



# **EDITH STEIN** **CATHOLIC ACADEMY TRUST**

## **WHISTLEBLOWING POLICY**

<b>APPROVED BY DIRECTORS</b>	<b>October 2024</b>
<b>SCRUTINISED BY LOCAL GOVERNING BODY / LOCAL GOVERNING BODY SUB COMMITTEE</b>	<b>October 2024</b>
<b>DATE LAST REVIEWED</b>	<b>October 2024</b>
<b>MEMBER OF STAFF RESPONSIBLE</b>	<b>Chief Executive Officer</b>
<b>STATUTORY / NON-STATUTORY</b>	<b>Statutory</b>



## Policy Amendments

Version Date	Section / Page	Amendments
October 2024	Throughout the policy 3.4 / Page 5	Change Trustee to Director Change Director of Schools to Director of Education
October 2023	1.5 / Page 2	New paragraph
	4.2 / Page 5	Additional sentence regarding feedback for anonymous disclosures
	4.4 / Page 5	New paragraph
	6.1 / Page 6	Change from 'reasonable length of time' to 10 working days
	7.2 / Page 7	Change from 'Responsible Officer' to 'Whistleblowing Officer of Whistleblowing Director'
	8.0 / Page 7	New Section

## Catholic Social Teaching

Human flourishing and the uniqueness of every individual are at the heart of how ESCAT staff are treated. This policy leans on two of the basic principles of Catholic Social Teaching: solidarity (schools, supporting, challenging, and inspiring one another) and subsidiarity (an organisation in which decisions are taken at the lowest possible level).

The Board of Directors are ultimately accountable for the performance and probity of the Trust as a whole, as well as for the nurturing of its Catholic Life. Trustees are very aware that they hold public money in trust and are responsible for the well-being and development of young people who have been entrusted to their care, in schools by their parents or carers. Trust and honesty, which are at the heart of human dignity and key components of Catholic Social Teaching, are central in this endeavour.

Staff and volunteers within ESCAT need redress through a policy if they believe trust and honesty are being compromised. Therefore, this Whistleblowing Policy sets out the definitions and procedures related to whistleblowing for members of ESCAT. It includes the means for employees to raise legitimate, serious, concerns about the organisation, and the protections provided to those who do so

***“Do your best to present yourself to God as one approved, a worker who does not need to be ashamed and who correctly handles the word of truth.”***

***(2 Timothy 2:15)***

### 1.0 Introduction

- 1.1 Edith Stein Catholic Academy Trust (ESCAT) and the schools within the Trust, forms part of the mission of the Catholic Church. They are committed to the Gospel values of honesty, trust and integrity, and expect all employees, Governors and Directors, to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct.
- 1.2 A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.
- 1.3 The aims of this policy are:
  - To encourage employees, Local Governors, Directors, Officers and suppliers to act upon their concerns and report any matter where they 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 employees, Local Governors, Directors, Officers and suppliers with guidance as to how to raise those concerns.
  - To reassure employees, Local Governors, Directors, Officers and suppliers that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
  - To ensure that employees about whom concerns are raised are treated fairly and supported appropriately
- 1.4 This policy applies to all individuals working at all levels including Senior Leaders, Directors, employees, consultants, contractors, trainees, Local Governors, part-time and fixed-term workers, casual and agency staff and volunteers (collectively referred to as staff in this policy).

- 1.5 The Trust is committed to:
- Training in relation to whistleblowing law and the organisation's policy.
  - Treating all disclosures consistently and fairly.
  - Ensuring that any instances of victimisation as a result of whistleblowing will be taken seriously and managed appropriately.

## 2.0 What is Whistleblowing?

- 2.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

### 2.1.1 School Operation

- 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;
- Public funds being used in an unauthorised manner
- discrimination occurring to any member of staff or student as defined within the Equalities Act 2010 or similar legislation
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures;
- conduct likely to damage our reputation;
- unauthorised disclosure of confidential information or other activity;
- malpractice in relation to public examinations; or
- the deliberate concealment of any of the above matters.

### 2.1.2 Safeguarding young people

All employees have a duty to report concerns about the safety and welfare of pupils/students:

- physical abuse of a pupil/student
- inappropriate communication between an adult and child
- sexual abuse of a pupil/student
- emotional abuse of a pupil/student
- neglect of a pupil/student
- an intimate or improper relationship between an adult and a pupil/student
- a student's vulnerability to radicalisation

- 2.2 A whistleblower is a person who raises a genuine concern relating to any of the above and they reasonably believe that disclosure is in the public interest. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy as soon as possible.
- 2.3 This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work or the way your child has been treated in school. In those cases, you should use the Staff Grievance Policy, the relevant appeal process under our specific employment policies or (for parents and members of the public) the Complaints Policy.
- 2.4 If you have any concerns relating to child protection or safeguarding you must raise these under the appropriate policy immediately.
- 2.5 If you are uncertain whether something is within the scope of this policy, you may seek advice from Protect ([protect-advice.org.uk](https://www.protect-advice.org.uk)) and your trade union.

### 3.0 Raising a Whistleblowing Concern

- 3.1 Concerns about any issues related to the safeguarding of young or vulnerable people should be reported to the school's Designated Safeguarding Lead (DSL). Further information related to safeguarding matters can be found within the school safeguarding policy and procedures. If you are concerned about the way in which an adult working with children has behaved towards a child, you or your manager must inform the Local Authority Designated Officer (LADO).
- 3.2 We hope that in most other cases you will be able to raise any concerns with your line manager or Headteacher. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively.
- 3.3 In some cases they may refer the matter to the Chair of Governors and if the matter concerns the Chair of Governors, then to the Chair of the ESCAT Board.
- 3.4 For all issues other than safeguarding:

Concern Raised Against	First Investigator	Second Investigator
Support Staff	Line Manager	Business Manager or Headteacher
Teacher	Line Manager	SLT or Headteacher
SLT	Headteacher	Local Chair of Governors
Headteacher	Chair of Governors	Chair of ESCAT
Governor	Chair of Governors	Chair of ESCAT
Chair of Governors	Chair of ESCAT	Diocesan Director of Education
Chair of ESCAT	Diocesan Director of Education	Other persons appointed by the Diocese

- 3.5 Depending on the nature of the concern, the complainant will be asked to justify and support their claim. Normally the complainant will be asked to do this in writing. It will therefore be helpful to note down any facts and dates as they happen.
- 3.6 Where anonymity is requested, efforts will be made to meet the request where appropriate but that might not always be possible. The earlier and more open the expression of concern the easier it will be to take appropriate action.
- 3.7 Each case will be investigated thoroughly with the aim of informing the complainant of the outcome of any investigation as quickly as possible. It may be necessary for the receiver of the complaint to pass it on to another member (second investigator) of staff to investigate
- 3.8 If an investigation is required, a decision will be made as to whether the matter will be addressed internally, be referred to the police or an external auditor or form the subject of an independent inquiry.
- 3.9 In cases where the welfare of the child may be at risk, it may be more appropriate to follow the procedure for 'Dealing with allegations of abuse against members of staff and volunteers'.

### 4.0 Confidentiality

- 4.1 We hope that all staff, Governors and Directors will feel able to voice whistleblowing concerns openly under this policy. However, if concern need to be raised confidentially, every effort to protect individual identity. If it is necessary for anyone investigating a concern to reveal the identity of the informant then this will be shared with them.

- 4.2 Anonymous disclosures are not encouraged. Proper investigation may be more difficult or impossible if we cannot obtain further information from someone raising a concern. It is also more difficult to establish whether any allegations are credible. Ordinarily anonymous whistleblowers will not be able to receive feedback and that any action taken to look into a disclosure could be limited.
- 4.3 If an individual has raised a whistleblowing concern with the fact and content of that concern should remain confidential so the allegation may be investigated fairly and effectively, save that it may be necessary to discuss the matter with a professional adviser or your trade union, with any investigator appointed by the Trust or school and with those other contacts identified in this policy.
- 4.4 Any so-called 'gagging clauses' in settlement agreements do not prevent workers from making disclosures in the public interest.

## **5.0 External Disclosure**

- 5.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases it should not be necessary for the concern to be communicated to anyone externally, subject to clause 5.2.
- 5.2 If it becomes necessary the matter outside ESCAT and the schools then the following are possible contact points:
- Protect
  - Audit Commission
  - A relevant Trade Union
  - Citizens Advice Bureau
  - Relevant Professional Bodies
  - Regulatory Organisations
  - Local Police
- 5.3 A whistleblower will only have protection for a disclosure to a prescribed person if they reasonably believe:
- disclosure is in the public interest; and
  - the relevant wrongdoing falls within the description of the matter in respect of which that person is prescribed; and
  - the information disclosed and allegation contained in it are substantially true.
- 5.4 Whistleblowing concerns usually relate to the conduct of staff, but they may sometimes relate to the actions of a third party, such as a supplier or government agency. In some circumstances, the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first. You should contact your line manager in the first instance.

## **6.0 Investigation and Outcome**

- 6.1 Once a concern has been raised, an initial assessment will be carried out within ten (10) school working days to determine the scope of any investigation. The person notified of the issue may have to pass the matter on to other colleagues for assessment. You will be informed of the outcome of that assessment. You may be required to attend additional meetings in order to provide further information.

- 6.2 In some cases the Head, Chair of Governors or Chair of Directors may appoint an investigator or team of investigators (including staff) with relevant experience of investigations or specialist knowledge of the subject matter. An investigation may be internal or external. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.
- 6.3 You will be informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent specific details being forwarded on. You should treat any information about the investigation as confidential.
- 6.4 If the conclusion is that a whistle-blower has made false allegations maliciously or with intent to damage our reputation or of any of our staff or with a view to personal gain, the whistle-blower will be subject to the school or Trust Disciplinary Policy.
- 6.5 The Trust and schools encourage prompt disclosure of potential wrongdoing. If you have delayed in disclosing potential wrongdoing you will be asked to explain why you have delayed in making the disclosure.

## **7.0 Protection and Support for Whistleblowers and other Staff**

- 7.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 7.2 Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform as appropriate our Whistleblowing Officer, Karen Hastilow or Whistleblowing Director, Marc Evans immediately. If the matter is not remedied you should raise it formally using our Staff Grievance Policy.

## **8.0 Further Information**

- 8.1 Further resources that can be accessed by potential whistleblowers using the government guidance on whistleblowing for employees (<https://www.gov.uk/whistleblowing>).