

**Blessed Holy Family
Catholic Academy Trust**



**Public Interest Disclosure (Whistleblowing)
Policy**

**‘Christ at our centre,
inspiring our pursuit of excellence’**

October 2020

1. Public Interest Disclosure (known as Whistleblowing) Policy

- 1.1 The Blessed Holy Family Catholic Academy Trust are committed to conducting our work with honesty and integrity in keeping with the example set by Christ. We expect that all employees, Trust Board Directors, members of local governing bodies and all suppliers maintain these high standards. However, all organisations face the risk of things going wrong from time to time. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.
- 1.2 The aims of this policy are:
 - (a) To encourage employees, directors, governors and suppliers to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
 - (b) To provide guidance as to how to raise those concerns;
 - (c) To reassure all members of our trust community that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 1.3 This policy takes account of The Whistleblowing Commission Code of Practice issued by Public Concern at Work (the independent whistleblowing charity), the Employment Rights Act 1996 as amended by the Enterprise and Regulatory Reform Act 2013 and the Department for Business Innovation & Skills Whistleblowing Guidance for Employers and Code of Practice.
- 1.4 The EFAs Academies Financial Handbook requires that this policy is in place and that all staff are aware to whom they can report their concerns and the way in which such concerns will be managed.
- 1.5 This policy applies to all individuals working at all levels across the Trust including casual and agency staff and volunteers (collectively referred to as staff in this policy).
- 1.6 For our Trust all concerns can be passed to our CEO/Accounting officer Geraldine Higgins or Chief Financial Officer Margaret Nicholls. If the concern relates to the CEO it should be raised with the Chair of the Trust Board James Coyle.

2. Attendees at Formal Meetings

- 2.1 For any process described as informal, there is no right to be accompanied and may proceed without you having a companion present.
- 2.2 Where this policy allows you to be accompanied by a companion at a formal meeting, the provisions of this paragraph 2.3 will apply and companions should meet the requirements.
- 2.3 You must let the relevant Manager know who your companion will be at least one working day before the relevant meeting. The companion must be either a willing colleague not involved in the substance of the issue under discussion at the meeting or a trade union representative. You do not have a right to legal representation at formal meetings.

- 2.4 If you have any particular need, for example, a disability, you may also be accompanied by a suitable helper.
- 2.5 Your companion can address the meeting in order to: (a) Put your case; (b) Sum up your case; and (c) Respond on your behalf to any view expressed at the meeting.
- 2.6 Your companion can also confer with you in private during the meeting.
- 2.7 Your companion has no right to answer questions on your behalf, or to address the meeting if you do not wish it, or to prevent you from explaining your case.
- 2.8 Where you have identified your companion to the relevant Manager and your companion has confirmed in writing to the relevant Manager that they cannot attend the date or time set for the meeting, the relevant Manager will postpone the meeting for no more than five working days from the date set by us to a date or time agreed with your companion provided it is reasonable.

3. What is Whistleblowing?

- 3.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:
 - a) Criminal activity;
 - b) Miscarriages of justice;
 - c) Danger to health and safety;
 - d) Damage to the environment;
 - e) Failure to comply with any legal or professional obligation or regulatory requirements;
 - f) Bribery;
 - g) Financial fraud or mismanagement;
 - h) Negligence;
 - i) Breach of our internal policies and procedures;
 - j) Conduct likely to damage our reputation;
 - k) Unauthorised disclosure of confidential information or other activity;
 - l) Malpractice in relation to public examinations; or
 - m) The deliberate concealment of any of the above matters.
- 3.2 A whistleblower is a person who raises a genuine concern relating to any of the above and they reasonably believe that disclosure is in the public interest. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy as soon as possible.
- 3.3 This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work or the way your child has been treated in school.
- 3.4 If you have any concerns relating to Child Protection or Safeguarding, you should raise these under the appropriate policies.
- 3.5 If you are uncertain whether something is within the scope of this policy, you may seek advice from Public Concern at Work (whose contact details are at the end of this policy) and your trade union.

4. Raising a Whistleblowing Concern

- 4.1 In most cases you will be able to raise any concerns with your line manager or Headteacher. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively.
- 4.2 However, where the matter is more serious, or your line manager or Headteacher has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact the CEO.
- 4.3 A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a companion to any formal meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- 4.4 A written summary of your concern will be taken down and you will be provided with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

5. Confidentiality

- 5.1 Staff should feel able to voice whistleblowing concerns openly under this policy.
- 5.2 Staff are not encouraged to make disclosures anonymously. Proper investigation may be more difficult or impossible if it cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Concerns that are expressed anonymously will be considered at the discretion of the school. In exercising this discretion the factors to be taken into account will include:
 - the seriousness of the issue raised;
 - the credibility of the concern and
 - the likelihood of confirming the allegation from attributable sources.
- 5.3 If you have raised a whistleblowing concern you should keep the fact and content of that concern confidential so that we may investigate your allegation fairly and effectively save that you may of course discuss the matter with a professional adviser or your trade union, with any investigator appointed by us and with those other contacts identified in this policy.

6. External Disclosures

- 6.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.
- 6.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body. It is not appropriate to alert the media. You should seek advice before reporting a concern to anyone external. Public Concern at Work operate a confidential helpline. Your trade union may also be able to advise you in these matters.

7. Investigation and Outcome

- 7.1 Once you have raised a concern, an initial assessment will be carried out to determine the scope of any investigation. You will be informed of the outcome of that assessment. You may be required to attend additional meetings in order to provide further information.

- 7.2 In some cases an investigator or team of investigators (including staff) may be appointed with relevant experience of investigations or specialist knowledge of the subject matter. An investigation may be internal or external. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.
- 7.3 We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- 7.4 If it is concluded that a whistleblower made false allegations maliciously or with intent to damage our reputation or of any of our staff or with a view to personal gain, the whistleblower will be subject to our Disciplinary Policy.
- 7.5 Prompt disclosure of potential wrongdoing is encouraged. If you have delayed in disclosing potential wrongdoing you will be asked to explain why you have delayed in making the disclosure.

8. If you are not satisfied

- 8.1 The outcome you are seeking cannot always be guaranteed, however we will deal with your concern fairly and in an appropriate way. Use of this policy will help achieve this.
- 8.2 If you are not happy with the way your concern has been handled, you can raise it with the Chair of the Trust board.

9. Protection and Support for Whistleblowers and Other Staff


- 9.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. Openness is encouraged and staff who raise genuine concerns are supported under this policy, even if they turn out to be mistaken.
- 9.2 Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes failure to promote, denial of training, closer monitoring, ostracism, blocking access to resources, unrequested re-assignment or re-location, demotion, suspension, bullying or harassment, victimisation, failure to provide an appropriate reference, failing to investigate a subsequent concern, threats or other unfavorable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the CEO immediately. If the matter is not remedied you should raise it formally using the Grievance Resolution Policy.
- 9.3 Staff must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action.
- 9.4 Staff who are the subject of a whistleblowing allegation:
- (a) Are entitled to be accompanied at any meetings by a companion;
 - (b) Are not entitled to know the identity of the whistleblower;
 - (c) Are entitled to see and approve any final statements made by them as part of an investigation; and
 - (d) Should indicate if they believe that the allegation made against them was false

and if it was false, whether it was made maliciously or with intent to damage the reputation of the Trust or of any of our staff or for personal gain.

10. Responsibility for Success of this Policy

- 10.1 Our Trust Board has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 10.2 Our CEO and Headteachers have day-to-day operational responsibility for this policy.
- 10.3 All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

Policy Ratified by Trust Board: _____ 10th October 2019 **(Date)**

Signed: _____ 

Date of next review: _____ October 2020

Policy Reviewed by Trust Board: _____ 8th October 2020 **(Date)**

Signed: _____

Date of next review: _____ October 2021