in writing.

In the first instance, any concerns should be raised with the Education Development Officer or the Chair of Trustees, who will arrange an investigation of the matter.

Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have sufficient evidence or other reasonable grounds to raise them. You may wish to obtain advice from a trade union representative, the Citizen's Advice Bureau or Public Concern at Work on 020 7404 6609 and www.pcaw.co.uk.

Step 2:

The person with whom you have raised your concern, will decide what action is needed. They may ask you to provide further information. They will write to you within 10 days to let you know how your concern will be dealt with.

The information you can expect to receive is:

- an indication of how the concern will be dealt with
- an estimate of how long it will take to provide a final response
- whether any initial enquiries have been made
- whether further investigations will take place, and if not why not
- information about support available for you.

Step 3:

Initial enquiries will be made to decide whether an investigation is appropriate. An investigation may be carried out, depending on the nature of the allegations and the evidence/information presented. Full details of the investigation may be withheld from you to protect the confidentiality of other people. Information will need to be passed on to those with a legitimate need to have this information and it may be necessary for you to provide a written statement and act as a witness in any subsequent disciplinary proceedings or enquiry. This will be discussed with you first.

Where an investigation is necessary, it may take the form of one or more of the following:

- an internal investigation by the Education Development Officer and/ or a Trustee, which may, for example, take the form of a disciplinary investigation
- an independent audit of accounts
- a referral to the Police
- the setting up of an external independent inquiry

Step 4:

You will be informed of the outcome of any investigation, in writing, and/or of any action taken, subject to the constraints of confidentiality and the law. The Education Development Officer will take any necessary action, including reporting the matter to the Chair of the Board of Trustees and any appropriate government department or regulatory agency. The Education Development Officer will also invoke any disciplinary action required.

If you are concerned that the Education Development Officer is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the Chair of the Board of Trustees of TrinityLearning. The chair will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the board.

If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to one of the relevant bodies prescribed by legislation. These include:

- Your trade union
- The Police
- Oxfordshire Racial Equality Council
- The Equality and Human Rights Commission
- HM Revenue and Customs
- The Health and Safety Executive
- The Environment Agency
- The Charity Commission
- The Pensions Regulator
- The Information Commissioner
- The Financial Conduct Authority

If there is an issue of an exceptionally serious nature which you believe to be substantially true, then you may disclose the issue to someone other than those listed in step 1.

In determining whether it is reasonable for you to have made a disclosure the identity of the person to whom the disclosure is made will be taken into account.

Disclosures to anyone outside of the recognised bodies listed in this policy may not be protected disclosures under the Act.

You have a duty to TrinityLearning not to disclose confidential information. This does not prevent you from seeking independent advice at any stage or from discussing the issue with the charity

Public Concern at Work on 020 7404 6609 and www.pcaw.co.uk in accordance with the provisions of the Public Interest Disclosure Act 1998

Data protection

When an individual makes a disclosure, we will process any personal data collected in accordance with the data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

Signed:

TrinityLearning Chair of Trustees

Date:

Policy review date: September 2026

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