The Blessed Peter Snow
Catholic Academy Trust

Whistleblowing Policy

2023/24

POLICY DOCUMENT	Trust Whistleblowing Policy
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The Blessed Peter Snow Catholic Academy Trust

The Catholic Voluntary Academies which form the Blessed Peter Snow Catholic Academy Trust are distinctive as we provide grounding in the Catholic Faith for all our children. The special character of our Catholic academies is the quality of the religious teaching, integrated into the overall education of our children. Our beliefs, which are Gospel centred, affect the way we live, making our academies living examples of Christ and His teachings.

"Education is not and must never be considered as purely utilitarian. It is about forming the human person, equipping him or her to live life to the full – in short it is about imparting wisdom. And true wisdom is inseparable from knowledge of the Creator.'" (Pope Benedict XVI, Address to Teachers and Religious, Twickenham, September 2010).

Our Academies therefore operate and are informed by the following four key principles of Christian formation:

- **Places of Discipleship**
- **Places where Communities are created**
- **Places of Learning**
- **Places where we treasure God's World**

In light of the above principles, the Trust aims to:

- Ensure secure, welcoming and engaging environments in which all individuals learn to value and respect both themselves and others

- Provide all individuals with the opportunities to achieve excellence, to develop their full potential as human beings and to encourage and challenge them to do so

- Uphold the unshakable belief in the unique potential of each child, student and member of staff

- Provide a curriculum that initiates students into the knowledge, values, attitudes and skills they need to become mature Christian adults in their personal, social, family and working lives.

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1. Trust Whistleblowing Policy

1.1. The Blessed Peter Snow Catholic Academy Trust are committed to conducting our operations with honesty and integrity, and expect all employees, academy council members, trustees, officers and suppliers 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. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

1.2. The aims of this policy are:

- To encourage employees, academy councils, trustees, officers and suppliers to report 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, academy councils, trustees, officers and suppliers with guidance as to how to raise those concerns;

- To reassure employees, academy councils, trustees, officers and suppliers that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

1.3. This policy takes account of The Whistleblowing Commission Code of Practice issued by Protect (formerly Public Concern at Work) (the independent whistleblowing charity), the revisions to the Employment Rights Act 1996 as amended by the Enterprise and Regulatory Reform Act 2013 and the
Department for Business Innovation & Skills Whistleblowing Guidance for Employers and Code of Practice.

1.4. The Education & Skills Funding Agency (ESFA) Academies Financial Handbook 2019 contains the following provisions:

2.41 The Trust must have procedures for whistleblowing to protect staff who report individuals they believe are doing something wrong or illegal. 2.4.6 The Trust must ensure all concerns raised with them by whistleblowers, are responded to properly and fairly.

1.5. The Trust has appointed persons to the following roles in line with the requirements of the Academies Financial Handbook:

Accounting Officer (CEO)

Chief Financial Officer (CFO)

Responsible Officer (Trust Safeguarding Lead)

Whistleblowing Trustee (Chair of Trust Board)

2. Scope

2.1. The policy applies to all individuals working at all levels including senior managers, employees, consultants, contractors, trainees, governors, part-time and fixed-term workers, casual and agency staff and volunteers (collectively referred to as staff in this policy)

3. What is Whistleblowing?

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

a) Criminal activity
b) Miscarriages of justice;
c) Danger to health and safety;
d) Damage to the environment
e) Failure to comply with any legal or professional obligations or regulatory requirements; f) Bribery;
g) Financial fraud or mismanagement;
h) Negligence;
i) Breach of our internal policies and procedures;
j) Conduct likely to damage our reputation;
k) Unauthorised disclosure of confidential information or other activity;
l) Malpractice in relation to public examinations; or
m) The deliberate concealment of any of the above matters

3.2. 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.

3.3. 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 an academy. In those cases you should use the Grievance Resolution Policy, the relevant appeal process under our specific employment policies or (for parents and members of the public) the Complaints Policy.

3.4. If you have any concerns relating to Child Protection or Safeguarding, you should raise these under the appropriate policies within the Academy itself.

3.5. If you are uncertain whether something is within the scope of this policy, you may seek advice from Protect (formerly - Public Concern at Work) (whose contact details are at the end of this policy) and/or your trade union.

4. Raising a Whistleblowing Concern

4.1. In most 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. In some cases they may refer the matter to the Responsible Officer.

4.2. However, where the matter is more serious, or your line manager or Headteacher has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact the Responsible Officer or nominated Whistleblowing Trustee. Contact details are set out at the end of this policy.

4.3. A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a companion to any informal or formal meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

4.4. A written summary of your concern will be taken down and you will be provided with a copy after the meeting. We will also give you an indication of how we propose to deal with the matter.

5. Protection and Support for Whistleblowers and Other Staff

5.1. It is understandable that whistleblowers are sometimes worried about possible repercussions. Openness is encouraged and staff who raise genuine concerns supported under this policy, even if they turn out to be mistaken.

5.2. Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes failure to promote, denial of training, closer monitoring, ostracism, blocking access to resourced, unrequested re-assignment or re-location, demotion, suspension, bullying or harassment, victimisation, dismissal, disciplinary action, failure to provide an appropriate reference, failing to investigate a subsequent concern, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Responsible Officer immediately. If the matter is not remedied, you should raise it formally using the Grievance Resolution Policy.

5.3. Staff must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action. In some cases, the whistleblower may sue you personally for compensation in an employment tribunal.

5.4. Staff who are the subject of a whistleblowing allegation:

a) Are entitled to be accompanied at any meetings by a companion;
b) Are not entitled to know the identity of the whistleblower;
c) Are entitled to see and approve any final statements made by them as part of an investigation; and
d) Should indicate if they believe that the allegation made against them was false and if it was false, whether it was made maliciously or with intent to damage the reputation of the Trust or of any of our staff or for personal gain.

6. Confidentiality

6.1. Staff should feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, every effort will be made to protect your identity. If it is necessary for anyone investigating your concern to know your identity, this will be discussed with you.

6.2. Staff are not encouraged to make disclosures anonymously. If you cannot provide further information, proper investigation may be more difficult or impossible. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Responsible Officer and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt, you can seek advice from Protect (formerly- Public Concern at Work).

6.3. If you have raised a whistleblowing concern with us you should keep the fact and content of that concern confidential so that we may investigate your allegation fairly and effectively save that you may of course discuss the matter with a professional adviser or your trade union, with any investigator appointed by us and with those other contacts identified in this policy.

7. External Disclosures

7.1. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

7.2. The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body. It will very rarely, if ever, be appropriate to alert the media. You should seek advice before reporting a concern to anyone external. Protect (formerly - Public Concern at Work) operate a confidential helpline. Your trade union may also be able to advise you in these matters.

7.3. We believe that the bodies listed in Appendix 1 are the prescribed persons for the areas which may relate to the Trust. 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.

7.4. 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, you are encouraged to report such concerns internally first. You should contact the Responsible Officer for guidance.

7.5. Our understanding is that the Education & Skills Funding Agency is not a prescribed person for the purposes of this policy.

8. Attendees at Informal and Formal Meetings

8.1. For any process described as informal, there is a right to be accompanied at the meeting. The meeting may still proceed without you having a companion present.

8.2. Where this policy allows you to be accompanied by a companion at a formal meeting, the provisions of paragraph 8.3 will apply and companions should meet the requirements.

8.3. You must let the relevant Manager know who your companion will be at least one working day before the relevant meeting. The companion must be either a willing colleague not involved in the substance of the issue under discussion at the meeting or a trade union representative. You do not have a right to legal representation at formal meetings.

8.4. If you have any particular need, for example, a disability, you may also be accompanied by a suitable helper.

8.5. Your companion can address the meeting in order to:

(a) Put your case;
(b) Sum up your case; and
(c) Respond on your behalf to any view expressed at the meeting.

8.6. Your companion can also confer with you in private during the meeting.

8.7. Your companion has no right to answer questions on your behalf, or to address the meeting if you do not wish it, or to prevent you from explaining your case.

8.8. Where you have identified your companion to the relevant Manager and your companion has confirmed in writing to the relevant Manager that they cannot attend the date or time set for the meeting, the relevant Manager will postpone the meeting for no more than five working days from the date set by us to a date or time agreed with your companion provided it is reasonable.

8.9. You do not have a right to be accompanied by a legal representative

9. Investigation and Outcome

9.1. Once you have raised a concern, an initial assessment will be carried out to determine the scope of any investigation. You will be informed of the outcome of that assessment. You may be required to attend additional meetings in order to provide further information.

9.2. In some cases, an investigator or team of investigators (including staff) may be appointed 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.

9.3. We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

9.4. If it is concluded that a whistleblower 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 whistleblower will be subject to our Disciplinary Policy.

9.5. Prompt disclosure of potential wrongdoing is encouraged. If you have delayed in disclosing potential wrongdoing you will be asked to explain why you have delayed in making the disclosure.

10. If you are not satisfied

10.1. The outcome you are seeking cannot always be guaranteed, however we will deal with your concern fairly and in an appropriate way. Use of this policy will help achieve this.

10.2. If you are not happy with the way your concern has been handled, you can raise it with the Responsible Officer. Contact details are set out at the end of this policy.

11. Responsibility for Success of this Policy

11.1. Our Trust Board has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

11.2. Our CEO and Responsible Officer have day-to-day operational responsibility for this policy, and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

11.3. All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Responsible Officer.

11.4. This policy will be made available to all employees, academy councils, trustees and officers and will be drawn to the attention of new employees and Academy Council members as part of their induction.

11.5. This policy will be circulated to all suppliers and will be published on the Trust website.

12. Contacts

Responsible Officer	Academy Safeguarding Lead Email: admin@bpstrust.org.uk (secure email)
Whistleblowing Trustee (Chair of the Trust Board)	Chair of the Trust Board Email: admin@bpstrust.org.uk (secure email)
Protect (formerly - Public Concern at Work) (independent whistleblowing charity)	Helpline: 020 7404 6609 Email: whistle@protect-advice.org.uk Website: www.pcaw.co.uk

Monitoring and Review of this Policy

The Trust shall be responsible for reviewing this policy from time to time to ensure that it meets legal requirements and reflects best practice.

Appendix 1 – Relevant Prescribed Persons

Certification Officer	Fraud and other irregularities, relating to the financial affairs of trade unions and employers' associations
Charity Commission for England and Wales	Proper administration of charities in England and Wales and of funds given or held for charitable purposes in England and Wales
Commissioners for Her Majesty's Revenue and Customs (HMRC)	Administration of UK taxes; the administration of national insurance and tax credit systems; Customs and border- related functions and criminal investigations
Comptroller & Auditor General	Proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services
Director of the Serious Fraud Office	Serious or complex fraud in England and Wales and civil recovery of the proceeds of unlawful conduct
Financial Conduct Authority (FCA)	Conduct of funds, markets, firms and individuals subject to Financial Services and Markets Act 2000, including banks, building societies, investment or insurance businesses and about the operation of mutual societies registered by the FCA under relevant legislation
Financial Reporting Council Limited and its Conduct Committee	Matters related to the independent oversight of the accountancy, auditing and actuarial professions; the monitoring of statutory audit functions in respect of major audits; compliance with the requirements of legislation relating to accounting and reporting; and the investigation of the conduct of auditors, accountants and actuaries in public interest cases
Secretary of State for Business, Innovation and Skills	About fraud and other misconduct in relation to companies
Environment Agency	Acts and omissions which have an actual or potential effect on the Environment or the management or regulation of the environment including those relating to pollution, abstraction of water, flooding, the flow in rivers, inland fisheries and migratory salmon or trout
Food Standards Agency (FSA)	Matters which affect the health of any member of the public in relation to consumption of food and matters which concern the protection of consumers
Children's Commissioner	Matters relating to the rights, welfare and interests of children in England

The National Society for the Prevention of Cruelty to Children (NSPCC)	Matters relating to child welfare and protection
Health and Safety Executive	Health and safety of individuals at work or the health and safety of the public that is work-related, in connection with those individuals and work activities for which HSE is the enforcing authority
Information Commissioner	About compliance with the requirement of legislation to data protection and to freedom of information
Pensions Regulator	About occupational and private pensions
Office of Qualifications Examinations Regulation and	Matters in relation to which the Office of Qualifications and Examinations Regulation exercise functions under the Apprenticeships, Skills, Children and Learning Act 2009
Local Authorities	Compliance with the requirements of food safety legislation; matters which may affect the health and safety of any individual at work or matters which may affect the health and safety of any member of the public arising out of or in connection with the activities of persons at work