



Mission Statement

"A Caring Christian Family Where We Grow Together"

WHISTLEBLOWING PROCEDURE

Effective Date: 01/04/2017

Review Date: Biennial June 2024

Review Date	Signed Head Teacher	Signed Director RCSAT
11/09/2018	<i>J. L. J. J. J.</i>	<i>P. B. B.</i>
06/10/2020	<i>J. M. Badger</i>	<i>P. B. B.</i>
30/05/2022	<i>J. M. Badger</i>	<i>P. B. B.</i>

Persons Responsible for Policy:	Executive Headteacher RCSAT
Approval Date	01/04/2017
Signed:	Director RCSAT
Signed:	Executive Headteacher RCSAT



1. Introduction

- 1.1. RCSAT Schools fully support the Cheshire East Council's Whistleblowing policy.
- 1.2. As a result, every member of staff is expected to report any concerns regarding conduct or behaviour to the Executive Head teacher/Principal or the Chair of the LGC without delay, or if preferred, with an independent senior officer from CEC. They are then duty bound to follow the protocols laid down by Cheshire East Council (CEC) in the following document.
- 1.3. If any member of staff feels that the Executive Head teacher/Principal or the Chair of the LGC will not be able to deal with the issue, or reported concerns have not been dealt with then the member of staff should contact one of CEC's designated staff. (See Appendix 1).
- 1.4. This procedure does not replace or override the School's Complaints Procedure, which complies with the 2011 Education Act and follows the model complaints procedure recommended by the DfE.

2. Whistleblowing Examples

- 2.1. Examples of concerns which would trigger Whistleblowing actions include:
 - 2.1.1. inappropriate or unacceptable behaviour pertaining to the treatment of pupils,
 - 2.1.2. theft of money or other property,
 - 2.1.3. fraud and corruption,
 - 2.1.4. alcohol and drug related offences,
 - 2.1.5. bullying or abuse of employees,
 - 2.1.6. inappropriate conduct in any shape or form,
 - 2.1.7. breaches of health and safety rules or damage to the environment,
 - 2.1.8. any neglect of duty or poor care standards,
 - 2.1.9. disclosure of confidential information or any other breaches which could damage the School's reputation.
- 2.2. For further pertinent information all staff are encouraged to visit the CEC Centranet site - What employees need to know - Whistleblowing and look at the FAQ's.

3. Implementing the Procedure

- 3.1. Responsibilities
 - 3.1.1. The Executive Headteacher shall have overall responsibility for the implementation of this Procedure and shall ensure that all aspects of the procedure are managed appropriately.
 - 3.1.2. To facilitate this, the Executive Headteacher has designated named staff and governors to manage aspects of this procedure, including co-ordination, health and safety governance overview and daily checks on the conditions of the premises, reporting any issues to the Executive Headteacher.
 - 3.1.3. The named persons are detailed in Appendix 1 of the procedure.

4. Foreword

- 4.1. Employees are often the first to realise that there may be something seriously wrong within a school, however, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the school. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of a serious nature.
- 4.2. This Whistleblowing Procedure is intended to encourage and enable employees, members of the Trust Board, contractors and suppliers to raise serious concerns within the school rather than overlooking a problem or blowing the whistle outside.
- 4.3. The procedure applies to all employees, members of the Trust Board, contractors and suppliers, and provides them with a secure basis for reporting suspicions of impropriety, in the knowledge that if requested the matter will be treated confidentially.



5. Aims and Scope

- 5.1. Whistleblowing can be described as a disclosure made by an employee, member of the Trust Board, contractor or supplier who has concerns about a danger or illegality that has a public interest to it, usually because it threatens others.
- 5.2. A grievance or private complaint is by contrast, a dispute about an individual's own employment or personal position and has no public interest to it.
- 5.3. The Whistleblowing Procedure has been developed in line with best practice and aims to:
 - 5.3.1. Encourage the person to feel confident in raising serious concerns and to question and act upon concerns about practice.
 - 5.3.2. Provide avenues for the person to raise those concerns and receive feedback on any action taken.
 - 5.3.3. Provide reassurance that the person will be protected from possible detriment if he/she has a reasonable belief that any disclosure you have made is true.
- 5.4. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures. These are detailed above.
- 5.5. If the person's concerns relate to their own employment, contractual position or your personal position as a member of the Trust Board then they do not fall under the scope of this procedure and should be raised via the school's Grievance Procedure or Complaints Procedure.
- 5.6. This procedure does not cover members of the public and any reports received will be dealt with under the Complaints Procedure.
- 5.7. Concerns around Child Protection should be referred through the school's Safeguarding Procedure.
- 5.8. RCSAT 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.
- 5.9. As a result, RCSAT will not tolerate any detrimental treatment (including informal pressures) and will take appropriate action to protect you when you raise a concern that you believe to be true.

6. Evidence

- 6.1. Subjecting a worker to a detriment means subjecting the worker to any disadvantage because they blew the whistle. This could include (but is not limited to) any of the following:
 - 6.1.1. failure to promote or demotion,
 - 6.1.2. denial of training,
 - 6.1.3. closer monitoring,
 - 6.1.4. ostracism,
 - 6.1.5. blocking access to resources,
 - 6.1.6. unrequested re-assignment or re-location,
 - 6.1.7. suspension,
 - 6.1.8. disciplinary sanction,
 - 6.1.9. bullying or harassment,
 - 6.1.10. victimisation,
 - 6.1.11. failure to provide an appropriate reference,
 - 6.1.12. failure to investigate a subsequent concern.
- 6.2. If someone is found to have subjected a bona fide whistleblower to any detriment, this shall be dealt with under the school's disciplinary procedure.
- 6.3. Should a person believe that they have suffered a detriment as a result of raising a concern, they should raise the issue through the school's grievance procedure.
- 6.4. Staff shall be aware that, if they are already the subject of disciplinary or redundancy procedures, the procedures shall not be halted as a result of the whistleblowing report.

7. Open Disclosures

- 7.1. The best culture is one where individuals have sufficient faith in the whistleblowing arrangements and culture of the school to allow them the confidence to make open disclosures. This is where those involved know what the issues are along with who raised them.

- 7.2. RCSAT schools shall aim to provide this culture and it is hoped that any individual with a whistleblowing concern will feel able to raise their issues openly.
- 7.3. This openness makes it easier to assess the report, gather additional information and carry out an investigation.
- 7.4. It also allows any hidden agendas to be identified, helps to prevent witch hunts and reduces the risk of mistrust and paranoia developing within the area being investigated.

8. Confidentiality

- 8.1. RCSAT schools shall recognise that some individuals may not feel that they can make such a report. Where this is the case, the procedure shall provide the whistleblower with the option of requesting that their name remains confidential.
- 8.2. Where confidentiality is requested, RCSAT schools shall do their best to ensure that the name is not revealed.
- 8.3. This cannot be guaranteed as there are certain circumstances where the name of the whistleblower may be made known. For example:
 - 8.3.1. The report is found to be knowingly false, or
 - 8.3.2. Disclosure is ordered by the courts or
 - 8.3.3. A formal statement is required as part of a police investigation.

9. Anonymous Allegations

- 9.1. The procedure shall encourage whistleblowers to put their name to the allegation whenever possible and actively discourages anonymous reports.
- 9.2. Concerns expressed anonymously are much less powerful but shall be considered at the discretion of the school.
- 9.3. In exercising this discretion the factors to be taken into account shall include:
 - 9.3.1. The seriousness of the issues raised,
 - 9.3.2. The credibility of the concern; and
 - 9.3.3. The likelihood of confirming the allegation from attributable sources.
- 9.4. Anonymous reports also raise a specific problem with regard to the legal requirement that personal data should only be collected fairly.
- 9.5. In addition, people making anonymous reports cannot be covered by the safeguards put in place to protect named whistleblowers.

10. Untrue Allegations

- 10.1. If an allegation is made that is believed to be true, but it is not confirmed by the investigation, no action shall be taken against the whistleblower.
- 10.2. If allegations that are known by the whistleblower to be false, then disciplinary action may be taken against them under the school's procedures.

11. How to Raise a Concern

- 11.1. As a first step, staff shall normally raise concerns with their immediate manager or Headteacher/Principal. However, depending upon the seriousness and sensitivity of the issues involved and who is suspected of the malpractice, this may not be appropriate.
- 11.2. If staff are not able to talk to their line manager or Principal, they may report their concern directly to the Chair of their LGC/Executive Headteacher
- 11.3. There are two ways to make a formal whistleblowing disclosure:
 - 11.3.1. Verbally, either face to face or by telephone, or
 - 11.3.2. In writing, either by sending a letter or email to the relevant person.
- 11.4. RCSAT prefers for concerns to be raised in writing and where this is the case, the following details are requested:
 - 11.4.1. Your name and contact details,
 - 11.4.2. Background information and history including details of the concern,



- 11.4.3. Whether the issue has already been reported to management and the outcome of this,
 - 11.4.4. Whether you wish your name to remain confidential,
 - 11.4.5. Whether you want feedback,
 - 11.4.6. The names and jobs of any other employees who may support the concern.
- 11.5. Where reports are made verbally to one of the named officers, they shall attempt to ascertain the same information.
- 11.6. The earlier the concern is expressed, the easier it is to take action.
- 11.7. Although staff are not expected to prove beyond doubt the truth of an allegation, they shall need to demonstrate to the person contacted that there are reasonable grounds for the concern.
- 11.8. Should staff wish to obtain independent advice in relation to a potential whistleblowing report, 'Protect' operate a confidential helpline 020 3117 2520. Further advice and guidance can also be found on their website protect-advice.org.uk
- 11.9. Staff may wish to consider discussing your concern with a colleague or their trade union first and may find it easier to raise the matter if there are two (or more) who have had the same experience or concerns.
- 11.10. Staff may invite their trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns raised.

12. School Response

- 12.1. The school shall respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.
- 12.2. The Trust Board shall appoint a Designated Officer to be a point of contact for concerns raised under the Whistleblowing Procedure. He/she shall be a member of the Senior Management Team.
- 12.3. The Designated Officer shall be impartial and capable of taking an independent view on the concern raised. If this is not appropriate, an Independent Designated Officer may be considered.
- 12.4. As part of this process contact will be made with the whistleblower to clarify the concerns and obtain any further information.
- 12.5. Where appropriate, the matters raised may:
- 12.5.1. be investigated internally,
 - 12.5.2. be referred to the police,
 - 12.5.3. be referred to Cheshire East Borough Council Internal Audit,
 - 12.5.4. be referred to the Diocese.
- 12.6. In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries shall be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the school shall have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) shall normally be referred for consideration under those procedures.
- 12.7. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this shall be taken before any investigation is conducted.
- 12.8. The amount of contact between the designated officer and the whistleblower shall depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the designated officer will seek further information.
- 12.9. Where any meeting is arranged, off-site if desired, the whistleblower may be accompanied by a union or professional association representative or a friend.
- 12.10. The school shall take steps to minimise any difficulties experienced as a result of raising a concern. For instance, if the whistleblower is required to give evidence in criminal or disciplinary proceedings, the school will arrange for advice and support about the procedure to be given.
- 12.11. The school shall understand that assurance that the matter has been properly addressed may be needed. Where possible an estimate of the length of any investigation shall be provided and, subject to legal constraints, if requested the school shall keep the whistleblower updated at least on a monthly basis during the process and will inform him/her of the outcome of any investigation. This may include where disciplinary action is taken as a result of an investigation but not details of any sanctions that may be issued.



13. Further Actions if needed

- 13.1.** This procedure is intended to provide whistleblowers with an avenue to raise concerns within the school and it is hoped that it will be utilised in this way.
- 13.2.** Possible alternative contact points for raising concerns are:
- 13.2.1. 'Protect' 020 3117 2520
The Director of Children's Services
Ofsted
Unison
The Police
To the Department of Education at www.gov.uk/complain-about-school
- 13.3.** It is stressed that this list is not exhaustive and staff are free to contact any organisation that they feel will be able to deal properly with their concerns. This may include:
- 13.3.1. your solicitor,
13.3.2. other relevant professional or regulatory bodies as prescribed by the Secretary of State.
- 13.4.** Whistleblowers should take legal advice before reporting an issue to a body other than those specified above to ensure that you are making a protected disclosure.
- 13.5.** Whistleblowers will be protected under the Public Interest Disclosure Act 1988 if concerns are raised with any of the above, provided that:
- 13.5.1. they believe the disclosure to be in the public interest,
13.5.2. they reasonably believe that the information disclosed, and any allegation contained in it, are substantially true,
13.5.3. they do not make the disclosure for personal gain.
13.5.4. If they do take the matter outside the school, they should ensure that you do not disclose confidential information.

14. The Law

- 14.1.** This procedure has been written to take into account the Public Interest Disclosure Act 1988, which protects workers making disclosures about certain matters of concern, where those disclosures are made within the act's provisions. The Act is incorporated into the Employment Rights Act 1996, which already protects employees who take action over, or raise concerns about, health and safety at work.

15. Review

- 15.1.** The procedure shall be reviewed in the light of operating experience and/or changes in legislation or further issued guidance from the DfE or every three years if there have been no changes.

RESPONSIBILITIES

Area of Responsibility	Person Responsible
Overall responsibility	Executive Headteacher
Co-ordinator in Bunbury School	Principal
Co-ordinator in St Oswalds School	Principal
Co-ordinator in Warmingham School	Principal
Governor	
Daily checks	

