

# Whistleblowing Policy

**Policy Drafted:** 04/07/2019

**Date Policy Approved:** 11/07/2019

**Date Policy to be Reviewed:** September 2020

Document Control	
Supersedes	Whistle Blowing Policy prior to September 2019
Amendments	Clear steps on reporting concerns or whistle blowing about Headteachers, Executive Principal, Local Governing Bodies, Board of Directors or Board Sub Committees Updates from the ESFA Handbook to have at least one named individual in each school that staff can report to.
Process for Sign Off	COO to draft, BoD to approve
Review	2019-2020
Responsibility	<ul style="list-style-type: none"><li>• Directors and EP have a responsible to ensure a clear policy that promotes the protection of whistle-blowers and the value of Whistle Blowing to the organisation.</li><li>• Headteachers have a responsibility to ensure the sharing of the policy to all staff.</li></ul>

## 1. Introduction

The Public Interest Disclosure Act 1998 was developed to ensure a climate of greater frankness between employers and employees so that irregularities can be identified and addressed quickly and to strengthen employment rights by protecting responsible workers who 'blow the whistle' about wrongdoing or failures in the workplace. This policy applies those statutory provisions to the administration of the Trust and its academies.

This policy applies to the Trust's Board Members, Governors, Management and all staff.

The CLIC Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, it encourages employees and others with serious concerns about any aspect of the work of the Trust or one of its academies to come forward and voice those concerns. It recognises that certain cases will have to proceed on a confidential basis. This policy makes it clear that staff can do so without fear of reprisals and is intended to encourage and enable staff to raise serious concerns within the Trust or an academy, rather than overlooking a problems or publicly disclosing the matter.

## 2. Aims and Scope of this Policy

This policy aims to:

- Provide ways for you to raise concerns and receive feedback on any action taken;
- Allow you to take the matter further if you are dissatisfied with the response of the Trust or Academy.

This policy is not intended as recourse against financial or business decisions made by the Trust or Academy. Nor is it an alternative to disciplinary or grievance procedures, which should be used to address concerns regarding individual employment matters.

Concerns raised under this Whistle-blowing Policy should be about something that is, in the reasonable belief of the employees, made in the public interest, and may be;

- unlawful or a criminal offence
- breach of legal obligation
- a miscarriage of justice
- mistreatment or abuse of a someone for whom the Trust / Academy has a responsibility
- in disregard of legislation governing health and safety at work
- seeking undue favour over a contractual matter or a job application
- against the Trust / Academy or Financial Regulations
- amounts to improper conduct or unauthorised use of public funds
- has led to or could lead to damage to the environments
- a deliberate cover up of information tending to show any of the above.

## 3. Safeguards

This policy has been written to take account of the Public Interest Disclosure Act 1998 which protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in the public interest.

### 3.1 Harassment or Victimisation

The Trust is committed to good practice and high standards and to being supportive of you as an employee and 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 the malpractice. If you honestly and reasonably believe what you are saying is true, you have nothing to fear because you will be doing your duty to your employer, your colleagues and the children in our schools. The Trust will take action to protect you when you raise a concern. It will not tolerate any resulting harassment

or victimisation (including informal or indirect pressures) and will treat this as a serious disciplinary offence which will be dealt with under the proper procedures.

As a whistle blower you're protected by law - you shouldn't be treated unfairly or lose your job because you 'blow the whistle'. Any investigation into an allegation of malpractice will not influence or be influenced by any disciplinary or redundancy procedures which already affect you.

### 3.2 Confidentiality

All concerns will be treated in confidence and the Trust will do its best to protect your identity if requested. If investigation of a concern disclosed a situation which is sufficiently serious to warrant disciplinary action or police involvement, then your evidence may be important. Your name will not however be released as a possible witness until the reasons for its disclosure at this stage have been fully discussed with you.

### 3.3 Anonymous Allegations

This policy encourages you to put your name to your allegation. Concerns expressed anonymously are much less powerful but they will be taken seriously. It will be more difficult for the matter to be investigated and for you to be provided with feedback. For this reason, where you wish to raise your concern anonymously, this may best be done through your trade union.

### 3.4 Untrue Allegations

If you make an allegation which is not confirmed by the investigation, no action will be taken against you unless it is considered that you have made malicious or vexatious allegations. In these circumstances, disciplinary action could be taken against you.

## 4. How to Raise a Concern

Staff can in the first instance raise a concern with one of two named individuals in your school to report concerns.

#### Whistle Blowing Named Individuals:

Chorlton Park	Leanne Opdam	<a href="mailto:lopdam@chorltonpark.manchester.sch.uk">lopdam@chorltonpark.manchester.sch.uk</a>
	Lynn Isaacs	<a href="mailto:lisaacs@chorltonpark.manchester.sch.uk">lisaacs@chorltonpark.manchester.sch.uk</a>
Old Moat	Caroline Nugent	<a href="mailto:cnugent@oldmoat.manchester.sch.uk">cnugent@oldmoat.manchester.sch.uk</a>
	Jackie Teer	<a href="mailto:jteer@oldmoat.manchester.sch.uk">jteer@oldmoat.manchester.sch.uk</a>
Rolls Crescent	Julie Rand	<a href="mailto:rand@rolls-crescent.manchester.sch.uk">rand@rolls-crescent.manchester.sch.uk</a>
	Rebecca Pickford	<a href="mailto:pickford@rolls-crescent.manchester.sch.uk">pickford@rolls-crescent.manchester.sch.uk</a>
Dane Bank	Debbie Large	<a href="mailto:Debbie.large@danebank.tameside.sch.uk">Debbie.large@danebank.tameside.sch.uk</a>
	Lisa Fox	<a href="mailto:lisa.fox@danebank.tameside.sch.uk">lisa.fox@danebank.tameside.sch.uk</a>

Staff wishing to raise a concern about a headteacher can do so or whistle blow to the Trust via the Executive Principal. Staff wishing to raise a concern about the Executive Principal, other senior leaders, Local Governing Bodies can do so via the Chair of the Trust. Staff wishing to raise a concern or whistle blow about the Chair of the Trust, Board of Members or Board Sub Committees can do so to the Trust Members via the Trust’s Executive Assistant.

<b>Contact details:</b>		
Interim Executive Principal	Sally Lamb	<a href="mailto:slamb@oldmoat.manchester.sch.uk">slamb@oldmoat.manchester.sch.uk</a>
Chair of the Trust	Richard Buckley	<a href="mailto:rbuckley@governor.clicmanchester.com">rbuckley@governor.clicmanchester.com</a>
Executive Assistant	Clair Travis	<a href="mailto:ctravis@clicmanchester.com">ctravis@clicmanchester.com</a>

In some circumstances, the concerns can be raised directly with the Education and Skills Funding agency (ESFA).

Concerns can be raised orally but it is good practice for the concern to be recorded in writing at an early stage to ensure that all the details are correctly understood. A written allegation should set out the background and history of the concern (giving names, dates and places where possible and the reason why you are particularly concerned about the situation). It is preferable for you to record this in writing yourself. However, where the person to whom you voice your concerns writes these down, a copy will be sent to your home address or via your representative to give you an opportunity to agree this as a correct record.

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

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

You may seek advice from your trade union representative on how best to raise your concern.

## 5.0 How the Trust Will Communicate with you

5.1 We will respond to your report within 10 working days. The Trust will assign an appropriate named person to deal with your report. This person will:

- acknowledge that the concern has been received and thank you for raising your concern;
- explain their role;
- discuss with you how we can do so in a way that maintains your confidentiality;

- discuss your concerns with you, to ensure we understand exactly what you are worried about. The amount of contact between the investigating officer and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information from you will be sought.
- discuss with you your preferred method of communication and providing feedback;
- recommend you use your union representative to support you and that should raise any concerns you have about the conduct of the investigation to this support person. This support person will work with the Trust to take appropriate steps to support you in the workplace and at any criminal or disciplinary proceedings which may eventually occur from your concern and at which you are asked to give evidence.
- explain that you need to keep the investigating officer informed of any further issues you think necessary;
- give you an indication of how we propose to deal with the matter;
- inform you that if urgent action is required in response to a concern, this may will be taken before a full investigation is conducted;
- let you have an estimate of how long it will take to provide a final response;
- tell you whether about initial enquiries to be made;
- tell you whether further investigations will take place, and if not, why not;
- you need to be assured that the matter has been properly addressed and subject to legal constraints, you will receive information about the outcome of any investigation and / or proceedings;
- we will let you know, and where we decide not to pursue the matter further, we will explain why.

5.2 When any meeting is arranged, you have the right, if you so wish, to be accompanied by a trade union or professional association representative or a work colleague.

5.3 If you wish to retain your anonymity, you will need to nominate a representative to which correspondence may be directed in order to keep you informed.

5.4 The action taken by the Trust will depend on the nature of the concern. After initial enquiries to assess the seriousness of the matter it may be investigated:

- internally (employing specific procedures where they are applicable, for example; in child protection or discrimination issues);
- by an independent investigating officer appointed by the Trust;
- or referred to another agency.

## **6.0 How the Matter Can Be Taken Further**

This policy is intended to provide you with guidance/instructions on raising concerns within the Trust and / or one of its academies. The Trust hopes you will be satisfied by its response. If you are not, you may wish to raise the matter with your trade union official, who in return will liaise with the Trust on your behalf.

## **7.0 Monitoring, Evaluation and Review**

The Directors of the Trust have overall responsibility for the maintenance and operation of this policy. Within their duty to ensure the Trust acts lawfully, they will maintain a record of all concerns raised under this policy and the outcomes of any investigations.

The Trust Board will review this policy in conjunction with the recognised trade unions at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Trust.