Kent Catholic Schools' Partnership
'Academies in Christ'
Part of the Archdiocese of Southwark

Knowledge-rich, skills-led learning for all
Christ at our heart
Serving everyone in our community
Partnership of love, ambition, joy and peace

Whistleblowing Policy

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1. Introduction and aims of this policy

1.1 Kent Catholic Schools' Partnership ('the Trust') is committed to conducting our operations with honesty and integrity, and expects all employees, governance committee members, directors, 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, probity 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, governance committee members, directors, 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, governance committee members, directors, officers and suppliers with guidance as to how to raise those concerns;
- to reassure employees, governance committee members, directors, officers and suppliers that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken, and to let them know the protection available to them if they raise a whistleblowing concern.

1.3 The requirement to have clear whistleblowing procedures in place is set out in the Academy Trust Handbook.

1.4 This policy has been written in line with the above document, as well as government guidance on whistle-blowing. We also take into account the Public Interest Disclosure Act 1998.

1.5 This policy complies with our funding agreement and articles of association.

2. Scope

2.1 This policy applies to all individuals working at all levels including senior managers, officers, directors, employees, consultants, contractors, trainees, governance committee members, part-time and fixed-term workers, casual and agency staff and volunteers.

2.2 Employees with concerns about their own employment should refer to the Trust's Grievance Policy.

2.3 Concerns that an employee has been bullied or harassed should be raised under the Trust's Bullying & Harassment Policy.

2.4 Concerns relating to child protection or safeguarding should be raised under the Trust Child Protection and Safeguarding Policy.

2.5 Any external person such as a parent or member of the public seeking to raise a concern should refer to the Trust Complaint Policy.

3. Definitions

3.1 The term 'individual' used throughout this policy means any senior manager, officer, director, employee, consultant, contractor, trainee, governance committee member, part-time or fixed-term worker, casual or agency staff and volunteer.

3.2 The term 'Appropriate Person' used throughout this policy means a person internal to the Trust to whom concerns may be raised and through whom appropriate investigations and action will be taken. Those individuals are described in section 5.

4. Responsibilities

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

4.2 The Chief Executive Officer has 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.

4.3 An Appropriate Person has responsibility to ensure that any concerns raised are dealt with fairly and appropriately in accordance with this policy.

4.4 All individuals are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

4.4 This policy will be made available to all individuals by way of each school's website and will be drawn to the attention of new employees and governance committee members as part of their induction.

4.5 This policy will be made publicly available and published on the Trust website.

5. Appropriate Person

5.1 The Appropriate Persons for the Trust are:

5.1.1 The Chair of the Audit Committee ("Responsible Officer")

5.1.2 The Chair of the Trust Board

5.1.3 The Chief Executive Officer

5.1.4 The Chief Financial Officer

5.1.5 The Company Secretary

5.2 An individual may address their whistleblowing concern verbally or in writing to any one of the Appropriate Persons listed at any time. The contact details for the Appropriate Persons are in Appendix A.

5.3 The Appropriate Person will undertake the approach identified in this policy upon receipt of a whistleblowing concern.

6. What is whistleblowing?

6.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This 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 or other activity;
- malpractice in relation to public examinations; or
- the deliberate concealment of any of the above matters.

6.2 A whistleblower is an individual who raises a genuine concern relating to any of the above and who reasonably believes that disclosure is in the public interest. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the activities of the Trust, a school or an individual within the Trust (a whistleblowing concern) you should report it to an Appropriate Person under this policy as soon as possible.

6.3 An individual with a concern is not required to investigate the concern or ensure that there is proof to verify such concern. The criterion for raising a concern is that the individual must have a 'reasonable belief' that the activity has or may take place.

6.4 Where an individual raises a concern relating to any of the following;

- 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; or
- the deliberate concealment of any of the above

This is considered to be a 'Protected Disclosure' under PIDA.

7. Advice on whistleblowing

7.1 If an individual is unsure whether or not to use this policy or to raise a concern, or where an individual may like independent advice on a concern prior to raising it, an individual may contact Protect (previously Public Concern at Work) who offer a free confidential whistleblowing advice hotline.

7.2 Protect offer a free confidential whistleblowing advice hotline: 0203 117 2520 (option 1)

Protect Advice Line Email: whistle@protect-advice.org,uk

Protect Address: The Green House, 244-254 Cambridge Heath Road, London, E2 9DA

7.3 Advice may also be sought from a Director, Trustee, Executive Officer, Headteacher, Chair of a Governance Committee where appropriate or from a Trade Union or professional association.

7.4 Teaching staff, whether the individual raising the concern or if an individual who is the subject of a whistleblowing allegation, may seek support from the Teacher Support Network's 24 hour Support Line - 08000 855 088.

8. Raising a whistleblowing concern

8.1 In most cases an individual should be able to raise any concerns with their line manager or Headteacher. An individual may tell them in person or put the matter in writing if preferred. They may be able to agree a way of resolving your concern quickly and effectively. In some cases the line manager or Headteacher may refer the matter to an Appropriate Person.

8.2 However, where the matter is more serious, or an individual feels that their line manager or Headteacher has not addressed their concern, or where an individual prefers not to raise it with a line manager or Headteacher for any reason, an individual should contact an Appropriate Person as listed in section 5 of this Policy. Contact details are in Appendix A.

8.3 Where possible any concern should detail the background and history and should provide as much information as possible including names, dates, places, and the reason why the individual is concerned.

9. Confidentiality

9.1 Any individual should feel able to voice whistleblowing concerns openly under this policy. However, if an individual wishes to raise a concern confidentially, the Trust will make every effort to protect the identity of an individual. If it is necessary for anyone investigating a concern to know the identity of an individual, the Appropriate Person will notify you of this.

9.2 The Trust does not encourage individuals to make disclosures anonymously. Proper investigation may be more difficult or impossible if an Appropriate Person cannot obtain further information from an individual. It is also more difficult to establish whether allegations are credible. Individuals who are concerned about possible reprisals if their identity is revealed should make it known to an Appropriate Person where appropriate measures can then be taken to preserve confidentiality. If an individual is in any doubt they should seek advice from Protect (as identified in section 7 of this policy).

9.3 If an individual has raised a whistleblowing concern with an Appropriate Person, the individual should keep the fact and content of that concern confidential so that the Appropriate Person can ensure that the concern is investigated fairly and effectively, save that an individual may of course discuss the matter with a professional adviser, a trade union representative, or with any investigator appointed by the Appropriate Person and with those other contacts identified in this policy.

10 Procedure which Appropriate Persons will follow

10.1 The action taken by the Appropriate Person when a concern is raised will depend on the nature of the concern. The matter raised for example may need;

- to be investigated internally;
- to be referred to the Police or other appropriate body;
- to be referred to an external party to investigate;
- to be referred to an External Auditor; or
- form the subject of an independent inquiry.

Some concerns may also be resolved by agreed action and without the need for any further investigation.

Initial Steps

10.2 When an Appropriate Person receives a concern, they will carry out an initial assessment to determine;

- whether an investigation is appropriate, and if so
    - what the scope of the investigation will be;
    - who will undertake it;
    - what third parties may need to be involved; and
    - what form the investigation should take. Concerns or allegations which fall under the scope of specific procedures for example (child protection or grievance) will normally be referred for consideration under those procedures.

10.3 Within 14 calendar days of receiving the concern, the Appropriate Person will write to

the individual who raised the concern (if known), and will;

- acknowledge the concern;
- indicate how the matter will be dealt with;
- tell the individual whether further investigations will take place, and
    - if not, why not, or
    - if so, who is investigating and what the individual can expect to happen next
- give an estimate of how long it is likely to take to provide a final response. Please note that the Trust commits to concluding investigations as quickly as possible, however in some circumstances investigations can provoke additional concerns that may lead to the investigation taking longer; and
- tell the individual about any relevant internal or external support mechanisms.

Internal Investigation

10.4 Where an Appropriate Person believes that an investigation is required, they will appoint an investigator or team of investigators (including staff) with relevant

experience of investigations or specialist knowledge of the subject matter. The investigation can be internal or external.

10.5 When an Appropriate Person appoints an investigator or team of investigators, the investigator will conduct a proportionate investigation, taking any of the following steps as appropriate, into the circumstances:

- interviews of any potential witnesses, including the individual who raised the concern (if known);
- interviews of anyone accused of any wrongdoing;
- requests for written information or any other evidence from any relevant person;
- reviews of any relevant documentation and evidence, and/or
- contact with any appropriate third party.

10.6 The amount of contact between the investigator considering the issue and the person who raised the concern (if known), will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. The Appropriate Person or Investigator will aim to keep the individual (if known) informed of the progress of the investigation but individuals should not expect a running commentary on the investigation and must be mindful that some matters may be confidential.

10.7 When any formal meeting is arranged with the individual who raised the concerns (if known), the individual will have the right to be accompanied to any meeting by a trade union or professional association representative or a work colleague who is not involved in the area of work to which the concern relates. Individuals may not be accompanied by an external person.

Records

10.8 The investigator will keep appropriate records of work taken throughout the internal investigation.

10.9 The Appropriate Person must ensure that the Trust Whistleblowing register log is updated with the date the concern was raised, a brief outline of the concern (without identifiable details), whether the concern was investigated, the dates of the investigation and the conclusion of the investigation. The Trust Whistleblowing register is held in a secure location with restricted access, managed by the Company Secretary and Data Protection Officer.

Conclusion of an investigation

10.10 The investigator will consider how best to report their findings and what (if any) corrective action they propose is taken. This may include some form of disciplinary action or third party referral and may include a recommendation to the Trust for change to enable the Trust to minimise the risk of future wrongdoing.

10.11 The Appropriate Person will review the investigator's report and will determine what action if any will be taken. If necessary, the concern will then be dealt with under the relevant Trust policy e.g. discipline & conduct policy.

10.12 The Trust accepts that individuals need to be assured that the concern has been properly addressed, therefore the Appropriate Person will provide the individual who raised the concern (if known) with a summary response to their disclosure sharing an overview of what steps have been taken to investigate. An individual should not expect to be given a copy of the investigator's findings. Outcomes and actions will only be shared if this is appropriate in the circumstances, specifically any disciplinary actions for other individuals will not be shared with the individual who raised the concern (if known) for confidentiality reasons.

<u>If an individual continues to have serious concerns after the investigation</u>

10.13 This policy will provide individuals with appropriate avenues to raise concerns and the Trust hopes that individuals will be satisfied that the Trust has responded appropriately to those concerns. However, where an individual continues to have serious concerns after the Trust's internal process has been completed, the individual should seek to resolve this with the Appropriate Person.

10.14 If the individual still continues to have serious concerns, the individual may take advice as identified in section 7, on how to raise the concern externally.

11 External disclosures

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

11.2 The law recognises that in some circumstances it may be appropriate for an individual to report concerns to an external body. It will very rarely, if ever, be appropriate to alert the media. Individuals should seek advice before reporting a concern to anyone external (refer to section 7 of this policy for guidance).

11.3 If an individual wishes to raise their concern externally, they should do so to a 'Prescribed Person'. A Prescribed Person is an external body relevant to education who individuals can report concerns to. You will find details of where to find the list of Prescribed Persons for education in Appendix B.

11.4 An individual who raises a concern 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 any allegation contained in it are substantially true.

11.5 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, we encourage you to report such concerns internally first. You should contact an Appropriate Person for guidance.

12. Protection and support for individuals

12.1 It is understandable that individuals are sometimes worried about possible repercussions if they were to raise a concern. The Trust encourages openness, fairness and transparency and will support individuals who raise genuine concerns under this policy, even if a concern turns out to be a genuine mistake or misunderstanding.

12.2 Individuals must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an individual believes that they have suffered any such treatment, the individual should inform the Appropriate Person immediately. If the matter is not remedied, an individual should raise it formally using the Trust Grievance policy.

12.3 Individuals must not threaten or retaliate against an individual who has raised a concern (whistleblower) in any way. If an individual is involved in such conduct they may be subject to disciplinary action. In some cases, the whistleblower may sue an individual personally for compensation in an employment tribunal.

12.4 Individuals who are the subject of a whistleblowing allegation:

- are entitled to be accompanied at any meetings by a Permitted Companion;
- are not entitled to know the identity of the whistleblower;
- are entitled to see and approve any final statements made by them as part of an investigation; and
- 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 us or of any of our staff or for personal gain.

13. Attendees at formal meetings

13.1 For any process described as informal there is no right to be accompanied and the meeting will proceed without a companion present.

13.2 Where this policy allows for the individual to be accompanied by a companion at a formal meeting, the provisions of this paragraph 13 will apply and Permitted Companion means a companion meeting the requirements of this paragraph 13.

13.3 The individual must let the relevant Manager know who their Permitted Companion will be at least one working day before the relevant meeting. The companion must be either a willing co-worker not involved in the substance of the issue under discussion at the meeting or a trade union representative. There is no right to legal representation at formal meetings.

13.4 If an individual has any particular need, for example, a disability, they may also be accompanied by a suitable helper.

13.5 A Permitted Companion can address the meeting in order to:

- put forward the case on the individual's behalf;
- sum up the case; and
- respond on the behalf of the individual to any view expressed at the meeting.

13.6 A Permitted Companion can also confer with the individual; in private during the meeting.

13.7 A Permitted Companion has no right to answer questions on the individual's behalf, or to address the meeting if the individual does not wish it, or to prevent the individua from explaining their case.

13.8 Where an identified Permitted 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 the companion provided that it is reasonable.

13.9 There is no right to be accompanied by a legal representative.

Appendix A

Contact details of Appropriate Persons

Chair of Audit Committee ("Responsible Officer")	Father Stephen Trafford Email: s.trafford@kcsp.org.uk
Chair of the Trust Board	Jane Holmes Telephone: 07513 702582 Email: jholmes@kcsp.org.uk
Accounting Officer/CEO	Annemarie Whittle Telephone: 01622 232663 Mobile: 07464 216630 Email: awhittle@kcsp.org.uk
CFO	Chris Knell

	Telephone: 01622 232662 Mobile: 07718 424789 Email: cknell@kcsp.org.uk
Chief Operating Officer	Charlotte Robinson Telephone: 01622 232670 Mobile: 07718 424788 Email: crobinson@kcsp.org.uk
Other contact	whistleblowing@kcsp.org.uk

Appendix B –Prescribed Persons

Please visit the following government website for a list of prescribed people and bodies, depending on the nature of the concern:

https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2