


Whistle Blowing Policy



WHISTLE BLOWING POLICY

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Signature of Chair of Board of Trustees:	
Name of Chair of Board	Mick Coleman
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Whistle Blowing Policy

Introduction

This policy is designed to be accessible, easy to read and to reflect the inclusive open and honest environment promoted throughout the school / trust.

As employees may be the first to realise that there may be something wrong within the Trust, it is important that they feel able to express their concerns without fear of harassment or victimisation. Otherwise, they may find it easier to ignore the concern rather than report it. The Public Interest Disclosure Act 1998 recognises this fact and is designed to protect employees, who make certain disclosures of information in 'the public interest', from detriment and/or dismissal. This policy builds on the provisions of the Act.

This whistle blowing policy is intended to encourage and enable those covered by the policy to raise concerns at an early stage, in the right way and to do so without fear of recrimination, victimisation, discrimination or disadvantage.

The aim of this procedure is to set out how Our Lady of Grace Catholic Academy Trust will deal with concerns raised by employees which relate to suspected wrongdoing or dangers at work.

Allegations of child abuse against teachers and other employees and volunteers will be dealt with in accordance with 'Keeping Children Safe in Education - statutory guidance for schools and colleges.

A whistleblower is a person who raises a genuine concern relating to the matters listed below. If employees have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) they should report it under this procedure. Whistleblowing is the disclosure of information that relates to suspected wrongdoing or dangers at work. This may include:

- Criminal activity
- Miscarriages of justice
- Danger to health and safety
- Damage to the environment
- Failure to comply with any legal or professional obligation or regulatory requirements.
- Bribery
- Financial fraud or mismanagement
- Negligence
- Breach of our internal policies and procedures
- Conduct likely to damage our reputation.
- Unauthorised disclosure of confidential information
- Public examination fraud
- The deliberate concealment of any of the above matters

This policy is designed to ensure that those working in and around the schools in Our Lady of Grace Catholic Academy Trust be they teachers, other members of staff or governors can raise concerns safely and in the correct manner without feeling as if they are scared to do so and in the knowledge that they will not be punished if they do so. This does not apply if the concerns raised are later proved to be malicious.

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All members of the school community notwithstanding the information contained in this policy have a duty of confidentiality towards the school and outside bodies such as the media should not be contacted as part of any whistleblowing action.

Raising a concern

Any person wishing to raise a concern should do so in the first instance with their line manager. It is expected that the nature of the environment promoted within the school will ensure that the line manager will take any approach seriously no matter what their personal views on the matter are.

If for any reason an individual wishes not to raise a concern with their line manager they should do so in the case of staff with the Headteacher. If the member of staff feels that their concerns have not been addressed, they should seek an appointment with the Chair of the Local Governing Body. In the case of governors they should speak in the first instance to the Chair of Governors, the CSEL or the Chair of Trustees.

All concerns of poor practice or possible child abuse by staff should be reported immediately to the Headteacher. Complaints about the Headteacher should be reported to the Chair of Governors, the CSEL or the Chair of Trustees who will then contact the Local Authority Designated Officer (LADO). If the Chair of Governors, the CSEL or the Chair of Trustees is not available, the LADO team can be contacted on the following number (Tel: 020 3373 3803 / 02033736706) or via email: lado@newham.gov.uk The LADO Team will advise about action to be taken and may initiate internal referrals within children's social care to address the needs of children likely to have been affected.

Once a concern has been raised, the senior leader should respond immediately and arrange for a stage 1 meeting to take place with the employee as soon as possible.

Stage 1:

At the initial meeting the senior leader should establish that:

- There is genuine cause and sufficient grounds for the concern.
- The concern has been appropriately raised via the whistleblowing procedure.

The senior leader conducting this meeting should ask the employee, to put their concern/s in writing, if they have not already done so. If the employee is unable to do this, the senior leader will take down a written summary of their concern/s and provide them with a copy after the meeting. The employee's letter and/or manager's notes should make it clear that the employee is raising the issue via the whistleblowing procedure and provide:

- The background and history of the concerns
- Names, dates, and places (where possible)
- The reasons why the employee is particularly concerned about the situation.

The employee should be asked to date and sign their letter and/or the notes of any discussion. The manager should positively encourage the employee to do this, as a concern expressed anonymously is much less powerful and much more difficult to address, especially if the letter/notes become evidence in other proceedings, e.g., an internal disciplinary hearing.

The senior leader should follow the policy as set out above and explain to the employee:

- Who they will need to speak to determine the next steps.

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- What steps they intend to take to address the concern?
- How they will communicate with the employee during and at the end of the process. It should be noted that the need for confidentiality may prevent the Trust from giving the employee specific details of any necessary investigation or any necessary disciplinary action taken as a result.
- That the employee will receive a written response within 10 working days
- That their identity will be protected as far as possible but should the investigation into the concern require the employee to be named as the source of the information, that this will be discussed with the employee before their name is disclosed.
- That the Trust will do all that it can to protect the employee from discrimination and/or victimisation
- That the matter will be taken seriously and investigated immediately
- That if the employee's concern, though raised as a genuine concern, is not confirmed by the investigation, no punitive action will be taken against them.

If clear evidence is uncovered during the investigation that they have made a malicious or vexatious allegation, disciplinary action may be taken against them.

The investigation may confirm their allegations to be unfounded in which case the school will deem the matter to be concluded unless new evidence becomes available.

Stage 2:

Following the initial meeting with the employee, the senior leader should consult with the headteacher / chair to determine whether an investigation is appropriate and, if so, what form it should take. A record should be made of the decisions and/or agreed actions.

It may be necessary, with anonymous allegations, to consider whether it is possible to take any further action. When making this decision, the headteacher / chair should take the following factors into account:

- The seriousness of the issue/s raised.
- The credibility of the concern/s
- The likelihood of confirming the allegation/s from attributable sources

In some cases, it may be possible to resolve the concern/s simply, by agreed action or an explanation regarding the concern/s, without the need for further investigation. However, depending on the nature of the concern/s it may be necessary for the concern/s to:

- Be investigated internally.
- Be referred to the police.
- Be referred to the external auditor.
- Form the subject of an independent inquiry.

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After a complaint has been raised

Stage 3:

The person against whom the allegations have been made will be given an opportunity to respond. You will be kept informed of progress by the person to whom you have made your complaint and who is responsible for dealing with it.

All efforts will be made to keep your concerns private unless at some point you are required to give evidence.

Independent Advice

The aim of this procedure is to provide an internal mechanism for reporting, investigating, and remedying any wrongdoing in the workplace. In most cases, the employee should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for the employee to report their concerns to an external body, such as a regulator. It will very rarely if ever be appropriate to alert the media. Employees are strongly encouraged to seek advice before reporting a concern to anyone external. If an employee is not satisfied with the Trust's response, the senior manager dealing with the case should ensure that they are made aware with whom they may raise the matter externally:

- Protect⁷ - 0203 117 2520*
- Recognised trade union
- Senior LA officer
- External auditor
- Relevant professional bodies or regulatory organisations
- Solicitor.

*Protect is a registered charity that employees can contact for advice to assist them in raising concerns about poor practice at work. The charity also provides advice to employers as to the possible ways to address these concerns.

Concerns about safeguarding practices can be raised externally using the NSPCC whistleblowing helpline. Employees can call [0800 028 0285](tel:08000280285) or email help@nspcc.org.uk.

The senior leader dealing with the case should stress to the employee that if they choose to take a concern outside the Trust, it is the employee's responsibility to ensure that confidential information is not disclosed, i.e., confidential information, in whatever format, is not handed over to a third party.

This policy has been prepared by the Trustees who are responsible for it.

Links with other policies

Acceptable Users	On line-Safety	Data Protection	Confidentiality
Health & Safety	Staff Handbook	Equalities	Financial Regulations
Conflict of Interest Policy	Gifts & Hospitality	Anti-theft and Fraud	Not for Profit
Disciplinary / Grievance Policy / Appraisal Policy		Safer Recruitment Policy	
Allegations against Staff			
Safeguarding, Early Help & Child Protection Policy			