

Whistleblowing Policy

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	CSF Grievance Policy
	CSF Health & Safety Policy
	CSF Staff Code of Conduct



Contents

1. Policy Introduction and Aims	3
1.1. Examples of Whistleblowing	4
2. Policy Scope	4
3. General Principles	4
4. Procedures	5
4.1 Raising a Concern	5
4.2 How the Foundation will Respond	6
4.3 External Disclosures.....	7
5. Malicious Accusations	8
6. Confidentiality and Protection	8
7. Review	9
8. Policy links	9
9. Contacts.....	9
10. Equal Opportunities	10



1. Policy Introduction and Aims

It is CSF's ("we/us") policy to conduct all of its business in an honest and ethical manner. CSF has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, and failure to comply with legal obligations or unethical conduct. The policy also provides, if necessary, for such concerns to be raised outside the organisation. CSF will comply with the Public Interest Disclosure Act 1998 in respect of its conduct both at home and abroad.

All organisations face the risk of things going wrong or of unknowingly harbouring malpractice. CSF believes it has a duty to identify such situations and take the appropriate measures to remedy the situation. By encouraging a culture of openness within our organisation, CSF believes it can help prevent malpractice—prevention is better than cure. That is the aim of this policy.

By encouraging a culture of openness, CSF wants to encourage employees, workers and other relevant stakeholders to raise issues which concern them at work or with the way in which the CSF operates. They may be worried that by reporting such issues they will be opening themselves up to detrimental treatment or risking their job security; that is quite understandable but is not the case - all staff have statutory protection if they raise concerns in the right way and have made a "qualifying disclosure". A qualifying disclosure is one where the employee has a reasonable belief that wrongdoing has occurred; there are some examples below of the types of events that may prompt such a disclosure, although this list is not exhaustive.

This policy is designed to give staff and other relevant stakeholders that opportunity and protection. Provided they are acting in good faith, it does not matter if they are mistaken. There is no question of employees or others having to prove anything about the allegation they are making but they must reasonably believe that the information they have tends to show some malpractice.

If there is anything which employees or other relevant stakeholders think CSF should know about, they should use the procedure outlined in this policy. By knowing about malpractice at an early stage, CSF stands a good chance of taking the necessary steps to safeguard the interests of all staff and protect the organisation. In short, employees and others should not hesitate to 'blow the whistle' on malpractice.

CSF is committed to this policy. If anyone uses this policy to raise a concern in good faith, CSF gives them its assurance that they will not suffer any form of retribution or detrimental treatment. CSF will treat their concern seriously and act according to this policy. If an individual asks for a matter to be treated in confidence, CSF will respect their request and only make disclosures to third parties or other staff if absolutely necessary. Any safeguarding issues will be dealt with under the Safeguarding



Policy. This policy does not form part of any employee's contract of employment, and we may amend it at any time, following consultation with our recognised Trade Unions.

1.1. Examples of Whistleblowing

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

- Criminal activity.
- Child protection and/or safeguarding concerns.
- Miscarriages of justice.
- Danger to health and safety.
- Damage to the environment.
- Failure to comply with any legal or professional obligation or regulatory requirements.
- Financial fraud or mismanagement.
- Negligence.
- Unauthorised disclosure of confidential information.
- The deliberate concealment of any of the above matters.

2. Policy Scope

This policy applies to all staff, volunteers, contractors and consultants, paid and unpaid, working in the Foundation, including governors who may wish to raise justifiable concerns.

3. General Principles

- **Fairness**: The application of this policy will be consistent, prompt, impartial, reasonable and applied without discrimination.
- **Confidentiality**: Information relating to an allegation of wrongdoing should not be divulged to any parties not involved in the investigation process. Statements, letters and other communications will be strictly confidential to those involved in the procedure (unless it is necessary to disclose to others, for example, a regulatory body such as the Disclosure and Barring Service). Records will be kept in accordance with the obligations under the retained UK General Data Protection Regulation and Data Protection Act 2018.
- **Equal opportunities**: This policy will be applied without any distinction as to sex or gender assignment, age, sexual orientation, marriage and civil partnership status, race, ethnic or national origin, colour, creed, disability, religion or belief, political belief, membership of or activities as part of a trade union, or social or economic status.



The Foundation's policy on whistleblowing is intended to demonstrate that the Foundation:

- will not tolerate malpractice;
- will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- will invoke CSF's Disciplinary Policy and procedure in the case of false, malicious, vexatious or frivolous allegations;
- will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.
- links with other policies and practices.

4. Procedures

This procedure is separate from CSF's adopted procedures regarding grievances. Employees should not use the whistleblowing procedure to raise grievances about their personal employment situation. This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within CSF.

4.1 Raising a Concern

As a first step, you should normally raise concerns with your immediate Line Manager or Headteacher/Deputy Headteacher. However, depending upon the seriousness and sensitivity of the issues involved and who is suspected of the malpractice, this may not be appropriate.

In this case, your concern should be raised with one of the following: the Principal, Head of HR or Chair of Governors.

Concerns may be raised verbally or in writing, by email or letter.

It is preferable for concerns to be raised in writing and where this is the case the following details are requested:

- Your name and contact details: If raised anonymously, it is difficult for the matter to be investigated, therefore you are encouraged to provide your identity. You are protected under this policy for whistleblowing. If you choose to remain anonymous and CSF does not have sufficient information to investigate, it may not be possible to look into your concern.
- Background information and history including details as to why you are concerned.
- Whether the issue has already been reported to management and the outcome of this.
- The names and job titles of any other employees who may support your concern.



You may wish to consider discussing your concern with a colleague or your recognised Trade Union first. This may be to obtain advice and support.

If the concern raised is against a governor, this matter should be managed by the Chair of Governors. However, if the concern is relating to the Chair, the matter may need to be raised to an external body.

4.2 How the Foundation will Respond

Within 10 working days of receipt of any concern, the person progressing the matter will write to the employee to:

- acknowledge that the concern has been received;
- indicate how and through whom CSF proposes to address the matter including whether further investigation or referral to another organisation will be made;
- notify them of the investigating officer who will be provided with appropriate support and training to handle whistleblowing allegations;
- give an estimate of how long the investigation will take;
- indicate whether further information will be sought from the employee and the arrangements for obtaining this, where known.

The form of further contact between the employee and the person progressing the complaint will depend on the nature of the matter raised and the follow-up action required. In instances where an investigation is prolonged or referral to an external agency takes place, arrangements will be made to provide the employee with situational updates as far as is practicable.

We may need to meet with the employee to discuss the concern raised. The employee may bring a colleague or Trade Union representative to any meetings under this policy. The employee's companion must respect the confidentiality of the disclosure and any subsequent investigation.

On occasion, the person considering the complaint may determine that it is not appropriate for further action to be taken. This may include where:

- there is no evidence that malpractice has occurred;
- the matter is / has been the subject of internal proceedings under another policy;
- the matter is / has been the subject of external legal proceedings / been referred to another external agency;
- a false and malicious or vexatious complaint has been made.

The Foundation recognises that an employee raising a concern would wish to be assured that the matter has been fully addressed. Feedback will be provided on the outcome of the complaint, wherever possible.



In some circumstances however it may not be appropriate or permissible to share this information (for example where legal / disciplinary or regulatory authority action is pending or if sharing information may infringe the duty of confidence owed to a third party). Where it is not appropriate to provide detailed feedback, the employee will be advised that the matter has been addressed or concluded as far as is practicable.

Where a matter is not to be considered further the employee who raised the complaint will be advised of this in writing.

4.3 External Disclosures

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

The law recognises that in some circumstances it may be appropriate for staff to report their concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline and their details are at the end of this policy. They also have a list of prescribed regulators for reporting certain types of concern.

Whistleblowing concerns usually relate to the conduct of CSF staff, but they may sometimes relate to the actions of a third party, such as a service provider. The law allows staff to raise a concern in good faith with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, staff are encouraged to report such concerns internally first under this policy.

Please see below an excerpt of some of the bodies currently listed as regulators:

DFE

Tel: 0370 000 2288

<https://www.gov.uk/government/organisations/department-for-education/about/complaints-procedure>

NSPCC

You can contact the NSPCC about:

- Matters relating to child welfare and protection.

Tel: 0808 800 5000

Email: help@nspcc.org.uk

Ofqual



You can raise concerns to Ofqual about wrongdoing, risk or malpractice in England in relation to:

- Activities of awarding organisations or the qualifications they offer.
- Assessments schools, colleges, and training providers.
- Your employer's role in delivering a qualification.

Tel: 0300 303 3344

Email: whistleblowing@ofqual.gov.uk

<https://www.gov.uk/guidance/ofquals-whistleblowing-policy>

Health and Safety Executive

You can contact them about:

- Health and safety concerns at work.

Tel: 0300 003 1647

www.hse.gov.uk/contact/concerns.htm

MASH

You can contact them about:

- Safeguarding (please also refer to safeguarding guidance).

<https://www.coventry.gov.uk/mash>

5. Malicious Accusations

False, malicious, vexatious or frivolous accusations will be dealt with under the Foundation's Disciplinary Procedure.

6. Confidentiality and Protection

It is understandable that 'Whistleblowers' are sometimes worried about possible repercussions. CSF aims to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment would include dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that he or she has suffered any such treatment, he or she should inform the Whistleblowing Officer immediately. If the matter is not remedied the member of staff should raise it formally using CSF's Grievance Policy and Procedure.

Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action. 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.

If an employee has good reasons for not using the internal or regulatory disclosure procedures described above, they may consider making wider disclosure by reporting the matter to the police or to the media, for example. However, whistleblowers who make wider disclosures of this type will only be protected (from dismissal or suffering detrimental treatment) in certain circumstances. CSF recommends that employees take legal advice before following this course of action since we believe it will be in employees' own interests to do so.

7. Review

- This policy will be monitored to ensure consistency of application and adherence to the equalities legislation; to ensure that the policy operates in accordance with the duty to promote equality; to eliminate discrimination; and, to promote good relations between staff with Protected Characteristics under the Equality Act 2010.
- This policy will be monitored and reviewed by the relevant body in conjunction with recognised Trade Unions at an agreed date/timescale.
- The Foundation must keep a record of Public Interest Disclosures, including those made anonymously.

8. Policy links

- Safeguarding and Child Protection Policy
- Health and Safety Policy
- Staff Code of Conduct
- Disciplinary Policy
- Grievance Policy

9. Contacts

- Chair of Governors
- Principal
- Headteacher
- Chief Operating Officer & Bursar
- Head of HR
- Protect (independent whistleblowing charity)



- Helpline: 020 3117 2520
- Website: <https://protect-advice.org.uk>

10. Equal Opportunities

We are committed to ensuring equality of opportunity for all members of our Foundation community irrespective of race, religion or belief, gender, gender reassignment, disability, sexual orientation, age, pregnancy or maternity, marriage and civil partnership or socio-economic background. We are determined to develop a culture of inclusion and diversity in which all those connected to the Foundation feel proud of their identity and are able to participate fully.

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