

# Whistleblowing Policy (CST)



This policy applies to the whole of CfBT Schools Trust (CST), including all schools.

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## 1. Introduction ¶

CST is committed to carrying out its work with honesty and integrity and expects all employees to maintain high standards.

This policy aims to:

- Ensure that employees feel that it is safe and acceptable to tell us about their concerns without fear of suffering discrimination, victimisation or other repercussions for doing so.
- Provide employees with a procedure to raise their concerns.
- Ensure that concerns are dealt with quickly, appropriately, consistently and fairly.

This policy has been written to comply with legislation governing the making of disclosures concerning wrongdoing in the workplace.

This procedure does not form part of any employee's contract and may be amended at any time.

This policy should not be used for complaints about an employee's own personal circumstances e.g. the way they have been treated at work. Such complaints should be raised using the Grievance Policy, Dignity at Work Policy or Complaints Procedure as appropriate.

## 2. Scope ¶

This policy applies to all staff employed by CST, including directly employed central team staff, the Education Executive Team (this term includes the CEO, COO and Education Directors), headteachers, teachers, NQTs, school support staff, volunteers, contractors, casual and agency staff (collectively referred to as 'employees' for the purposes of this policy).

For the purposes of this policy the term 'headteachers' includes headteachers and principals. In this policy, the term 'teacher' refers to classroom teachers, middle and senior leaders.

## 3. Equality and accessibility ¶

CST is mindful of the obligations under the Equality Act 2010 and this policy will be applied fairly and consistently to all staff, with reasonable adjustments made for those with qualifying disabilities as appropriate.

A copy of this policy and a copy of all relevant documents will be made available for all staff. The policy is also available in hard copy on request and can be made available in large print or other accessible formats if required.

## 4. Definitions ¶

Whistleblowing is the disclosure of information that relates to suspected wrongdoing or dangers at work, such as:

- Criminal activity
- Danger to health and safety
- Damage to the environment
- Failure to comply with legal, professional or regulatory requirements
- Miscarriages of justice
- Bribery
- Financial fraud or mismanagement
- Negligence
- Breach of policy or procedure
- Breach of confidential data
- Public examination fraud
- Concerns about the harm or risk of harm to children
- Conduct likely to damage the Trust or individual school's reputation
- Deliberate concealment of wrongdoing
- Other unlawful or unethical conduct

Such unacceptable acts or omissions may have been carried out by employees, caused by faults in procedures or may be oversights that need to be rectified. The act or omission may have finished, be in process or not yet started.

More information can be found on <https://www.gov.uk/whistleblow...>

## 5. Detriment ¶

Provided that this procedure is used correctly, and the employee makes the disclosure in good faith, they will not suffer any detriment as a result of reporting the wrongdoing.

## 6. Support and protection for employees ¶

CST recognises that the reporting a concern can be a difficult decision to take, not least because of the fear of reprisal. CST aims to encourage openness and will support employees who raise genuine concerns in good faith under this policy, even if the concern turns out to be unfounded.

Any staff who threaten or retaliate against whistleblowers in any way will be subject to disciplinary procedures.

We will respect the employee's confidentiality as far as we possibly can but there may be times when we cannot guarantee this, for example if there has been a criminal offence, a child protection or safeguarding issue.

## 7. Malicious or vexatious complaints ¶

Where there is strong evidence that a complaint is vexatious or malicious and made without genuine basis, or with a view to personal gain, it will be treated as a serious issue and may result in disciplinary action.

## 8. Anonymity ¶

CST does not encourage anonymous reporting. Such reports are less powerful as it makes investigation more difficult or impossible, as we may be unable to obtain further information and/or establish if the allegation is credible. CST therefore encourages employees to put their name to the allegation as we will respect confidentiality as far as we possibly can and provide the employee with support and protection as outlined above.

Anonymous allegations will be considered at the discretion of the Headteacher or EET taking into account:

- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from an attributable source
- Evidence supplied

## 9. Procedures ¶

Concerns are better submitted in writing, but may also be made in person, making it clear that it is being raised via the whistleblowing procedure. The written notification should include the background and history of the concern, including where possible:

- Names
- Dates
- Places
- Copy documents
- Why the employee is concerned about the situation

In some circumstances, the employee may ask a trade union representative to raise the matter on their behalf.

At all meetings under this procedure, the employee may be accompanied by a work place colleague or trade union representative.

### **Stage one**

In the first instance, we hope employees will feel able to disclose the suspected wrongdoing to their line manager. In the event the line manager is involved in the suspected wrongdoing, the employee should proceed to stage two of this procedure.

The employee can expect a response from their line manager within seven working days of the date the concern was received.

### **Stage two**

If the employee does not receive a response, or if their line manager is involved in the wrongdoing, the employee should notify one of the following:

- Headteacher
- A member of the Education Executive Team

The employee can expect a response from the Headteacher or EET within seven working days of the date the concern was received.

### **Stage three**

If no response is forthcoming under stage 2, the employee should notify the Board of Trustees. The employee can expect a response within seven working days of the date the concern was received.

### **Stage four**

If a response under stage three is not received within seven working days, you are entitled to notify a relevant and appropriate body outside of CST, such as:

- Health and Safety Executive
- Environment Agency
- Information Commissioner
- Department for Education
- Department for Business, Innovation and Skills
- Police
- Charity Commission
- Office for Standards in Education, Children's Services and Skills (Ofsted)
- NSPCC
- Local Authority

## 10. Safeguarding and allegations against staff ¶

All employees are expected to be familiar with the provisions of both the Safeguarding and Allegations Against Staff policies.

The procedures set down within the **Allegations Against Staff Policy** must be used in any case where it is suspected or alleged that a member of staff or a volunteer at the school has:

- behaved in a way that may have harmed a child or may have intended to harm a child (the Safeguarding and Child Protection Policy outlines what it means to harm a child)
- acted outside of the law in relation to dealings with a child, OR
- behaved in any way that suggests they may be unsuitable to work with children.

The procedures set down within the **Safeguarding and Child Protection Policy** must be followed if an employee has any concern about school practices or the behaviour of colleagues which are likely to put students at risk of abuse or other serious harm.

## 11. Extreme circumstances ¶

In extreme circumstances, the employee has the right to raise their concern directly with a relevant and appropriate outside body without first having followed the first three stages above. This may, however, cause damage to the school and its reputation as well as constitute a breach of the employee's duty of confidentiality towards the school. This action

should only be taken in extreme circumstances and after careful thought.

CST will consider extreme circumstances exist where the employee has a reasonable belief that:

- CST will subject them to detriment if they follow stage one, two or three.
- A cover-up is being mounted by CST.
- A disclosure made in accordance with the stages above has not prompted a satisfactory response.

## 12. Media ¶

Under no circumstances should an employee approach a commercial body or the media with details of the suspected wrongdoing. CST may consider such action to be gross misconduct. Action may be taken under the Disciplinary Policy.

## 13. Investigation and outcomes ¶

Once an employee has raised a concern, the manager will carry out an initial assessment to determine the scope of any investigation. The employee will be informed of the outcome of that assessment. Further meetings with the employee may be necessary to find out more information.

In some circumstances, it may be necessary to appoint an Investigating Officer or a team to carry out an investigation. The investigation may result in recommendations for change to prevent or minimise the risk of future wrongdoing.

The employee will be kept informed of progress and timescales as far as possible. However, the need for confidentiality may prevent certain details from being shared. The aim will be to provide reassurance that the matter has been dealt with properly.

## 14. Confidentiality ¶

The whistleblowing process will be treated with confidentiality. All related documentation will be stored securely and confidentially. Employees involved in investigations or proceedings

must treat any related information communicated to them as confidential.

## 15. Record keeping ¶

All records and materials relating to these procedures will be kept securely in line with the Retaining Records Policy.

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Provision Committee Review Date: Friday 01st September 2017

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