Bishop Bewick Catholic Education Trust

Policy Title:	**Whistleblowing Policy**
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Approved by:	**Trust Board**
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Applies to:	**All school & Trust settings**

Change log:

Version	Author	Date	Approved by	Change
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1.1	SO	Dec 2022	Trust Board	Minor amendments made
1.2	COO/HoG	Jan 2024	Trust Board	Addition of governors to scope of policy, minor amendments made
1.3	HoG	Feb 2026	Trust Board	No changes

Whistleblowing Policy

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1. Terms of Reference

- This policy applies to all members of the Bishop Bewick Catholic Education Trust (the 'Trust'). It is adopted by all BBCET sites and settings.

Definitions:

- "Senior Manager" refers to anyone in leadership role within the School/Trust
- "Companion" refers to a person chosen by the employee/trainee to accompany him/her at a formal meeting, who shall be a trade union representative or a workplace colleague. A companion is entitled to speak to the employee/trainee during any meeting, and confer privately, but may not answer questions on the employee/trainee's behalf.

2. General Principles

- Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work (see paragraph 3.2)
- A whistle-blower is a person who raises a genuine concern relating to suspected wrongdoing or danger affecting any of the Trust's activities. If an employee/trainee has a concern in this regard they should report it under this policy.
- As an employee/trainee may be the first to realise that there may be something wrong within the Trust, it is important that they feel able to express their concerns without fear of harassment or victimisation. Otherwise, they may find it easier to ignore the concern rather than report it. The Public Interest Disclosure Act 1998 recognises this fact and is designed to protect Employee/trainees, who make certain disclosures of information in 'the public interest', from detriment and/or dismissal. This policy builds on the provisions of the Act.
- The Trust is committed to the highest possible standard of operation, probity and accountability. In line with this commitment, Employee/trainees, officers, consultants, contractors, volunteers, casual workers and agency workers with serious concerns are encouraged to come forward and voice their concerns. This policy document makes it clear that Employee/trainees can do so without fear of reprisals.
- This policy is non-contractual and it may be amended at any time

3. Policy Aims and Scope

This policy aims to:

- provide avenues for employees/trainees and governors to raise concerns internally as a matter of course, and receive feedback on any action taken;
- provide for matters to be dealt with quickly and appropriately; and ensure that concerns are taken seriously and treated consistently and fairly;
- reassure employees/trainees and governors that they will be protected from reprisals or victimisation for whistleblowing where they have a genuine concern;
- guide employees/trainees and governors on how to take the matter further if they are dissatisfied with the Trust's response.

This policy should be used where an employee/trainee or governor has a genuine concern about suspected wrongdoing or dangers at work which may include:

- 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;
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures;
- conduct likely to damage our reputation;
- unauthorised disclosure of confidential information;
- public examination fraud;
- the deliberate concealment of any of the above matters.

Allegations of child abuse against teachers and other staff and volunteers are be dealt with in accordance with Keeping Children Safe in Education statutory guidance for schools and colleges.

Before initiating the Whistleblowing Procedure, the following should be considered:

- Employees/trainees should use line manager or team meetings and other opportunities to raise questions and seek clarification on issues which are of day-to-day concern.
- Whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, employees/trainees must act to prevent an escalation of the problem and to prevent themselves being potentially implicated.
- This policy should not be used for complaints about an employee/trainee's personal circumstances, such as the way s/he has been treated at work. In these cases an employee/trainee should use the Trust's Grievance Procedure.

4. 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 not tolerate harassment or victimisation and will take action to protect employee/trainees when they have a genuine concern. This does not mean that if an employee/trainee is already the subject of internal procedures such as disciplinary or redundancy, that those procedures will be halted as a result of that employee/trainee raising a concern under the whistleblowing policy.

Confidentiality

The Trust will make every effort to protect the identity of a whistleblower if confidentiality is requested. Should the investigation into the concern require the individual to be named as the source of the information, this will be discussed with the individual before their name is disclosed. An individual raising a concern should be aware that the need for confidentiality may prevent the Trust from giving them specific details of any necessary investigation or disciplinary action taken as a result.

Anonymous Allegations

Employee/trainees and governors are encouraged to put their name to an allegation. Proper investigation may be more difficult or impossible if further information cannot be obtained and it is also more difficult to establish whether allegations are credible. Anonymous allegations will be considered at the discretion of the Trust. In exercising the discretion, the factors to be taken into account would include:

- the seriousness of the issues raised;
- the credibility of the concern;
- the likelihood of confirming the allegation from attributable sources; and
- untrue allegation.

If an employee/trainee makes an allegation where s/he has a genuine concern, but it is not confirmed by the investigation, no action will be taken against that employee/trainee. If, however, the Trust concludes that an employee/trainee has made malicious or vexatious allegations, or with a view to personal gain, disciplinary action may be taken against that employee/trainee.

Response to Allegations

Following investigation, allegations may be confirmed as unfounded. This outcome will be notified to the individual who raised the concern, who will be informed that the Trust deems the matter to be concluded and that it should not be raised again unless new evidence becomes available.

Support to employee/trainees

It is recognised that raising concerns can be difficult and stressful. Advice and support will be made available, as appropriate, to both the employee/trainee(s) raising the concerns and any employee/trainee(s) subject to investigation.

5. How to Raise a Concern

As a first step, if an employee/trainee or governor is in school setting, they should normally raise concerns with an appropriate Senior Leader at that school. This depends, however, on the seriousness and sensitivity of the issues and who is involved. For example, if the individual believes that the appropriate Senior Leader is involved, s/he should approach the Headteacher of their school (Central Trust staff should see section 6).

In the event of an employee/trainee/governor's concern(s) being about a Headteacher or Executive leader in the Trust, s/he should approach the Chief Executive Officer or Chief Operating Officer of the Trust via the Head of Governance.

In the event of an employee/trainee's concern(s) being about the Chief Executive of the Trust,

s/he should approach the Chair of Directors of the Trust via the Head of Governance.
Any individual (including Senior Managers) can bypass the direct management line and the Trustees if s/he feels both the Senior Management and Trustees are engaged in an improper course of action (please refer to section 7).

It is always best to raise concerns in writing. The employee/trainee/governor should set out the background and history of the concerns, giving names, dates and places where possible, and the reasons why s/he is particularly concerned about the situation. If they do not feel able to put the concern in writing, s/he should telephone or meet the appropriate person. It is important that, however the concern is raised, the employee/trainee/governor makes it clear that s/he is raising the issue via the whistleblowing procedure. The earlier a concern is expressed, the easier it is to take action.

Although an individual is not expected to prove the truth of an allegation, s/he will need to demonstrate to the person contacted that there are sufficient grounds for the concern.
In some instances, it may be appropriate for an employee/trainee to ask the trade union to raise a matter on the employee/trainee's behalf.

At each meeting under this policy the employee/trainee or governor may bring a companion. The companion must respect the confidentiality of the disclosure and any subsequent investigation.

6. The Procedure

6.1 Stage One:

On receipt of a whistleblowing concern, the Senior Manager will arrange a meeting with the individual who has raised the concern. At the initial meeting the Senior Manager should establish that:

- there is genuine cause and sufficient grounds for the concern; and
- the concern has been appropriately raised via the Whistleblowing Policy.

At the meeting, the Senior Manager should ask the individual to put their concern(s) in writing, if s/he has not already done so. If the individual is unable to do this the Senior Manager will take down a written summary of the their concern(s). The written summary should include:

- confirmation that the concern is being raised under the Whistleblowing Policy;
- the background and history of the concerns;
- names, dates and places (where possible);
- the reasons why the individual is particularly concerned about the situation;
- date and signature where the individual is willing to do so.

6.2 Stage Two:

Following the initial meeting, the Senior Manager should consult with the Executive Team to determine whether an investigation is appropriate and, if so, what form it should take.

In some cases, it may be possible to resolve the concern(s) simply, by agreed action or an explanation regarding the concern(s), without the need for further investigation. However, depending on the nature of the concern(s) it may be necessary for the concern(s) to:

- be investigated internally;
- be referred to the police;
- be referred to the external auditor;
- form the subject of an independent inquiry.

6.3 Stage Three:

Within ten working days of a concern being received, the Senior Manager receiving the concern must write to the employee/trainee:

- acknowledging that the concern has been received;
- indicating how they propose to deal with the matter;
- giving an estimate of how long it will take to provide a final response; and/or
- telling the employee/trainee/governor whether any initial enquiries have been made; and
- telling the employee/trainee/governor whether further investigations will take place, and if not why not; and/or
- letting the employee/trainee/governor know when s/he will receive further details if the situation is not yet resolved.

7. Raising Concerns Outside of the Trust

The aim of this policy is to provide an internal mechanism for reporting, investigation and remedying any wrongdoing in the workplace. In most cases the employee/trainee or governor should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for the employee/trainee or governor to report his/her concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. Employee/trainees and governors are strongly encouraged to seek advice before reporting a concern to anyone external. If an individual is not satisfied with the Trust's response, they are able to raise the matter externally:

- 'Public Concern at Work' Tel no: 0207 404 6609*;
- Recognised Trade Union;
- External Auditor;
- Relevant professional bodies or regulatory organisations;
- Solicitor.

**Public Concern at Work is a registered charity that Employee/trainees can contact for advice to assist them in raising concerns about poor practice at work. The charity also provides advice to employers as to the possible ways to address these concerns.*

The individual should be aware that if s/he chooses to take a concern outside the Trust, it is their responsibility to ensure that confidential information is not disclosed, i.e. confidential information, in whatever format, is not handed over to a third party.

Concerns about safeguarding practices can be raised externally using the NSPCC whistleblowing helpline. Employee/trainees can call 0800 028 0285 or email help@nspcc.org.uk