



**Holy Cross**

CATHOLIC HIGH SCHOOL

**Whistle Blowing Policy**

The Governing body have adopted the Lancashire County Council Whistleblowing Policy for all staff in delegated schools, as detailed below.

## **1. Introduction**

- 1.1 The Governing Body and the council are committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the school or the council's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.2 Under this Whistleblowing Policy you can raise such concerns without fear of victimisation, subsequent discrimination or disadvantage. Any employee who raises a concern is protected by the Public Interest Disclosure Act 1998, part of which was updated by the Enterprise and Regulatory Reform Act 2013. The Policy is intended to encourage and enable employees to raise serious concerns within the school or the council rather than overlooking a problem or 'blowing the whistle' outside.
- 1.3 Employees are often the first to realise that there may be something seriously wrong within the school/council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues, the school or to the council. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.4 The policy applies to all employees and applies equally to those designated as casual, temporary, agency, authorised volunteers/work experience, governors. It also applies to those contractors working for the school or the council on the school or the council's premises e.g. agency staff, builders, drivers, and covers suppliers and those providing services under a contract with the school in their own premises.
- 1.5 These procedures are in addition to the schools/council's complaints procedures and other statutory reporting procedures. Employees should be made aware of the existence of these procedures.
- 1.6 This policy has been discussed with the recognised trade unions/professional associations and the Diocesan Authorities and has their support.

## **2. Aims and scope of this policy**

- 2.1 This policy aims to:
  - encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
  - provide avenues for you to raise those concerns and receive feedback on any action taken;

- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied; and
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure which is in the public interest.

2.2 There are existing procedures in place to enable you to lodge a grievance or complaint relating to your own employment. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures.

These include:

- conduct which is an offence or a breach of law;
- failure to comply with a legal obligation;
- disclosures related to miscarriages of justice;
- racial, sexual, disability or other discrimination where other procedures, such as the school's Bullying and Harassment Procedure, do not apply;
- health and safety risks, including risks to the public/pupils as well as other employees;
- damage to the environment;
- the unauthorised use of public funds;
- possible fraud and corruption; including but not limited to, theft of property, financial irregularities, misuse of property and school systems, nepotism, conflicts of interest, or supplier kickbacks;
- sexual or physical abuse of pupils where referral under Safeguarding procedures is not appropriate;
- other unethical conduct; and
- actions which are unprofessional or inappropriate

Note: There is a requirement under the Scheme for Financing Schools in Lancashire for the Governing Body to notify the council's Internal Audit Service immediately of all (suspected) financial or accounting irregularities. This requirement is not superseded by this Whistleblowing Policy and the Governing Body will need to act accordingly if a financial issue is raised.

2.3 Thus, any serious concerns that you have about any aspect of service provision or the conduct of school staff, governors, officers/members of the council or others acting on behalf of the school and the council can be reported under the Whistleblowing Policy. This may be about something that

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the governors and the council subscribe to;
- is against the council's standing orders and policies;
- falls below established standards of practice; or
- amounts to improper conduct.

2.4 This policy does not replace the school or the council's complaints procedures.

### **3. Key principles**

- 3.1 It is recognised that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and to those for whom you are providing a service.
- 3.2 The Governing Body/council will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern which is in the public interest. Any member of staff who harasses or victimises a whistleblower may not only be personally liable but will be subject to disciplinary action.
- 3.3 Any suspicion of fraud or other wrongdoing will be treated seriously and will be reviewed in accordance with the Public Interest Disclosure Act 1998 (PIDA). As a member of the school's staff or as an employee of one of its agents you have statutory protection against victimisation and dismissal under the PIDA, if you speak out genuinely against corruption and malpractice at work.
- 3.4 "Malpractice" includes any kind of improper practice or conduct which falls short of what is reasonably expected whether it relates to a positive act or omission and also includes any form of harassment.
- 3.5 It is essential for all concerned that disclosures of wrongdoing or irregularity are dealt with properly, quickly and discreetly. This is in the interests of the school, its employees, any persons who are the subject of such allegations, as well as the person making the disclosure.
- 3.6 Investigations into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy proceedings that are already taking place.

### **4. Confidentiality**

- 4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, anyone making a disclosure under this policy may need to provide evidence as a witness, and in these cases, it may not always be possible for you to remain anonymous.
- 4.2 The school expects all organisations that deal with us and who have serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 4.3 It may be possible to establish the truth about allegations from another independent source and the school will seek to do this where possible.

### **5. Anonymous allegations**

- 5.1 This policy encourages you to put your name to your allegation whenever possible.

- 5.2 Where an individual chooses to report their concerns anonymously, such anonymity will be respected. However, our ability to investigate anonymous complaints can be hampered by not being able to further explore issues or obtain evidence during the investigative process. Furthermore, if we do not know who has provided the information, it is not possible to either reassure or protect you.
- 5.3 Concerns expressed anonymously may be less powerful but will be considered at the discretion of the school/council. In exercising such discretion, the following factors may need to be taken into account:
- the seriousness of the issues raised;
  - the credibility of the concern; and
  - the likelihood of confirming the allegation from attributable sources.

This policy should be updated annually to ensure it remains in line with any Lancashire County Council updates.

This policy will be reviewed in Summer 2022