



CRANMER EDUCATION TRUST

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# WHISTLE BLOWING POLICY

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Policy approved by Audit Committee 6 June 2018

A handwritten signature in black ink, appearing to be "P. Smith", is written over the signature line.

Signed .....

Chair of Trust Board

Next review – Summer 2021

CRANMER EDUCATION TRUST  
The Blue Coat School, Egerton Street, Oldham. OL1 3SQ

## Introduction

The Trust seeks to run all aspects of school business and activity with full regard for high standards of conduct and integrity. In the event that members of Trust staff, parents, Directors, Governors or the trust community at large become aware of activities which give cause for concern the Trust has established the following whistleblowing policy, or code of practice, which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

Throughout this policy, the term *whistle-blower* denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the *Second Report of the Committee on Standards in Public Life: Local Spending Bodies* published in May 1996.

Whistle blowing legislation is in place to protect workers from dismissal or victimisation at work in the event that they disclose some sort of wrongdoing to the employer or another appropriate body.

The Public Interest Disclosure Act 1998 and Employment Rights Act 1996 clearly define the types of disclosure which qualify employees for protection against dismissal and detrimental treatment by the employer. These are known as protected disclosures

A protected disclosure can relate to any one of the following being, has been or is likely to be committed:

- A criminal offence
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- A breach of any other legal obligation

The Trust is committed to tackling fraud and other forms of malpractice and treats these issues seriously. The Trust recognises that some concerns may be extremely sensitive and has therefore developed a system which allows for the confidential raising of concerns within the Trust environment but also has recourse to an external party outside the management structure of the Trust. This policy does not preclude any employee from reporting an issue to the police in conjunction with the whistleblowing process where it is believed that criminal activity is involved.

The Trust is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

Other procedures exist to register a grievance about an employee's own employment. If an employee has an individual complaint relating to their employment, for example, their contract of employment, pay, conditions, this should be raised under the Trust's Grievance Policy.

### **When might the whistleblowing policy apply?**

The type of activity or behaviour which the Trust considers should be dealt with under this policy includes:

- manipulation of accounting records and finances
- inappropriate use of trust/academy assets or funds

- decision-making for personal gain
- any criminal activity
- abuse of position
- fraud and deceit
- serious breaches of trust/academy procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)
- Damage to the environment or property of the trust/academy
- Child protection issues including sexual, emotional or physical abuse of pupils or others, or matters relating to the Prevent Duty – see below
- Other unethical conduct, including the circulation of inappropriate e-mails
- Suppressing information about anything listed above

The Prevent duty is defined as 'to have due regard to the need to prevent people from being drawn into terrorism.'

***(The list above is for guidance only and is not intended to be comprehensive)***

### **What action should the *whistle-blower* take?**

The first step depends on the seriousness and sensitivity of the issue raised and who is thought to be involved. Where ever possible, the Trust encourages the *whistle-blower* to raise the matter internally in the first instance to allow those involved the opportunity to right the wrong and give an explanation for the behaviour or activity. The earlier the concern is expressed, the easier it is to take action.

Each Academy has designated a number of individuals to specifically deal with such matters and the *whistle-blower* is invited to decide which of those individuals would be the most appropriate person to deal with the matter.

Whistle-blowers will not be expected to prove the wrongdoing, but will need to demonstrate to the person contacted that there are sufficient grounds for concern.

### **Name & Position**

### **Contact details**

#### **Cranmer Education Trust**

Julie Hollis, Chief Executive Officer, Accounting Officer  
Janet Gregory, Chair of Trust Board

} through the Clerk to the Trust  
} through the Clerk to the Trust

#### **The Blue Coat School**

Rob Higgins, Head teacher  
Eddie Moore, Chair of Governors

} at the School  
} at the School or via Heads PA

#### **East Crompton St George's C of E Primary School**

Rachel Ross, Head teacher  
Linda Baldwin, Deputy Head teacher  
Cath How, Chair of Interim Board

} at the School  
} at the School  
} at the School or via Clerk to the Trust

#### **Mayfield Primary School**

Mark Couper-Barton, Head teacher  
Dave Simpkin, Deputy Head teacher  
Cllr James Larkin, Chair of Governors

} at the School  
} at the School  
} at the School or via Clerk to the Trust

The *whistle-blower* should raise the matter in written form marked private and confidential and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

Alternatively if the *whistle-blower* considers the matter too serious or sensitive to raise within the internal environment of each school, the matter should be directed in the first instance to the Chair of Governors of the Trust Board as indicated above.

In addition information and advice can be obtained from the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows:

Public Concern at Work  
3<sup>rd</sup> Floor Bank Chambers  
6-10 Borough High Street  
London  
E1 9QQ

Telephone number: 020 7404 6609

Email: [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk)

#### **How will the matter be progressed?**

The individual(s) in receipt of the information or allegation [the investigating officer(s)] will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of trust staff, legal or personnel advisors, the police, the Department for Education.

Within ten school working days of a concern being received, the investigating officer(s) will write to the whistle blower:

- Acknowledging that the concern has been received
- Indicating how they propose to deal with the matter
- Informing as to whether any initial enquiries have been made
- Informing as to whether further investigations will take place and if not why not

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral such as the police.

Subject to legal constraints, the *whistle-blower* will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the Local Governing Body and/or the Trust Board.

The Trust hopes its investigations, and the actions arising from them, will satisfy. However, if the *whistle-blower* is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the relevant persons internally first in the following order

- The investigating officer(s)
- The Head teacher of the Academy involved
- The Chair of Governors of the Academy involved,
- The Accounting Officer/Chief Executive Officer of the Trust

- The Chair of the Trust Board

If the *whistle-blower* feels it is necessary to take the matter outside the Trust, the following are possible contact points (not exhaustive list):

- The external auditors RSM.
- Department for Education/ Education and Skills Funding Agency
- Trade Union official or solicitor, or Ombudsman
- The police

If *whistle-blowers* do feel it necessary to take a matter outside the Trust they must ensure that they do not disclose confidential information. The law on disclosure is complex and professional advice should be sought before any disclosure is made.

### **Respecting confidentiality**

Wherever possible the Trust seeks to respect the confidentiality and anonymity of the *whistle-blower* and will as far as possible protect him/her from reprisals. The Trust will not tolerate any attempt to victimise the *whistle-blower* or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

### **Anonymous allegations**

This policy encourages whistle blowers to put their name to the allegations made.

Concerns expressed anonymously are much less powerful, however they will be considered taking into account

- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from other attributable sources

### **Raising unfounded malicious concerns**

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. Where an allegation is made in the public interest but cannot be confirmed by investigation, no action will be taken against the *whistle-blower*.

However, if individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

### **Review, monitoring evaluation**

The Trust Board has overall responsibility for the maintenance and operation of this policy. Within their duty to ensure that the Trust acts lawfully, the Board will ensure that a record of all concerns raised under this policy will be maintained and the outcomes of any investigations. The Trust Board will review this policy annually and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Trust.