



# Whistleblowing Policy

SEPTEMBER 2022

CONCORDIA MULTI ACADEMY TRUST



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## 1. Document Control

### Amendment History

Version No.	Date	Comments
3	September 2022	

### Review Dates

Next Review Date
September 2023

### Author(s)

Name	Role
Tracy Webb	Chief Executive Officer (CEO)

### Reviewer(s)

Name	Role

### Approver(s)

Name	Role
Tracy Webb	Chief Executive Officer (CEO)

## 2. Purpose and Scope

### Introduction

The Public Interest Disclosure Act 1998 was enacted to ensure a climate of greater frankness between employers and workers 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. The policy set out in this document applies those statutory provisions to the administration of the Trust and its academies.

This Policy also applies to the Trust's Board Members, Local Academy Members, management, and all staff (employed or volunteers).

Employees are often the first to realise that something seriously wrong may be happening within the Trust or one of its academies. However, they may not express their concerns either because they feel that speaking up would be disloyal to their colleagues or to their employer or because they fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern than to report what may just be a suspicion of malpractice.

Concordia Multi-Academy 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 problem or publicly disclosing the matter.

### Aims & Scope

This policy aims to:

- ⦿ Provide avenues for staff to raise concerns and receive feedback on any action taken.
- ⦿ Allow staff to take the matter further if they are dissatisfied with the response of the Trust / academy.

This policy covers concerns that fall outside the scope of other procedures. It is not intended as recourse against financial or business decisions made by the Trust / academy. Nor is it an alternative to well-established disciplinary or grievance procedures, which should be used to address concerns regarding individual employment matters. It may however overlap with other policies for dealing with complaints, with Board or management Codes of Conduct and with protocols for good working relationships within the Trust / academy.

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

- ⦿ Unlawful or a criminal offence; or
- ⦿ A breach of a legal obligation; or
- ⦿ A miscarriage of justice; or
- ⦿ Mistreatment or abuse of a client or a member of the public for whom the Trust / academy has a responsibility; or
- ⦿ In disregard of legislation governing health and safety at work; or

- ◁ Seeking undue favour over a contractual matter or a job application; or
- ◁ Against the Trust / academy or Financial Regulations; or
- ◁ Amounts to improper conduct or unauthorised use of public funds; or
- ◁ A deliberate cover up of information tending to show any of the above.

(The list above is for guidance only and is not intended to be comprehensive.)

Members of staff are entitled to refuse to carry out instructions if they would result in any of the above, and disciplinary action will not result in these circumstances.

### 3. Safeguards

#### **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 the malpractice. The Trust will take action to protect a member of staff who 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.

All parties should note that Whistle-blowers are protected, by law, from suffering a detriment, bullying or harassment from another employee.

Any investigation into an allegation of malpractice will not influence or be influenced by any disciplinary or redundancy procedures which already affect staff.

#### **Confidentiality**

All concerns will be treated in confidence and the Trust will do its best to protect individual identity if staff do not want their name to be disclosed. If investigation of a concern discloses a situation which is sufficiently serious to warrant disciplinary action or police involvement, then personal evidence may be important. Staff names will not however be released as a possible witness until the reasons for its disclosure at this stage have been fully discussed with the Whistle-blower.

#### **Anonymous allegations**

This policy encourages Whistle-blowers to put a name to an allegation. Concerns expressed anonymously are much less powerful, but they will be considered.

It should be noted that if a concern is raised anonymously, it will be more difficult for the matter to be investigated and for feedback to be provided. For this reason, should a concern be raised anonymously, this may best be done through a trade union.

#### **Untrue allegations**

If an allegation is raised which is not confirmed by the investigation, no action will be taken against the member of staff unless it is considered that they have made malicious or vexatious allegations. In these circumstances, disciplinary action may be taken.

## 4. How to Raise a Concern

Staff should in the first instance raise a concern with their line manager, or another manager within their academy or central team. However, if for some reason this first step is inappropriate then the concern should be raised at a more senior level with the Headteacher for Academy Staff or the CEO for central employees.

Where a staff member feels that their concern has not been adequately investigated by their line manager, they may refer the issue to the Headteacher for Academy Staff or the CEO for central employees.

Where it was not appropriate to report the concern to the line manager and the issue was reported directly to the Headteacher/CEO, any complaints regarding action taken to manage the concern by the Headteacher/CEO should be directed to the Chair of the Local Academy Board at the academy or for central employees to the Chair of Trustees.

Where a staff member believes that a concern has not been taken seriously after this second referral, the issue should be reported to representatives of the Board of Trustees of the Concordia Multi-Academy Trust. This will be the Chair of Trustees Mr David Keith.

Concerns may only be raised with the Trust's Board, or the Education Funding Agency (EFA), once the staff member's line manager and/or the Headteacher/CEO and/or the school Chair of Local Academy Board have considered the issue following the referral process documented above.

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 the Whistle-blower is particularly concerned about the situation. This may be done using the Confidential Report Form CRF1 (Appendix 1). It is preferable for the Whistle-blower to record this personally. However, where a person records on the Whistle-blowers behalf, a copy will be sent to the Whistle-blowers home address or via a representative to provide an opportunity to agree this as a correct record.

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

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

Advice can be sought from a trade union representative on how best to raise a concern.

## 5. How the Trust will Respond

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 these are applicable – for example in child protection or discrimination issues), by an independent investigating officer appointed by the Trust, or referred to another agency.

If urgent action is required in response to a concern this may well be taken before a full investigation is conducted.

In any event within ten working days of a concern being received, the Trust will write to the Whistle-blower:

- Acknowledging that the concern has been received
- Indicating how it proposes to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Advising if any initial enquiries have been made
- Advising whether further investigations will take place, and if not, why not
- Advising of the name of the person or agency who has been appointed by the Trust to investigate the matter
- Naming an independent person to support during any investigation e.g. a trade union official.

This named person will make contact with the Whistle-blower immediately, explain his/her role, deal with all confidentiality issues, agree frequency of contact and keep the Whistle-blower informed about the progress of the investigation and the investigating officer informed of any further issues that they think are necessary. Concerns should be raised with the support officer any concerns about the conduct of the investigation. This officer will take appropriate steps to support the Whistle-blower in the workplace and at any criminal or disciplinary proceedings which may eventually result from the concern and at which the employee is asked to give evidence.

If a Whistle-blower wishes to retain anonymity, they will need to nominate a representative to whom correspondence may be directed in order to keep them informed.

The amount of contact between the investigating officer and the Whistle-blower will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further information will be sought.

When any meeting is arranged, the Whistle-blower has the right, if they so wish, to be accompanied by a trade union or professional association representative or a work colleague.

The Trust accepts that assurance that the matter has been properly addressed is important. Thus, subject to legal constraints, information about the outcome of any investigations and/or proceedings will be shared.



## 6. How the Matter can be Taken Further

This policy is intended to provide a way to raise concerns within the Trust and / or one of its academies. The Trust hopes that anyone raising a concern will be satisfied by its response.

If they are not, they may wish to raise the matter with a trade union official, who in return will liaise with the Trust on their behalf.

## 7. Monitoring, Evaluation and Review

The Trustees of the Concordia Multi Academy Trust have overall responsibility for the maintenance and operation of this policy. Within their duty to ensure that 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 appropriate stakeholders at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Trust.

School	Name and contact details of Headteacher	Name and contact details of Local Academy Board (LAB)
Childer Thornton Primary School	Mrs H Yarranton <a href="mailto:head@childerthornton.cheshire.sch.uk">head@childerthornton.cheshire.sch.uk</a>	Chair LAB Mr A Brown <a href="mailto:chair@childerthornton.cheshire.sch.uk">chair@childerthornton.cheshire.sch.uk</a>
Highfields Primary School	Mr S Dyson <a href="mailto:head@highfieldsnantwich.cheshire.sch.uk">head@highfieldsnantwich.cheshire.sch.uk</a>	Chair of LAB Mrs S Matthews <a href="mailto:s.matthews@highfieldsnantwich.cheshire.sch.uk">s.matthews@highfieldsnantwich.cheshire.sch.uk</a>
Parklands Community Primary and Nursery School	Mrs K Cairns <a href="mailto:head@parklands.cheshire.sch.uk">head@parklands.cheshire.sch.uk</a>	Representative of the LAB Mrs J Murphy <a href="mailto:julie.murphy@concordiamat.co.uk">julie.murphy@concordiamat.co.uk</a>
Town Lane Infant School	Mrs K Large <a href="mailto:headteacher@townlane-infant.wirral.sch.uk">headteacher@townlane-infant.wirral.sch.uk</a>	Chair of LAB Mr G Shaw <a href="mailto:gshaw-gov@townlane-infant.wirral.sch.uk">gshaw-gov@townlane-infant.wirral.sch.uk</a>
Wolverham Primary and Nursery School	Miss J Ogden <a href="mailto:head@wolverham.cheshire.sch.uk">head@wolverham.cheshire.sch.uk</a>	Chair of LAB c/o <a href="mailto:admin@wolverham.cheshire.sch.uk">admin@wolverham.cheshire.sch.uk</a>
Concordia Multi Academy Trust	Name and contact of CEO Mrs T Webb <a href="mailto:ceo@concordiamat.co.uk">ceo@concordiamat.co.uk</a>	Chair of Trustees Mr D Keith <a href="mailto:chair@concordiamat.co.uk">chair@concordiamat.co.uk</a>

## 8. Appendix A

### Confidential reporting form

Does the person want this matter to be dealt with in confidence? (tick box)		YES <input type="checkbox"/>	NO <input type="checkbox"/>
Person raising concern			
Role/Post			
Contact Address			
Telephone number			
Date of disclosure			

Background and history of the concern (giving relevant dates):

Have any other persons and/or organisations been contacted? (tick box) YES  NO

If yes, please give details

Does the individual have any personal interest in the matter? (tick box) YES  NO

If yes, please give details

Does this concern fall more properly within another school procedure? (tick box) YES  NO


If yes, please state which procedure:

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Initial Action taken by the Headteacher/relevant person managing issue and outcome - ensuring any urgent action is undertaken:	
Signed: .....	
Headteacher*	Date:
Individual person raising the concern: Please sign below and enter any comments, if any, in this box.	
Signed: .....	Date:
RECOMMENDED Further Action (tick appropriate box)	None required <input type="checkbox"/>
<p>Investigation by School Management <input type="checkbox"/>    Internal audit <input type="checkbox"/>    Disciplinary Process <input type="checkbox"/></p> <p>Refer to:                      Police <input type="checkbox"/>    External audit <input type="checkbox"/></p> <p>Other, please state</p>	


## 9. Appendix B

### Example poster




# ARE YOU CONCERNED...?


**WE WANT TO ENSURE THAT ALL CHILDREN ARE CARED FOR COMPASSIONATELY AND PROFESSIONALLY. EVERY STAFF MEMBER MUST BE A ROLE MODEL AT ALL TIMES. IT IS THEREFORE VITAL THAT WE HAVE A TRANSPARENT CULTURE IN OUR SETTING WHERE EVERYONE FEELS ABLE TO RAISE ANY CONCERNS THEY MAY HAVE ABOUT ANY ASPECT OF SCHOOL LIFE INCLUDING STAFF CONDUCT.**

**ALWAYS ACT** 

**IF YOU HAVE ANY CONCERNS REGARDING THE WAY CHILDREN ARE BEING CARED FOR, THE PRACTICE OF ANY ADULT IN SCHOOL, OR THE CONDUCT OF A STAFF MEMBER OUTSIDE OF SCHOOL OR ONLINE, THEN YOU MUST REPORT THEM TO THE HEAD TEACHER, MRS CAIRNS, IMMEDIATELY.**

**ALL CONCERNS RAISED WILL BE TAKEN SERIOUSLY AND INVESTIGATED FULLY.** 

**IF YOUR CONCERN RELATES TO THE HEAD TEACHER, THEN YOU SHOULD REFER THE MATTER TO OUR SAFEGUARDING GOVERNOR MRS JULIE MURPHY.**

 **HEADTEACHER: MRS KIM CAIRNS**  
**HEAD@PARKLANDS.CESHIRE.SCH.UK**  
**0151 306 5113**

**SAFEGUARDING GOVERNOR: MRS JULIE MURPHY**  
**JMURPHY@PARKLANDS.CESHIRE.SCH.UK**