



St Oswald's Catholic Academy Trust

Whistleblowing Policy

Ratified by Board of Directors:
Review Date:

1. Introduction

We are committed to the highest possible standards of openness and accountability, and therefore encourage employees, contractors and others that we deal with to come forward and voice any serious concerns they may have about any aspect of our work. We recognise the need for cases to be treated confidentially.

This policy makes it clear that you can voice your concerns without fear of victimisation, subsequent discrimination or disadvantage. It is intended to encourage and enable staff and others to raise serious concerns rather than overlooking a problem or 'blowing the whistle' outside.

The policy applies to staff employed by the Local Management Board. It also covers suppliers and those providing services under a contract with the Trust in their own premises,

This policy is in addition to other statutory reporting procedures and does not replace them.

2. Aims & Scope of this Policy

This policy aims to:

- Encourage you to feel confident about raising concerns and to question and act upon concerns about practices.
- 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 will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

We have a separate Grievance Procedure that you can use to lodge a grievance relating to your own employment. It also has procedures in relation to possible fraud or corruption and to harassment. This Whistleblowing Policy is meant to cover concerns that fall outside the scope of other procedures, for example:

- Conduct, which is an offence or a breach of law
- Breach of policy
- Miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- Unauthorised use of public funds
- Sexual or physical abuse of clients
- Other unethical conduct or malpractice

So, you can follow this policy to report concerns which:

- Make you feel uncomfortable in terms of known standards, your experience or the standards you believe the school subscribes to, or
- Are against the Trust's policies, or
- Fall below established standards of practice, or
- Amount to improper conduct

These examples are not exhaustive.

3. **Safeguards**

We are committed to good practice and high standards and want to be supportive to our staff. We recognise that the decision to report a concern can be difficult, but that if you raise your concern in good faith, you are doing your duty to your employer and to service users and you should have nothing to fear.

If you make an allegation in good faith, but it is not confirmed by any investigation, no action will be taken against you. If, however, you make an allegation, vexatiously, maliciously or for personal gain, disciplinary action may be taken against you.

To help in this, we will not tolerate any kind of harassment or victimisation and will take appropriate action to protect you when you raise a concern in good faith. If proven after proper investigation, harassment or victimisation will be treated as a serious disciplinary offence, which will be dealt with under our Disciplinary procedure.

Any investigation into allegations of potential malpractice, which are made genuinely and in good faith will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

4. **Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. However, you may eventually be needed as a witness in disciplinary or criminal proceedings if necessary.

5. **Anonymous Allegations**

You are encouraged to put your name to your concern as, if you do so, it will have a more powerful effect than if you raise a concern anonymously.

The Trust will use its discretion in deciding whether to consider an anonymous allegation, taking into account the seriousness and credibility of the allegation, and the likelihood of confirming it with attributable sources.

6. **How to Raise a Concern**

The earlier you express a concern, the easier it is to investigate and take action. As a first step, you should normally raise your concern with your Line Manager. However if the matter is particularly sensitive or serious, or you suspect that management is involved, you should raise your concerns with the Headteacher or Chair of Local Management Board.

Concerns are best raised in writing. You should give the background and history of the concern, giving names, dates and places where possible, and the reason why you are concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or meet the appropriate person where these concerns must be recorded and a statement taken if appropriate.

You are not expected to prove the truth of your allegation, but you will need to demonstrate, to the person you contact, that there are reasonable grounds for your concern.

You might wish to discuss your concern in confidence with a colleague first, and you may find it easier to raise the matter if there are two or more of you who have the same concern.

You may invite your trade union, professional association representative or a friend to be with you during any meetings or interviews in connection with the concerns you have raised. Such meetings can also be held away from your place of employment if you wish.

If you need further advice on how to raise your concern, contact:

- Chair of Local Management Board
- Headteacher
- Your Trade Union Representative

7. **How We Will Respond**

We will not ignore your concerns. The action taken will depend on the nature of the concern. The matters raised may involve:

- Internal investigation by management and/or internal audit
- Referral to the police
- Referral to the external auditor
- An independent inquiry
- Referral to the Leadership & Management Committee

Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (e.g. discrimination issues, suspected fraud) will normally be referred for consideration under these procedures. Some concerns may be resolved by agreed action without the need for an investigation.

The person dealing with the matter will aim to write to you within ten working days of receiving your concern, to:

- Acknowledge that the concern has been received
- Indicate how the Trust intends to deal with the matter
- Give an estimate of how long it will take to provide a final response
- Tell you whether any initial enquiries have been made
- Supply you with information on staff support mechanisms and
- Tell you whether further investigations will take place and if not, why not

You may be asked to supply more information or to clarify, if necessary. When any meeting is arranged, you have the right if you so wish, to be accompanied by trade union representative or work colleague who is not involved in the area of work to which the concern relates.

You will be informed of the outcome of any investigation as appropriate and as far as it is able to subject to legal constraints.

8. **Responsibilities**

The Headteacher has overall responsibility for the maintenance and operation of this policy, and will maintain a confidential record of concerns raised and the results of any investigations made. The Headteacher will report the results of investigations as appropriate to the Leadership and Management Committee. However, where an investigation is undertaken by Internal Audit, the results of the investigation are also reported to the Audit Committee.

9. **How You Can Take the Matter Further**

This policy is intended to help you to raise concerns. The Trust hopes you will be satisfied with any action taken. If you are not satisfied that the outcome of the investigation has adequately addressed your concerns, you should advise the Accounting Officer. Alternatively, you might wish to raise the matter with the Chair of the Leadership and Management Committee. This could be appropriate where the concern is related to a very senior officer or an elected member.

If you feel it is right to raise the matter outside the Trust, the following are possible contact points:

- The External Auditor

- Your local Council member (if you live in the area of the Council)
- Your trade union
- Your local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- Public Concern at Work
- The Police

The Audit Commission has established a dedicated telephone hotline for receiving disclosures. The hotline is manned during normal office hours and a dedicated answering machine is available to callers outside of office hours. The hotline number is 0845 0522 646.

Public Concern at Work is a registered charity set up to give free independent advice to employees who contact them with concerns. The Public Concern at Work telephone number for general enquiries and helpline is 020 7404 6609.

If you do consider reporting a matter outside of the Trust, you should note that the relevant legislation anticipates that matters should generally be considered internally by organisations. Individuals making disclosures to outside bodies will only receive statutory protection under that legislation in certain circumstances. In particular, you must honestly **and** reasonably believe that the information and allegations are true.