



# Bishop Chadwick Catholic Education Trust

## Whistleblowing Policy

Policy Dated / Reviewed:	January 2020
Adopted / Reviewed by Directors:	22 June 2020
Date of Next Review:	Autumn 2020

## **1.0 Introduction**

- 1.1 Whistleblowing legislation was introduced by the Public Interest Disclosure Act, 1998, to provide a mechanism for employees to be able to report concerns about criminal behaviour or malpractice, without fear of reprisal or dismissal.

This policy sets out the arrangements for employees of the Trust, agency workers or contractors to be able to raise concerns where they feel unable to do so through normal management channels.

The Board of Directors and the Local Governing Body is committed to conducting its activities with openness and accountability, and expects all staff to maintain the highest standards in work.

## **2.0 Aims of the Policy**

- 2.1 Colleagues are encouraged to report wrongdoing, or concerns about such, to their line manager, or within the normal management arrangements of the Trust, where this is possible. It is acknowledged that colleagues may not always feel this is possible. The aim of this policy is to:

- provide a clear process for staff to be able to report a concern and receive feedback on any action taken. This will include what happens next, if you are dissatisfied with the outcome;
- provide reassurance that staff can raise genuine concerns in good faith, without fear of reprisals or victimisation.

## **3.0 What is covered by this policy?**

- 3.1 A 'whistleblower' is an employee or volunteer who has a reasonable belief that a certain type of wrongdoing has taken place, is taking place or might take place. Where the 'whistleblowing' takes place in the public interest and is being made in good faith, the individual is protected by law against being treated unfairly, or losing their job as a consequence of blowing the whistle.

- 3.2 The types of wrongdoing which are covered by law are:

- criminal offences (this may include, for example, types of financial impropriety such as fraud).
- miscarriages of justice
- danger to the health and safety of an individual
- damage to the environment
- breach of any legal obligation
- deliberately concealing information about any of the above

As such, whilst most complaints about an individual's employment should be raised through the grievance procedure, others may amount to a whistleblowing matter.

To be protected by this policy, and legislation, it will need to be demonstrated that:

- there is reasonable belief in the malpractice
- the disclosure is being made in the interests of the public
- you have brought the matter to the attention of the Trust (which can be through this policy and procedure).

#### **4.0 How to raise a concern**

4.1 The Trust would always encourage concerns to be raised with your line manager. Depending on the seriousness of the concern, or who might be involved, where you feel unable to do this, it should be raised with:

- Jane Carlin (Sister Aelred) – Director
- the Executive Headteacher/Headteacher/Head of School
- the Chair of Governors

4.2 All concerns raised will be treated in the strictest of confidence.

4.3 Although you will not be required to prove an allegation, you will be required to demonstrate there are sufficient grounds for concern.

4.4 A disclosure can be made anonymously, however the Trust may not be able to take the claim further if sufficient information isn't provided. Further to this, feedback will not be able to be given on progress and action taken. Anonymous complaints will be considered at the discretion of the Trust. In exercising this discretion, the seriousness of the issues raised, the credibility of the concern and the likelihood of confirming the allegation with others, will be taken into account.

4.5 On raising a concern, you can request that your name remains confidential. If this is requested, we will make every effort to protect your identity (unless required by law to break confidentiality). If you wish to keep your identity confidential in this way, you must tell us this at the outset.

4.4 Disclosures are better received in writing. You are encouraged 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. A form is available if you wish to use it (Appendix 1). If you do not feel able to put your concern in writing, you can raise your concerns verbally.

4.5 A meeting will be convened to discuss the matter as soon as practicable. You will be asked to provide information to allow the concern to be investigated. You may bring a colleague or trade union representative to the meeting if you wish.

4.6 At the meeting, the Trust will listen to the concern, and may ask questions for clarification. At the meeting, or soon after, it will advise how it proposes to deal with the matter. This may be in person or in writing. The Trust may request that you do not discuss the concern with anyone else while the matter is under investigation.

4.7 The Trust accepts that you need to be assured that the matter has been properly addressed. Subject to legal constraints, you will receive information about the outcome of any investigation.

4.8 If you report your concerns to the media, in most cases you will lose your whistleblowing protection rights.

#### **5.0 If you aren't satisfied with the outcome**

5.1 If you do not feel your concern has been dealt with appropriately, or you feel the wrongdoing is continuing, you can raise your concern with:

- a Director of Bishop Chadwick Catholic Education Trust
- a prescribed person or body

Prescribed people, or bodies, are individuals or organisations who are listed by the legislation and will be responsible for specific areas or sectors. In relation to the Trust, these can include, but are not limited to:

- Ofsted
- Ofqual

- The Secretary of State for Education
- The Health and Safety Executive

Details of relevant organisations to contact can be found on the government website “Whistleblowing for Employees”. ACAS, the whistleblowing charity Public Concern at Work or your trade union may be able to provide more guidance.

## **6.0 Untrue allegations**

6.1 If an allegation is made in good faith and, through investigation, is considered to be untrue or unfounded, no action will be taken against the individual raising the issue. Where the allegation is considered to be vexatious or malicious, the Trust will consider taking action against the individual.

## **7.0 Safeguarding**

7.1 The Trust has a number of staff to whom concerns of a safeguarding nature can be reported. If you feel you cannot report your concern to any of the team charged with child protection, you can report this to one of the people identified in 4.1, or to the Local Authority Designated Officer (LADO) if you feel this more appropriate.

## **8.0 External advice**

8.1 Where a staff member feels unable to raise an issue with a senior manager or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them: General guidance can be found at- 'Advice on whistleblowing', the NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## Report Form

<b>Report made under the Trust's Whistleblowing policy to:</b>	
<b>Your name:</b>	
<b>Concerns reported:</b>	
<b>Date:</b>	
<b>Signed:</b> <b>(if employee's name appears above)</b>	