

Dunton Green Education in Full Foundation

WHISTLEBLOWING POLICY

Education in Full (EiF) is committed to being open, honest and accountable. It encourages a free and open culture in its dealings between the Trustees and those volunteering with the charity.

This policy aims to help the Trustees and volunteers to raise any serious concerns they may have about colleagues or Trustees with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

The policy is written in the context of the Public Interest Disclosure Act 1998 which protects employees who 'blow the whistle' on malpractices within their organisation. Although volunteers are not covered by the legislation, EiF has the same commitment to volunteers.

What types of concerns?

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following:

- a criminal offence
- a failure to comply with any legal obligation
- serious misuse of the charity's assets
- a failure in the protection of children or vulnerable adults
- a miscarriage of justice
- a health and safety risk to an individual
- damage to the environment
- or concealment of the above.

It is not necessary for individuals who raise the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur.

However, if an individual knowingly or maliciously makes an untrue allegation (eg: in order to cause disruption for EiF), the EiF Trustees will take appropriate action to ensure that the truth is publicised to restore the reputation of the individual or the charity as appropriate.

Individuals should note that they will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.

Whistleblowing Officer

The Trustees will appoint one of their number who is not the Chair or the Treasurer, to be the Whistleblowing Officer.

How to raise a concern

Volunteers should normally make complaints or raise concerns through the Complaints Procedure using the Compliments and Complaints form on the Eif website. If their concern is a serious one and it is not satisfactorily resolved through the Complaints Procedure, or if their serious concern involves a Trustee to whom they are responsible at the time or is otherwise particularly serious or sensitive, they should contact the Whistleblowing Officer.

If the volunteer does not wish to report a serious concern to the Whistleblowing Officer (for example, if the Whistleblowing Officer is involved), they should instead raise it with the Head of School of Dunton Green Primary School.

Individuals are encouraged to raise their concerns in writing, setting out the background and history of their concerns (giving names, dates and places where possible) and indicating the reasons for believing that there has been wrongdoing. A form for reporting serious concerns can be found on the EIF website.

The Whistleblowing Officer can be contacted either by sending an email to whistleblowingofficer@eifdg.org.uk or by writing to:

The Whistleblowing Officer,
Dunton Green Education in Full
c/o Dunton Green Primary School
London Road
Dunton Green
Sevenoaks, TN13 2UP

If any individual is unsure whether to use this procedure or they want independent advice at any stage, they should contact: the independent charity 'Protect' on 020 3117 2520 or webform: <https://protect-advice.org.uk>. Protect will be able to advise on how and with whom to raise a concern about malpractice.

Disclosures made to a legal advisor in the course of obtaining legal advice will be protected under the Public Interest Disclosure Act.

If the individual reasonably believes that the matter relates wholly or mainly to the conduct of a person or body other than the charity or any other matter for which a person or body other than Eif has legal responsibility, the disclosure should be made to that other person or body.

Protecting the individual raising the concern

If an individual raises a concern which they believe to be true, Eif will take appropriate action to protect the individual from any harassment, victimisation or bullying.

The matter will be treated confidentially if the individual requests it and their name or position will not be revealed without their permission unless Eif has to do so by law. If in other circumstances the concern cannot be resolved without revealing the individual's identity, the Whistleblowing Officer will discuss with the individual whether and how to proceed.

Concerns raised anonymously tend to be far less effective, but the Whistleblowing Officer will decide whether or not to consider the matter taking into account:

- the seriousness of the matter;
- whether the concern is believable;
- whether an investigation can be carried out based on the information provided.

How EiF will deal with the concern

EiF's Whistleblowing Officer (or the Head of School) will acknowledge receipt of the report within one week.

How the concern will be dealt with, will depend on what it involves. It is likely that further enquiries and/or investigation will be necessary.

The concern will be considered initially by EiF's Whistleblowing Officer (or the Head of School), or it may be referred to the police, other agencies such as Social Services, an external auditor or an independent investigator.

It may be necessary to obtain further information from the person raising the concern, who may invite a friend or colleague to be present during any meetings or interviews about the concerns they have raised.

The Whistleblowing Officer will ensure that all enquiries, people contacted, and actions taken will be recorded, dated and held securely under EiF's Data Protection Policy. It may be necessary for the individual who 'blows the whistle' to give evidence in criminal or disciplinary proceedings.

EiF will give the individual feedback on the progress and outcome of any investigation wherever possible.

If the suspicions are not confirmed by an investigation, the matter will be closed. Trustees and volunteers will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected outside the organisation.

General Guidance

What is Whistleblowing?

Whistleblowing, or public interest disclosure, is when a worker or volunteer reports a concern about the improper actions or omissions of their colleagues or their employer which may cause harm to others or to the organisation. Obvious examples of such improper actions include theft, fraud, abuse, and breaches of health and safety.

The disclosure should be made 'in good faith'. In other words, the disclosure must be made out of real concern about wrongdoing. Knowingly and maliciously making false accusations for ulterior motives is not whistleblowing. The whistleblower should

reasonably believe the information and allegation is substantially true, even if the information later turns out to have been incorrect.

Whistleblowing is not the same as making a complaint or raising a grievance, where the individual is saying that they have personally been poorly treated. A whistleblower is usually not directly or personally affected by the concern and therefore rarely has a direct personal interest in the outcome of any investigation into their concerns.

The whistleblower raises the concern so that others can address it. Examples of concern may include:

- a trustee or volunteer defrauding the charity or anyone associated with the charity;
- the physical or emotional abuse of children, young people, vulnerable adults or the elderly;
- anyone making inappropriate use of the charity's resource (eg: for their own personal benefit);
- faulty or dangerous machinery that puts at risk the safety of anyone associated with the charity.

Further Information

Protect (Whistleblowing Advice) Limited

This charity is an independent authority on public interest and whistleblowing. It promotes compliance with the law and good practice. They also aim to influence public policy and legislation. <https://protect-advice.org.uk/>

ACAS

The Arbitration Conciliation & Advisory Service website provides guidance on whistleblowing for both employers and employees www.acas.org.uk/index.aspx?articleid=1919

Government Website

Information on whistleblowing can be accessed through the government website. www.gov.uk/whistleblowing/overview

The Chartered Institute of Personnel and Development (CIPD)

CIPD is the professional body for those involved in the management and development of people. They have a factsheet on whistleblowing. [CIPD | CIPD The Professional Body for Human Resources and People Development](#)

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