

Bishop Chadwick Catholic Education Trust



St Anthony's Girls' Catholic Academy

Policy type:	M.A.T.
Policy:	Internal Whistleblowing Policy
Ratified by MAT Directors:	December 2020
Head Teacher signature:	<i>M. Shepherd.</i>
Chair of Directors signature:	<i>Sr. M. Josepha</i>
Review Date:	December 2021
Ownership:	M. Shepherd (Head Teacher)

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1 Introduction

1.1 The Governing Body are committed to the highest possible standards of openness, honesty, integrity and accountability. As part of this commitment the Governing Body are keen that activity, which falls below these standards, is reported to the Governing Body in order that it can be dealt with promptly. The Governing Body acknowledge that workers are often the first to realise that there may be something seriously wrong within their organisation and the Governing Body need to encourage workers and others with concerns about any aspect of the Academy's work to come forward and voice those concerns. Usually these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public, other staff or the environment, it may be difficult to know what to do. Specific examples could include:

- a criminal offence (e.g. fraud, corruption etc.) may have or has been committed;
- a miscarriage of justice has been or is likely to occur;
- the health or safety of an individual has been or is likely to be endangered;
- public funds are being used in an unauthorised manner;
- the environment has been or is likely to be damaged;
- the Academy's Constitution (e.g. Code of Conduct, Contract Procedure Rules, Financial Procedure Rules) has been or is being breached by workers;
- abuse (e.g. physical, sexual) of any worker or service recipient is taking place;
- discrimination to any worker or service recipient, e.g. disability, race etc;
- information relating to any of the above is being deliberately concealed.

1.2 You, as an employee, may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may also fear harassment or victimisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

- 1.3 The Governing Body have introduced this Whistle Blowing Policy to enable you to raise any serious concern about such malpractice in the right way. We would rather that you raised the matter when it is just a concern rather than wait for proof. The Whistle Blowing Policy is intended to encourage and enable you, as a worker, to raise serious concerns within the School rather than overlooking a problem or simply reporting it outside. It should be read in conjunction with the Code of Conduct already issued to employees.
- 1.4 If something is troubling you, which you think we should know about, or look into, please use this policy. Don't ignore the concern. If, however, you have a grievance about your own personal position or employment, please use the Academy Grievance Procedure. The Grievance procedure is available on the Academy V.L.E. This Whistle Blowing Policy is primarily for concerns where the interests of others or of the organisation itself are at risk.

2 Aims

2.1 This policy aims to:

- encourage employees to feel confident in raising serious concerns where the interests of others or of the organisation are at risk;
- reassure employees that, when they raise any concerns in good faith and reasonably believe them to be true, i.e. "whistleblow", they will be protected from reprisals or victimisation;
- provide avenues for an employee to raise concerns and receive feedback on any action taken;
- ensure that employees get a response to the concerns they have raised from the Governing Body, and, if not satisfied, shows how they may take the matter further if they are dissatisfied with the response;

3 Scope

- 3.1 This policy may be used by all employees appointed by the academy. This includes permanent and temporary employees, agency workers, employees seconded to a third party.
- 3.2 It is not intended that this policy, and its associated procedures, be used to raise concerns which fall within the scope of academy procedures where more appropriate procedures are available, for example:
- grievance (see Grievance Procedure);

4 Safeguards

Harassment or Victimisation

- 4.1 The Governing Body recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Governing Body will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. If you raise a genuine concern under this policy, you will not suffer any detriment in connection with your employment. Therefore, providing you are acting in good faith, it does not matter if you are mistaken.
- 4.2 However, this does not mean that, if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your disclosure.

Confidentiality

- 4.3 The Governing Body will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent or unless instructed by a Tribunal or Court. If the situation arises where we are not able to resolve the concern without revealing your identity (e.g. a statement by you may be required as part of the evidence) we will discuss with you whether and how we can proceed.

Anonymous Allegations

- 4.4 This policy strongly encourages you to put your name to your allegation. Concerns expressed anonymously will be much more difficult for us to look into or to protect your position or to give you feedback. Concerns raised anonymously are much less powerful and less likely to be effective, but they will be considered at the discretion of the Governing Body.
- 4.5 In exercising discretion, the factors to be taken into account would include:
- the seriousness of the issues raised;
 - the credibility and plausibility of the concern; and
 - the likelihood of confirming the allegation from attributable sources.

Untrue or Malicious Allegations

- 4.6 If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you.

5 How to Raise a Concern within the School

- 5.1 As a first step, you should raise concerns with the Headteacher. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that the Headteacher is involved, you should approach the Chair of Governors.

Please say if you want to raise the matter in confidence so the person you contact can make appropriate arrangements.

- 5.2 Concerns are better raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or meet the Headteacher.
- 5.3 The earlier you express the concern, the easier it is to take action. You may also wish to involve your Trade Union/Professional Association representative, if appropriate.
- 5.4 Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the Headteacher that there are sufficient grounds for your concern.
- 5.5 You may also invite your trade union or professional association to raise a matter on your behalf.

6 How the Governing Body will respond

- 6.1 The action taken by the Governing Body will depend on the nature of the concern. The matters raised may:
- be investigated internally by a member of the SLT;
 - be referred to the Police;
 - be referred to an external Auditor.
- 6.2 In order to protect individuals and the Governing Body, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example, child protection, fraud or corruption) will normally be referred for consideration under those procedures.
- 6.3 Some concerns may be resolved by agreed action without the need for investigation.

- 6.4 Within ten working days of a concern being received, the Headteacher (or Chair of Governors if the allegation is against the Headteacher) will write to you:
- acknowledging that the concern has been received;
 - indicating, in overall terms, how it proposes to deal with the matter;
 - giving, where possible, an estimate of how long it will take to provide a final response;
 - telling you whether any initial enquiries have been made; and
 - telling you whether further investigations will take place, and if not, why not.
- 6.5 The amount of contact between the officers considering the issues and you, 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 from you.
- 6.6 When any meeting is arranged, you have the right, if you so wish, to be accompanied by a Trade Union colleague, a work colleague, a professional association representative who is not involved in the area of work to which the concern relates.
- 6.7 The Governing Body will take steps to minimise any difficulties, which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, they will advise you about the procedure.
- 6.8 The Governing Body accept that you need to be assured that the matter has been properly addressed and as such, where possible, the Governing Body will provide information in this regard.

7 Independent Advice

- 7.1 If you are unsure whether to use this policy or you want independent advice at any stage, you may contact:
- if applicable, your union or professional association;
 - the independent charity Public Concern at Work on 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

8 How the matter can be taken further

8.1 This policy is intended to provide you with an avenue to raise concerns within the academy and to give you the reassurance you need to raise such matters internally. The Governing Body hope you will be satisfied. If you are not, and if you feel it is right to take the matter to the Board of Directors:

- the external Auditor (Baldwin's);
- the Police;
- the Local Government Ombudsman (0300 061 0614);
- the Information Commissioner (0303 123 1113);
- your Trade Union/Professional Association

We would rather you raised a matter with the appropriate regulator or outside body than not at all. You may raise a concern provided that:

- a) you make the disclosure in good faith;
- b) you reasonably believe that the information disclosed, and any allegation contained in it, are substantially true;
- c) you do not make the disclosure for the purposes of personal gain.

Appropriate legal advice must be sought prior to raising a matter externally.

8.2 If you do take the matter beyond the Governing Body or Board of Directors, you need to ensure that you do not disclose confidential information or that disclosure would be privileged.

9 The Responsible Officer

9.1 The Head Teacher has overall responsibility for the maintenance and operation of the Whistle Blowing Policy in Schools. However he/she will report to the Chair of Governors who has overall responsibility for the maintenance and operation of the policy and who will maintain a corporate register of the number and nature of the concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Board of Directors, where appropriate.

9.2 The Policy will be reviewed on an annual basis to ensure the Policy remains up to date and to ensure it remains effective.

Summary

The Board of Directors STAGE 3



The Chair of Governors STAGE 2



The Head Teacher STAGE 1



Whistleblowing Concern

N.B. If the allegation is about the Head Teacher then miss out STAGE 1