



Loreto High School Chorlton

Whistleblowing Policy

January 2016

Introduction

The Governing Body is committed to the highest possible standards of openness, probity and accountability and will not tolerate malpractice or wrongdoing. The Governing Body is therefore committed to a policy which seeks to protect individuals who make certain disclosures with regard to any instance of malpractice or wrongdoing and to investigate them in the public interest.

Whistleblowing is when an employee raises concerns about the activities of the organisation they work for which are ethically or legally questionable.

The aims of the policy are to;

- provide for a culture of zero tolerance toward fraud and corruption.
- encourage employees and others with serious concerns about any aspect of the school's work to feel confident to come forward and voice those concerns.
- provide ways for employees to raise concerns at an early stage and in the right way and enable them to get feedback on any action taken.
- ensure that employees know what to do if they are not satisfied with actions taken.
- provide re-assurance that employees who raise concerns in good faith can do so without fear of reprisals or victimisation.

This policy covers any wrong doing relating to unlawful conduct, financial malpractice or dangerous working environments.

It is not to be used where other more appropriate procedures are available.

1. The policy is primarily concerned with allegations made by employees. However, the principles outlined in these procedures and guidance, as far as they can be, will be applied to whistleblowing allegations received from sources other than employees of the school. In these cases, particular consideration needs to be given to matters of confidentiality.
2. Existing internal procedures enable employees and others to lodge various concerns and these should normally be followed without recourse to the whistleblowing arrangements. These concerns include grievances relating to employees conditions of employment, harassment and complaints. However, these matters can be raised if there are concerns that the appropriate procedures may be subverted or not pursued diligently.
3. The Whistleblowing Policy is intended to cover concerns that fall outside the scope of these existing procedures and is aimed at addressing areas relating to possible malpractice or wrongdoing.

4. Aspects of malpractice and wrongdoing which may be raised under the provisions of the Whistleblowing Policy include: -
- Any unlawful act, whether criminal or a breach of civil law
 - Waste, abuse or misuse of the School's resources
 - Breach of the School's Scheme of Delegation
 - Breach of Schools Financial Regulations
 - The health and safety of any individual has been, or is likely to be, endangered
 - The environment has been, is being or is likely to be, damaged (as a result of the School's actions or inactions)
 - Information about any of the above has been, is being, or is likely to be, deliberately concealed.
5. The Governing Body will investigate those matters that fall clearly within its area of operational responsibility or will formally refer the matter to the City Treasurer. In all cases the responsibility for investigating the allegation quickly should be accepted.

Safeguards

6. In order to ensure that allegations are investigated in the right spirit with the right outcome, the following safeguards or principles should be applied.

Harassment or victimisation

7. The Governing Body acknowledges that the decision to report a concern can be a difficult decision for an employee to take, not least because of the fear of reprisal from those responsible for the malpractice. The Governing Body will not tolerate harassment or victimisation and will take appropriate action to protect any person who raises a concern in good faith.
8. The Governing Body will monitor how employees are subsequently treated after raising a matter of concern and if there is evidence of harassment or victimisation, it will be dealt with under disciplinary arrangements.

Confidentiality

9. The Governing Body will do everything possible to protect an employee's identity when a concern is raised and the individual does not want their name disclosed. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement may be required as part of the evidence.

Anonymous allegations

10. Concerns expressed anonymously are much less persuasive than when an employee is prepared to come forward formally. Nevertheless, anonymous allegations will be considered at the discretion of the Governing Body depending upon: -
- The seriousness of the issues raised;
 - The credibility of the concern; and
 - The likelihood of confirming the allegations from attributable sources.

False and malicious allegations

11. While encouraging employees to bring forward matters of concern, the Governing Body will guard against bogus claims (not least because the cost of investigation is high) but also claims made deliberately to damage the reputation of other employees in the school or the City Council as a whole.
12. Consequently if an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be considered or taken. However, if an employee makes false, malicious or vexatious allegations this will be treated as a serious disciplinary offence and disciplinary action will be taken - the Public Interest and Disclosure Act only offers protection to the individual if the disclosure is made in good faith.

How to Raise a Concern

13. The earlier an employee expresses a concern, the easier it will be to take action.
14. Employees should normally raise their concerns with their immediate line manager or the Deputy Head Teacher or the Head Teacher. However, the most appropriate person to contact to report a concern will depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.
15. For example, if an employee believes that the Headteacher is involved in the matter of concern any of the following may be contacted: -
 - The Chair of Governors - by letter marked "Private & Confidential" via the School
 - The Director of Education, Salford Diocese –
 - Telephone: 0161 817 2222
 - Address: Cathedral Centre,
3 Ford Street
Salford
M3 6DP
 - Manchester City Council –
 - Telephone the whistleblowing hotline: 0161 234 5280
 - E-mail whistleblowing@manchester.gov.uk

Wherever possible, concerns should be expressed in writing, setting out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee is particularly concerned about the situation.

16. However, if an employee does not feel able to put the concern in writing, he or she should be allowed to telephone or meet the appropriate officer.
17. Although an employee is not expected to prove beyond doubt the truth of an allegation, he or she will need to demonstrate to the person contacted that there are sufficient grounds for a concern to be raised and to enable the matter to be

taken forward. The Whistleblowing Policy covers the disclosure of concerns that, in the honest, reasonable belief of the employee making the disclosure, suggests that wrongdoing has been committed, is in the process of being committed or is likely to be committed.

18. Employees may wish to invite their Trade Union to raise a matter on their behalf.
19. The employee may first wish to discuss the concern with a work colleague or trade union representative and seek advice on how to proceed. These discussions may help them assess how justified their concern is and, if they then wish to proceed, the most appropriate and effective way to report it. This is important because the report should be made so as to allow the most effective investigation, whilst affording the whistleblower protection under the PIDA.
20. Advice may be sought from the following sources:
 - A solicitor, retained by the employee as for other private business;
 - If a member, an official of the employee's Trade Union, where that Union is willing to provide advice on PIDA on a confidential basis;
 - If a member, the employee's professional organisation, where that organisation is willing to provide advice on PIDA on a confidential basis;
 - The whistleblowing charity Public Concern At Work (PCaW), which contributed to the formulation of the PIDA and is a legal advice centre designated as such by the Bar Council (020 7404 6609 – www.pcaw.co.uk);

How the Matter will be investigated

21. Allegations will be handled confidentially and discreetly by those who are directly involved in the investigating process.
22. Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. As outlined above, concerns or allegations which fall within the scope of specific procedures (for example disciplinary procedures) should normally be referred for consideration under those procedures.
23. Some concerns may be resolved by agreed action, once the employee's concerns have been explained, without the need for investigation. In these cases confirmation will be sought from the employees that they are satisfied that the matter is resolved but they will be invited to raise the matter again if the agreed actions do not resolve the problem.
24. An employee expressing a concern will receive a formal acknowledgement within 10 working days of the concern being received. This acknowledgement will indicate:
 - How the Governing Body proposes to deal with the matter
 - An estimate of how long it will take to provide a response
 - Any initial enquiries that may have been made
 - Whether further investigations will take place, and if not, why not

25. If necessary, further information will be sought from the employee. This will depend on the nature of the matters raised, the potential difficulties involved in conducting an investigation and the clarity of the information provided.
26. At any meeting arranged to discuss an employee's concerns the employee has the right, if they so wish, to be accompanied by their Trade Union representative or a friend who is not involved in the area to which the concern relates.
27. The Governing Body will take steps to minimise any difficulties that an employee may experience as a result of raising a concern. For example, if an employee is required to give evidence in criminal or disciplinary proceedings, the Governing Body will ensure that appropriate advice be provided to the employee about the procedures in terms of what will happen and what will be expected of them.
28. In order to assure the employee that the matter has been properly addressed the employee will receive information, subject to legal constraints, about the outcomes of any investigations.
29. Internal Audit and Risk Management at Manchester City Council should be made aware of the allegations made by the whistleblower. The Head of Internal Audit is Tom Powell (Tel 0161 234 5273)

Monitoring and Awareness

30. The Governing Body will ensure that all members of their staff are aware of the procedures and that any training needs are addressed which may arise from the application of the procedures.
31. Raising awareness of the Whistleblowing Policy will form part of the induction training for all employees.
32. The Governing Body will maintain a confidential central record of all Whistleblowing allegations that have been raised, the responses provided and action taken. (See Appendix 1). In respect of anonymous allegations, should the Governing Body consider that further action would be inappropriate, details of the allegation and reason for the decision will be recorded. All records will be retained at the school, and may be requested by the City Treasurer and/or Chief Executive to enable them to analyse the impact and effectiveness of the arrangements put in place as part of the process of reporting on the effectiveness and outcomes of the Policy, and as a record of actions taken in the case of any matters raised under the Public Interest Disclosure Act.

How the Matter Can be Taken Further

33. It is intended that the Whistleblowing Policy and procedures will enable the school to deal properly with concerns raised by employees. If an employee is not satisfied, and feels it appropriate to take the issue further, they may still make a protected disclosure to a third party, in accordance with the provisions of the PIDA.

They must ensure that no confidential information is disclosed. The school does not wish to inhibit the effective investigation of any matters of concern which have been raised in the public interest.

34. The Governing Body will make every effort to ensure that a satisfactory conclusion is reached to minimise the cases where the employee feels they must resort to these measures.

Approved by Finance Committee on 18th January 2016

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Signed:

Chair of Governing Body

**LORETO HIGH SCHOOL CHORLTON
WHISTLEBLOWING CASE RECORD**

Date concern/allegation received:	
Received by: (Name and position)	
Style of report – written or telephoned: (Copy attached)	
MCC Internal Audit Ref No and date referred: (obtained from Internal Audit)	
Name and job title of employee making complaint/allegation: (unless anonymous).	
Summary of concern/allegation raised:	
Date formal acknowledgement provided to employee: (within 10 working days).	

<p>Governor and/or Manager responsible for undertaking investigation:</p> <p>(Names)</p>	
<p>Summary outcome of investigation:</p> <p>(Proved not proved, action plans and recommendations)</p>	
<p>Date notification of outcome given to employee:</p>	
<p>Papers retained (location), responsible officer and review date:</p>	