

WHISTLEBLOWING POLICY

DATE APPROVED BY DIRECTORS: 10th November 2021

BOARD REVIEW DATE: November 2022

COMMITTEE RESPONSIBLE FOR REVIEW: Full Board



Commitment to Equality:

We are committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed several key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life and these policies are reviewed regularly in this regard.

This Whistle Blowing Policy has been approved and adopted by Our Lady of the Magnificat Multi-Academy Company on 1st September 2021 and will be reviewed in September 2022.

Signed by Director of Our Lady of the Magnificat Multi-Academy Company:

Signed by CSEL for Central Team:

Schools to which this policy relates:

Signed by Principal for – Trinity Catholic School

Signed by Principal for – St Augustine's Catholic High School and Sixth Form

Signed by Principal for – St Benedict's Catholic High School and Sixth Form

Signed by Principal for – St Bede's Catholic Middle School

Signed by Principal for – St Mary's Catholic Primary School, Broadway

Signed by Principal for – St Mary's Catholic Primary School, Evesham

Signed by Principal for – St Mary's Catholic Primary School, Henley-in-Arden

Signed by Principal for – St Gregory's Catholic Primary School

Signed by Principal for – Our Lady's Catholic Primary School

Signed by Principal for – St Peter's Catholic First School

Signed by Principal for – St Thomas More Catholic First School

Signed by Principal for – Our Lady of Mount Carmel Catholic First School

DEFINITIONS

In this Whistle Blowing Policy, unless the context otherwise requires, the following expressions shall have the following meanings:

- 'Our Lady of the Magnificat Multi Academy Company' means the MAC named at the beginning of this Policy and includes all sites upon which the MAC undertaking is, from time to time, being carried out.
- 'Our Lady of the Magnificat Multi Academy Company' means the company responsible for the management of the MAC and, for all purposes, means the employer of staff at the MAC.
- 'Board' means the board of Directors of the Multi Academy Company.
- 'Chair' means the Chair of the Board as appointed from time to time.
- 'Clerk' means the Clerk to the Board as appointed from time to time.
- 'Catholic Senior Executive Leader' means the person responsible for performance of all Schools and staff within the Multi Academy Company and is accountable to the Board of Directors.
- 'Chief Finance Officer (CFO)' means the person to whom responsibility for the MAC's detailed financial procedures is delegated as outlined in the Academies Financial Handbook.
- 'Diocesan Schools Commission' means the education service provided by the diocese in which the MAC is situated, which may also be known, or referred to, as the Diocesan Education Service.
- 'Directors' means directors appointed to the Board from time to time.
- 'Governor' means, the representatives appointed or elected to the Local Governing Body, from time to time.
- 'Principal' means the most senior Teacher in the School who is responsible for its management and administration. Such Teacher may also be referred to as the Head of School or Headteacher.
- 'Local Governing Body' means, (if appropriate to the context), the representatives appointed and elected to carry out specified functions in relation to the school as delegated by the Multi Academy Company.
- 'Teacher' means a teacher employed by the Multi Academy Company to work at the school and, where the context so admits, includes the Principal.
- 'Working Week' means any week that you would ordinarily work.

1. APPLICATION

This Whistleblowing Policy applies to you if you are an employee or worker of Our Lady of the Magnificat Multi Academy Company.

2. SCOPE

2.1 Whistleblowing is the disclosure by staff of what they consider to be malpractice by a co-worker or manager. This malpractice may constitute any behaviour felt to be detrimental to the best interests of the MAC, individual School, its stakeholders, and its employees. Specific examples of issues covered by the Whistleblowing Policy include:

- 2.1.1 Any unlawful act.
- 2.1.2 Failure to comply with any legal obligations or regulatory requirements.
- 2.1.3. Health and safety issues.
- 2.1.4. Damage to the environment.
- 2.1.5. Unauthorised use of public funds, to include financial fraud or mismanagement.
- 2.1.6. Fraud and corruption of any description.
- 2.1.7. Inappropriate or improper conduct (including bullying or harassment).
- 2.1.8. Serious failure to comply with appropriate professional standards.
- 2.1.9. Breach of the MAC's Constitution or other policy or code of practice.
- 2.1.10. Discrimination of any kind.
- 2.1.11. Any form of unethical conduct, including unauthorised disclosure of confidential information.

2.2 A whistle-blower is a person who raises a genuine concern relating to any of the above. If you have genuine concerns related to suspected wrongdoing or malpractice affecting any of our activities (a whistleblowing concern) you should report it under this policy.

2.3. The Whistleblowing Policy does not apply to raising grievances about an employee's personal situation with work. Any such concerns should be raised under the existing provisions for raising grievances.

2.4 This policy does not form part of any employee's contract of employment, and we may amend it at any time.

2.5. Provided that you act in good faith, and that you have a reasonable suspicion that the alleged malpractice has occurred, is occurring or is likely to occur, you can disclose your concerns, using this procedure, and be protected by law from victimisation or dismissal. The law in question is the Public Interest Disclosure Act, which came into force in 1999. Although not strictly required by the Act, the MAC's internal procedures give effect to it. The MAC believes that having internal procedures is in everyone's interest.

2.6. If you are uncertain whether something is within the scope of this policy, you should seek advice from the Catholic Senior Executive Leader whose contact details are at the end of this policy.

3. AIMS OF THE POLICY

3.1. The aims of the MAC's Whistleblowing Policy are as follows:

- 3.1.1. Encourage employees to feel confident about raising concerns and to question and act on those concerns.
- 3.1.2. Provide ways for staff to raise concerns and receive feedback on any action taken as a result.
- 3.1.3. Reassure staff that if they raise concerns in good faith and reasonably believe them to be true, they will be protected from possible reprisals or victimisation.
- 3.1.4. Ensure that employees are aware of options available to them if they are dissatisfied with the MAC's initial response.

4. WHO IS COVERED BY THE POLICY?

4.1 The MAC's Whistleblowing Policy applies equally to all the following groups:

- 4.1.1. All employees (including part time and temporary staff).
- 4.1.2. Officers.
- 4.1.3. Agency staff working for a School.
- 4.1.4. Consultants;
- 4.1.5. 4.1.5. Contractors and suppliers.
- 4.1.6. Volunteers.
- 4.1.7. Organisations working with a School under partnership arrangements.
- 4.1.8. Service users and stakeholders

5. WHAT ASSURANCE DOES THE WHISTLEBLOWING POLICY PROVIDE?

5.1 Individuals raising concerns under the Whistleblowing Policy will not be at risk of any form of retribution or sanction, including losing their job or contract with the MAC, provided that:

- 5.1.1. The disclosure is made in good faith, and.
- 5.1.2. There is a genuine and reasonable belief that the information, and any allegations contained in it, is substantially true, and.
- 5.1.3. The disclosure is not motivated by personal gain.

5.2 The company will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, where matters that are known to be untrue are raised maliciously, it is likely that disciplinary action will be taken against perpetrators.

6. MAKING A DISCLOSURE/RAISING A CONCERN

The MAC has established the following primary mechanisms for staff to report their concerns:

- 6.1.1. To make a disclosure either telephone or write to the Catholic Senior Executive Leader (CSEL) listed at the end of the policy. If writing, mark the envelope: 'Strictly Private and Confidential'. Do not email the Catholic Senior Executive Leader, as email is not a secure medium and must not be used.
- 6.1.2. The Catholic Senior Executive Leader will acknowledge receipt of your disclosure in writing, within 5 working days. They will also gather further information, if need be, including by personal interview, at which you can be accompanied by an official of your trade union or professional association, or by a fellow colleague. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- 6.1.3. Lines of communication for reporting fraud can be found in the Our Lady of the Magnificat Multi Academy Company Anti-Fraud Policy.
- 6.1.4 Concerns may be raised verbally or in writing.
- 6.1.5. Whilst anonymous allegations will be considered and action taken where appropriate, it is much more difficult to properly investigate matters raised anonymously. The Whistleblowing Policy is designed to protect staff raising genuinely held concerns and individuals utilising the provisions of the policy are encouraged to identify themselves. Obviously, feedback (where appropriate) relating to any investigation that has been undertaken can only be provided where contact details are known.

7. CONFIDENTIALITY

7.1 The MAC will treat your disclosure in confidence and only reveal your identity if absolutely necessary (e.g., if required in connection with legal action).

8. HOW WILL THE MAC RESPOND?

8.1 The MAC's response will depend on the nature of the concern that has been raised.

8.2 In all instances, the MAC will:

- 8.2.1 Record and acknowledge the issue raised and refer it for investigation within five days of receiving the information.
- 8.2.2 Respect confidentiality. The MAC will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. It must be appreciated, however, that this is not always possible. The investigation process may reveal the source of the information and a statement by you may be required as part of the evidence. The person investigating the matter will be informed of any confidentiality requirements relating to the disclosure.

8.2.3 Decide on appropriate action e.g., Audit Services investigation, other internal investigation, and referral to the police or other external organisation.

8.2.4 Subject to any legal constraints, the relevant employee will normally be informed of the final outcome of any investigation undertaken.

8.2.5 Safeguarding issues will be reported to the appropriate Local Authority Safeguarding Board

9. CONTACT DETAILS

The Catholic Senior Executive Leader of Our Lady of the Magnificat Multi Academy Company can be contacted at the address below:

Mr T Leverage
Catholic Senior Executive Leader
12 The Oaks
Clews Road
Redditch
B98 7ST

10. HOW CAN A CONCERN BE TAKEN FURTHER?

10.1 Where individuals are dissatisfied with action taken by the MAC in respect of issues raised under the Whistleblowing Policy, they should raise their concerns with The Chair of the Board of Directors of Our Lady of the Magnificat, 12 The Oaks, Clews Road, Redditch, B98 7ST

If they remain dissatisfied, the following organisations may be contacted for advice:

Director of Schools
Don Bosco House
Coventry Road
Coleshill
Birmingham
B46 3EA
Tel: 01675 464755