



Whistleblowing Policy for the following Academies:

Our Lady of Lourdes Catholic Primary School
Sacred Heart Catholic Primary School
St Helen's Catholic Primary School
Holy Family Catholic Primary School
St Teresa's Catholic Primary School
St Joseph's Catholic Primary School
St George's Catholic Primary School
Our Lady of Ransom Catholic Primary School

This Whistleblowing Policy has been approved and adopted by the Assisi Catholic Trust in May 2018 and will be reviewed in July 2019.

Committee Responsible: Resources Committee

Assisi Catholic Trust Mission Statement

Our mission is to inspire the children in our care and that our schools place Christ and the teaching of the Catholic Church at the centre of all we do. We believe that every child has a right to educational excellence and we will strive together in partnership to ensure this happens.

Motto

'Start doing what is necessary, then do what's possible and suddenly you are doing the impossible'

Whistleblowing has been defined as:- ‘the disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the work place, be it of the employee or his/her fellow employees’ (*Public Concern at Work Guidelines 1997*).

1. Introduction

- 1.1 Employees are often the first to realise that there may be something seriously wrong within a school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 The Public Interest Disclosure Act 1998 came into force in July 1999. It gives statutory protection from victimisation and dismissal to employees who speak out against malpractice at work.
- 1.3 The Assisi Catholic Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the Trusts or a Schools work, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.4 This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This Whistle blowing Policy is intended to encourage and enable employees to raise serious concerns within their School or to the Trust rather than overlooking a problem or ‘blowing the whistle’ outside.
- 1.5 The policy applies to all employees and those contractors working for the Trust on Trust premises, for example, agency staff, and builders. It also covers suppliers and those providing services under a contract with the Trust or School in their own premises.
- 1.6 These procedures are in addition to the Trusts complaints procedures and other statutory reporting procedures.

2. Aims and Scope of this Policy

- 2.1 This policy aims to:
 - ◆ Encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice.
 - ◆ Provide avenues for you to raise those concerns and receive feedback on any action taken.
 - ◆ Ensure that you receive a response to your concerns and that you are aware of how to

pursue them if you are not satisfied.

- ◆ Reassure you that you have a reasonable belief that you have made any disclosure in good faith.

ACT is mindful of its obligations under the Equality Act 2010 and this policy will be applied fairly and consistently to all staff employed at each school as well as those carrying out work for the School, for example, governors, volunteers, agency workers, contractors or consultants. The term 'member(s) of staff' is used in this document for simplicity but is intended to include this broader range of individuals covered by this policy.

2.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- ◆ unlawful conduct
- ◆ miscarriages of justice in the conduct of statutory or other processes
- ◆ failure to comply with a statutory or legal obligation
- ◆ potential maladministration, misconduct or malpractice
- ◆ health and safety issues including risks to the public as well as risks to pupils and members of staff
- ◆ action that has caused or is likely to cause danger to the environment
- ◆ abuse of authority
- ◆ unauthorised use of public or other funds
- ◆ fraud or corruption
- ◆ breaches of financial regulations or policies
- ◆ mistreatment of any person
- ◆ action that has caused or is likely to cause physical danger to any person or risk serious damage to school property
- ◆ sexual, physical or emotional abuse of members of staff or pupils
- ◆ unfair discrimination or favouritism
- ◆ racist incidents or acts, or racial harassment and
- ◆ any attempt to prevent disclosure of any of the issues listed.

2.3 Thus, any serious concerns that you have about any aspect of service provision or the conduct of staff or others connected with the School can be reported under the Whistleblowing Policy. This may be about something that:

2.4

- ◆ Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the School subscribes to; or
- ◆ Is against the School's Catholic Ethos and policies; or
- ◆ Falls below established standards of practice; or
- ◆ Amounts to improper conduct.

2.5 This policy does not replace the corporate complaints procedure.

3. Safeguards

- 3.1 This policy is intended to encourage and enable employees to raise concerns, in the right way, and do so without fear of victimisation, harassment, recrimination or disadvantage.
- 3.2 The School is committed to good practice and high standards and wants to be supportive of employees.
- 3.3 The School recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.
- 3.4 The School will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.
- 3.5 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary, sickness, grievance, capability or redundancy procedures that already affect you.

4. Confidentiality

- 4.1 All concerns are raised in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

5. Anonymous Allegations

- 5.1 This policy encourages you to put your name to your allegation whenever possible.
- 5.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the School.
- 5.3 In exercising this discretion the factors to be taken into account would include:
 - ◆ The seriousness of the issues raised
 - ◆ The credibility of the concern; and
 - ◆ The likelihood of confirming the allegation from attributable sources.

6. Unsubstantiated Allegations

- 6.1 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 an untrue allegation frivolously, maliciously, or an allegation that is vexatious or for personal gain, disciplinary action may be taken against you.

7. How to raise a concern

As a first step, a member of staff should normally raise concerns with his/her immediate line manager, with the Headteacher, or with the School's Designated Child Protection Officer (DCPO) where this is appropriate to the nature of the concern. If the allegations involve the Headteacher, the member of staff should raise the matter with the Assisi Catholic Trust Chief Accounting Officer (CAO). If the allegations involve the CAO, the member of staff should raise the matter with the Assisi Catholic Trust Board of Trustees.

While the School encourages members of staff to raise their concerns internally, it is recognised that some staff may feel unable to do this and that they may therefore wish to contact an independent, external organisation.

Concerns may be raised verbally or in writing, but the earlier the concern is expressed the easier it is to take any required action. Members of staff who wish to make a written report are encouraged to include the following information:

- The background and history of the concern, giving relevant dates and providing as much supporting evidence as possible;
- The reason(s) why they are particularly concerned about the situation.

Where a concern is raised verbally, the person hearing it must ensure that a written account of it is made to assist with any subsequent investigation. School management will take all concerns raised within the scope of this policy seriously and identify the appropriate level of investigation.

The whistleblower may invite a recognised trade union representative or a work colleague to be present during any meetings or interviews held in connection with the concerns raised.

8. How the School Will Respond

8.1 Initial Enquiry

In order to protect the individuals involved, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take and who should be appointed to conduct it. The overriding principle is that of the public interest. If urgent action is required, for example if the welfare of pupils may be at risk, this action will be taken before any investigation is conducted. Further to the results of this enquiry, the following steps will be considered:

- Concerns or allegations which fall within the scope of specific procedures, e.g. child protection, bullying or harassment or disciplinary, will normally be referred for investigation and consideration under those procedures.
- Where there are any concerns about financial impropriety or criminal activity, the concern will be referred to an independent body before taking any other action, which may include reporting to the police.
- Concerns indicating unlawful financial activity should be reported to the ESFA.
- Suspected incidents of malpractice relating to examinations will be reported to the appropriate awarding body at the earliest opportunity.
- In other cases, an impartial investigator may be appointed and the School will seek advice from the LEA.

8.2 Communication

Within ten working days of a concern being raised, the person who is dealing with the concern will respond in writing to the whistleblower directly. The response will:

- Acknowledge receipt of the concern
- Indicate how the School proposes to deal with the matter
- Give an estimate of how long it may take to provide a final response
- Advise whether any initial enquiries have been made
- Supply information on any staff support mechanisms, and
- Advise whether further investigation or action is required, and if not, why not.

8.3 Investigation

Once preliminary enquiries have established the need for an investigation, an appropriate person will be appointed to conduct the investigation (see section 5.1). The person appointed to undertake the investigation is responsible for establishing the facts of the matter, in so far as it is reasonably possible to do so, and for assessing whether the concern has foundation and can be resolved internally. Other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

Written records of all interviews will be kept throughout the investigation together with details of any action taken. The investigation will result in a written report and recommendations for corrective action, which will be passed to the Headteacher and/or the Chair of the Assisi Catholic Trust, as appropriate to the concerns under consideration, to determine whether formal action shall be taken.

The member of staff raising the concern will, subject to legal constraints, be advised in writing of the outcome of the investigation and, where appropriate, what action is being taken. This may, for example, include changes to working practices to ensure that a similar situation does not occur again.

9. Taking the Matter Further

This policy is intended to provide members of staff with an avenue to raise concerns internally. If the member of staff feels that it is right to take the matter outside the School, contact can be made with a recognised trade union, local Citizens Advice Bureau, relevant voluntary or independent organisations, or legal advisor.

The Public Interest Disclosure Act also sets out a number of bodies to which protected disclosures can be made, including HM Revenue & Customs, the FSA, the Health and Safety Executive and the Serious Fraud Office. Employees should be aware that going directly to the press may limit their protection under the Public Interest Disclosure Act and they could therefore be subject to disciplinary action. An employee considering such a course of action is strongly advised to seek prior advice from their trade union or an independent organisation such as Public Concern at Work (www.pcaaw.co.uk)

10. Monitoring & Reporting

Assisi Catholic Trust is responsible for overseeing the operation of this policy and for ensuring that appropriate records are maintained regarding concerns raised and the outcomes. It is also responsible for reporting concerns to other external bodies as appropriate to the circumstances.

Contact Details:

Local School Contacts

Headteacher

Chair of the Local Governing Committee

Assisi Catholic Trust

Chief Accounting Officer: Gemma Ackred

Chair of the Board of Trustees: Frank McEvoy

Assisi Catholic Trust, c/o St Thomas More High School, Kenilworth Gardens, Westcliff – on-
sea, SS0 0BW