



Policy

Whistleblowing

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Our Mission

The school communities of The Bishop Wheeler Catholic Academy Trust will work together in truth and love to provide the best possible opportunities for all our young people and their families.

Our mission is the provision, development and future safeguarding of a World Class Catholic Education where every child, member of staff and family matters

The schools, their governors and the trust directors will work together, based on the principle of subsidiarity, in faithfulness and humility, to provide an education where Christ and His values of respect, service, tolerance, dignity and forgiveness are at the heart of everything we do.

This policy was adopted by the Trust Board

Signature:

Mrs C Hyde
Chair of Trust Board

Date:

5 December 2018

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1. Policy Summary and Guiding Principles

1.1 Introduction

Whistleblowing inside the work place is the term used to describe reporting by employees, or ex-employees, of wrongdoing on the part of management governors or fellow employees.

Wrongdoing may include for example fraud, corruption, breach of health and safety law or any other illegal or unethical act against the policies, procedures and ethos of the Bishop Wheeler Catholic Academy Trust.

As an employee, you may be the first to realise that there may be something seriously wrong within the organisation. However, you may not express your concerns because you feel that speaking up would be disloyal to colleagues or the organisation. You may also fear harassment or victimisation, and think it may be easier to ignore the concern rather than report it.

The Bishop Wheeler Catholic Academy Trust is committed to the highest standards of openness, probity and accountability. In line with that commitment, we encourage employees who have serious concerns about any aspect of the Trust's operation to come forward and voice their concerns.

1.2. Aims and Scope of the Policy

This whistleblowing policy provides avenues for you to raise concerns and receive feedback on any action taken; allows you to take the matter further if you are dissatisfied with the Trust's response and reassure you that you will be protected from reprisals or victimisation for whistleblowing in good faith.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. This whistleblowing policy is intended to cover concerns that fall outside the scope of other procedures, although the Trust reserves the right to determine which procedure is appropriate.

Concerns to be reported under this policy may relate to something that is unlawful; is against the Trust's financial regulations or other policies; falls below established standards or practice; or amounts to improper conduct.

1.3 Roles and Responsibilities

The Trust

The Trust has overall responsibility for:

- monitoring, evaluation and review of the policy
- approving amendments to the policy
- ensuring the policy is available for staff
- maintaining a record of concerns raised and the outcomes

Headteachers

- refer all concerns raised to the Trust central office for advice
- undertake investigations without undue delay

Employees

- raise issues of concern responsibly, never without good grounds, falsely or maliciously

1.4 Harassment or Victimisation

The Trust recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for potential malpractice. The Trust will not tolerate harassment or victimisation and will take action to protect you should you consider you are subject to harassment or victimisation as a result of your whistleblowing.

1.5 Confidentiality

The trust treats whistleblowers in confidence and will do its best not to divulge your identity without your consent or unless there are reasonable grounds to believe that the whistleblower has acted maliciously. In the absence of such consent or grounds, the identity will not be revealed except where there is a legal obligation to do so. If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make malicious or vexatious allegations, appropriate action may be taken against you.

2. Procedures

2.1 How to raise a concern

The earlier you express a concern, the easier it is to take action.

As a first step, you should raise concerns informally with your line manager. Your line manager will seek advice from the Headteacher, and you may be asked to write a statement. Should your concerns be about your line manager, you must raise your concerns directly with the Headteacher.

Concerns may be raised with the following:

- Your Line Manager
- Headteacher
- Chair of Academy Council
- Trust's Business Director or HR Manager
- Chair of Trust Board

Although you are not expected to prove an allegation, you will need to demonstrate that there are sufficient grounds for your concern.

2.2 How the Trust will respond

In order to protect individuals and the school, 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 (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures. Headteachers will seek advice from the Trust office. The Trust may, at any time, disclose the matter to their solicitor for the purpose of taking legal advice.

Promptly, within ten working days of the concern being initially raised, the Trust will recommend a course of action which may:

- be investigated by the Headteacher
- be investigated by the Trust
- be referred to the Police
- be referred to the external auditor or any other appropriate external agency
- form the subject of an independent inquiry
- or any combination of the above
- recommend no course of action

The grounds on which no further action is proposed will include that the investigator is satisfied that, on the balance of probabilities, there is no evidence that wrongdoing has occurred, is occurring or is likely to occur. The investigator may come to the conclusion that the whistleblower is not acting in good faith. The matter may be subject to a different procedure such as disciplinary.

Should it be necessary to convene an investigation meeting, you have the right, if you wish, to be accompanied by a Union or professional association representative or a colleague who is not involved in the area of work to which the concern relates.

The school will take steps to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the school will advise you about the procedure.

The conclusion, or progress of the investigation, will be reported in writing to the whistleblower within twenty eight days of the initial concern being raised. An extension to this timescale may be required. The whistleblower will be notified in writing of the extension. The whistleblower may at any time disclose the matter on a legally privileged basis to a professionally qualified lawyer for the purpose of taking his / her own legal advice.

2.3 Malicious accusations

A deliberately false or malicious accusation made is a disciplinary offence and will be dealt with under the Trust's disciplinary procedure.

2.4 Informing external agencies

Within the Academy Trust all staff have a duty of confidentiality. The duty of confidentiality is implied by the law in every contract of employment and prohibits employees from publicly disclosing employers' confidential information, unless it is in the public interest that the information is disclosed or unless the Academy fails to follow required procedures. Other legal restrictions on the disclosure of information, for example under data protection legislation, may also apply.

Whistleblowing to an external agency without first going through the internal procedure is a breach of the Academy's Code of Conduct. The external agencies which may be used if disclosure is permitted are:

Department for Education (ESFA). (In these circumstances, the DfE/ESFA will assess whether all school processes have been applied and that the Headteacher has done everything possible to resolve the issue. If this is not the case, the DfE/ESFA will refer the matter back to the Headteacher);

Member of Parliament

National Audit Office

Health and Safety Executive

Police

Whistleblowing to the media is not appropriate or permitted in any circumstances.

2.5 Support for whistleblowers

Under the Public Interest Disclosure Act 1998 a whistleblower is protected from detriment and unfair dismissal. The Trust will support and not discriminate against concerned employees who apply the Whistleblowing Policy, proving any claim is made in good faith.

 The 10 schools in our Trust:

St. Mary's Menston, a Catholic Voluntary Academy
St. Joseph's Catholic Primary School Otley, a Voluntary Academy
Ss Peter and Paul Catholic Primary School, a Voluntary Academy
Sacred Heart Catholic Primary School Ilkley, a Voluntary Academy
St Mary's Horsforth Catholic Voluntary Academy
St. Joseph's Catholic Primary School Pudsey, a Voluntary Academy
St Joseph's Catholic Primary School Harrogate, a Voluntary Academy
St Mary's Catholic Primary School Knaresborough, a Voluntary Academy
St. Stephen's Catholic Primary School and Nursery, a Voluntary Academy
Holy Name Catholic Voluntary Academy



The Bishop Wheeler Catholic Academy Trust

The Bishop Wheeler Catholic Academy Trust is a charity and a company limited by guarantee, registered in England and Wales

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