



The Holy Family of Nazareth Catholic Academy Trust

Whistleblowing Policy and Procedure

Date of policy: **October 2020**

Date last review adopted by HFNCAT Board: **December 2020**

Frequency of review: **Annual**

Date of next review: **October 2021**

The Academy is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards in accordance with their contractual obligations and the Academy's policies and procedures from time to time in force.

As a public service organisation, the Academy will use public funds prudently and apply the highest standards of conduct throughout the organisation. This procedure encourages you to help maintain these standards, by enabling you to draw attention, *within the Academy*, to any concerns which you may have. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur. Public disclosure may well be justified at some point, but this should not happen before the Academy has had the opportunity to investigate the concern. Premature or unnecessary publicity may damage the Academy's reputation, impede proper investigations or hurt individuals.

The aims of this policy are:

- To encourage staff 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;
- To provide staff with guidance as to how to raise those concerns;
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Protect (formerly Public Concern at Work).

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the Academy and the Academy reserves the right to amend its content at any time. This Policy reflects the Academy's current practices and applies to all individuals working at all levels of the organisation, including the Principal, Heads of Department, members of the Senior Leadership Group, officers, Directors, employees, consultants, contractors, trainees, home-workers, part-time and fixed-term workers, casual and agency staff (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content.

Examples of concerns that may be raised under the procedure are:

- Law breaking.
- Miscarriages of justice.
- Health and safety risks (to anyone).
- Damage to the environment.
- Unauthorised use of money.
- Dishonesty, fraud and corruption.
- Sexual, physical or financial abuse of pupils/clients.
- Other unethical conduct.

A whistle-blower is a person who raises a genuine concern that he/she believes is in the public interest relating to any of the above. The Academy wants normal management channels to be sufficiently open and effective for most concerns to be raised that way. But this will not always be appropriate or possible and that is why we have a Confidential Reporting Procedure. It offers the means to raise concerns you may have about any aspect of service provision or the conduct of staff, governors/elected members or other people acting on behalf of the Academy. A concern may arise, for example, from worries about failure to observe standards, or policies being circumvented or improper conduct.

The procedure does not cover concerns that are covered by other procedures. For example, an employment problem may well be covered by the Academy's Grievance Procedure.

Harassment or Victimisation

You may be put off raising a concern because you are worried about reprisals. If you raise a concern in good faith and genuinely believed it to be well founded, you should have nothing to fear. You will be doing your duty to the Academy and the public. The Academy will not tolerate any harassment or victimisation (including covert pressure) and will do all it can to protect you. If you happen to be involved in any disciplinary or redundancy procedures, these must be kept quite separate from the investigation of your complaint.

You will not be penalised in any way, where you make an allegation in the public interest and in good faith, but it is not confirmed after it has been investigated. (But a concern that is raised frivolously, maliciously or for personal gain may result in disciplinary action).

Confidentiality

Your concern will be treated in strict confidence, within this Procedure, and everything done to keep your identity secret (if this is what you want). But note that you *may* have to be a witness at some point. It might then not be possible to keep your identity fully secret.

Anonymous Allegations

An anonymous concern is likely to carry much less weight than one which is signed; the investigating manager would have to decide whether or not to accept it. This decision would depend on the

seriousness of the issue, the credibility of the concern and the likelihood of being able to confirm the allegation in other ways. Signed concerns are always better.

Raising a Concern

Who to approach?

Concerns regarding	To be raised with
Employee	Line Manager
Line Manager	Principal/Headteacher
Principal/Headteacher	Chair of Governors
Direct Trust employees	CEO
CEO	Chair of the Board
Governors	Chair of the Board
Directors	Chair of the Board
Chair of the Board	Director of Schools, Diocese of Shrewsbury

Depending on the nature of the concern the Local Authority Designated Officer (LADO) may also be informed.

How to Raise your Concern

You can raise your concern orally (i.e., face to face or over the phone) or in writing. If you write, mark the envelope 'personal and confidential'. Whichever way you choose, please give as much information as you can. Remember also to give your name, job and where you work and say if you do not want to be contacted at work (if so, give your home address and phone number).

The following headings should help you organise your thoughts, but you do not have to follow them exactly:

- Why you are concerned and the background information.
- Any other procedures which you have already used – and what happened.
- The people who are involved and where they work.
- Dates or period of time.
- The names and jobs of any other people who will (or may) support your concern.

The earlier a concern is raised the better. Whilst you will not be expected to prove that allegations are true, you will need to show that you have a reasonable basis for your concern.

You may want to discuss the matter with one or two colleagues first. Their support could be helpful. There is nothing to stop two or more of you putting your names to a concern.

If you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Protect

Helpline: 020 3117 2520

(Independent whistleblowing charity)

E-mail: whistle@protect-advice.org.uk

Website: www.pcaw.org.uk

Involvement of your Trade Union or Professional Association

You may ask your trade union or professional association to raise a matter on your behalf or advise you on how to articulate the case yourself. In this case – if you wish – you can remain anonymous when the concern is first raised. But you may have to be involved personally if the matter goes further.

You may also have your trade union, professional association or a friend at any meeting or interview.

Help with the Procedure

Any of the following will help you to understand *the procedure*:

- The Principal/Head Teacher line manager for your Department/team.
- Chair of Governors
- Your Professional Association

How Your Concern Will Be Dealt With

Once a member of Staff has raised a concern, the Academy will carry out an initial assessment to determine the scope of any investigation. The Academy will inform the member of staff of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information.

In some cases, the Academy may appoint an investigator or team of investigators including Staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the Academy to minimise the risk of future wrongdoing.

The Academy will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Academy from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If the Academy concludes that a whistle-blower has made false allegations maliciously or with a view to personal gain, the whistle-blower will be subject to disciplinary action under the relevant Disciplinary Policy and Procedure.

Personal Support

The Academy will do all it can to minimise any difficulties that you may have because you have mentioned your concern. As far as we can, you will be offered personal support, and this will be arranged by the Principal/Head Teacher. For example, if you had to give evidence in disciplinary or criminal proceedings, full advice about the procedure would be given to you. Staff must not threaten or retaliate against whistle-blowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

All Staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Principal/Head Teacher in the first instance.

If You Are Not Satisfied with the Academy's Response

This procedure is meant to give everyone an effective way to raise a concern within the Academy (and if possible, to resolve it internally). You should not feel that you have to take an issue outside the Academy to get satisfaction. But if you are still unhappy after using the procedure (and getting a final response), you are entitled to consider taking your concern elsewhere. If you do this, these are some contacts that are available:

- The external auditors
- Your trade union/professional association
- A Citizens Advice Bureau
- A relevant professional or regulatory body
- A relevant voluntary organisation
- The police

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases Staff should not find it necessary to alert anyone externally.

However, the law recognises that in some circumstances it may be appropriate for Staff to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Whistleblowing concerns usually relate to the conduct of Academy Staff, but they may sometimes relate to the actions of a third party, such as a service provider. The law allows Staff to raise a concern in good faith with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, Staff are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

