

# Create Learning Trust

## Confidential Reporting Procedure

### 'Whistle Blowing'

#### Policy

November 2021



#### **INTRODUCTION**

This procedure has been developed for the use of all employees. However, it can also be used by agency staff, other people acting in a similar capacity to an employee, by Contractors and their staff and other individuals providing services/support to the School (e.g. volunteers). The same principles in terms of protection from harassment and victimisation, confidentiality, support and information on the School's response will apply.

As a public service organisation, the School will use public funds prudently and apply the highest standards of conduct throughout the organisation. This procedure encourages staff to help maintain these standards, by enabling you to draw attention any concerns which you may have about the operation of the School. Initially the School will seek to deal with your concerns through its internal procedures. Public disclosure may well be justified at some point but you are encouraged not to pursue this angle until the School has had the opportunity to investigate the concern. Premature or unnecessary publicity may impede proper investigations, hurt individuals or damage Create Learning Trust, Cheshire West and Chester Council, or the teaching profession's reputation.

Examples of concerns that may be raised under the procedure are:

- Law breaking.
- Miscarriages of justice.
- Health and safety risks (to anyone).
- Damage to the environment.
- Unauthorised use of money.
- Dishonesty, fraud and corruption.
- Sexual, physical or financial abuse of pupils, staff, volunteers or contractors
- Other unethical conduct.

The School wants normal operational or managerial channels to be sufficiently open and effective for most concerns to be raised that way. But this will not always be appropriate or possible and that is why we have a Confidential Reporting Procedure. It offers the means to raise concerns you may have about any aspect of service provision or the conduct of staff or Local Academy Board (LAB) or other people acting on behalf of the School. A concern may arise, for example, from worries about failure to observe standards or policies being circumvented or improper conduct.

The procedure does not cover concerns that are covered by other procedures, eg:

- an employment problem may well be covered by the Grievance Procedure or Personal Harassment & Bullying Procedure
- in the event of any reports of concern about sexual or physical abuse of children our child protection policy would be followed

#### **HARASSMENT OR VICTIMISATION**

You may be put off raising a concern because you are worried about reprisals. If you raise a concern in good faith and genuinely believed it to be well founded, you should have nothing to fear. The School will not tolerate any harassment or victimisation (including covert pressure) and will do all it can to protect you. If you are involved in other procedures, such as disciplinary or redundancy, these be kept quite separate from the investigation of your complaint.

You will not be penalised in any way, where you make an allegation in good faith but it is not confirmed after it has been investigated. A concern that is raised frivolously, maliciously or for personal gain may result in action being taken against you.

#### **CONFIDENTIALITY**

Your concern will be treated in strict confidence, within this Procedure, and everything done to keep your identity secret (if this is what you want). But note that you *may* have to be a witness at some point. It might then not be possible to keep your identity fully secret.

#### **ANONYMOUS ALLEGATIONS**

An anonymous concern is likely to carry much less weight than one which is signed; the investigating manager would have to decide whether or not to accept it. This decision would depend on the seriousness of the issue, the credibility of the concern and the likelihood of being able to confirm the allegation in other ways. Signed concerns are always better.

## **RAISING A CONCERN**

You can raise your concern face to face, via a telephone call or in writing.

- Raising a concern by email – [ceo@createlearning.co.uk](mailto:ceo@createlearning.co.uk)
- Raising a concern in writing – If written, please ensure you mark the envelope 'personal, private and confidential' and for the attention of Mrs Sarah Woodward, CEO of Create Learning Trust c/o Little Leigh Primary School, Shutley lane, Little Leigh, Cheshire. CW8 4RN. If the concern is of a serious nature, you may wish to hand deliver the envelope to the relevant person

Whichever way you choose, please give as much information as you can. Remember also to give your name, and for employees your job, where you work and say if you do not want to be contacted at work (if so, give your home address and phone number). If you are not employed by the Trust please let us know your relationship with the Trust (*for example, contractor, partner organisation, and council tax payer.*)

When raising any concern, please provide the following information:

The following headings should help you organise your thoughts but you do not have to follow them exactly:

- Background information
- Explain why you are concerned and what you are concerned about
- Details of any other procedures which you have already used - and what happened.
- The names of the employee/members involved and their place of work
- Dates or periods of time relating to the matter
- The names and positions held of any other people who will (or may) support your concern.

A disclosure is protected if you have an honest and reasonable suspicion that a malpractice has occurred, is currently occurring or is likely to occur in the future. As an employee you can raise your concern with your line manager or you may wish to refer it yourself direct.

There is a list of the managers and others with whom you can raise a concern (see the last page for contact addresses and phone numbers). When deciding who it would be best to approach, take into account the type of matter, its seriousness and its sensitivity – and who may be involved.

The earlier a concern is raised the better. Whilst you will not be expected to prove that allegations are true, you will need to show that you have a reasonable basis for your concern.

You may want to discuss the matter with one or two colleagues first. Their support could be helpful. There is nothing to stop two or more of you putting your names to a concern.

### **Involvement of your trade union or professional association, or other support such as a friend**

You may ask your trade union or professional association or other support, to raise a matter on your behalf. In this case - if you wish - you can remain anonymous when the concern is first raised. But you may have to be involved personally if the matter goes further.

You may also have your trade union, professional association or a friend at any meeting or interview.

### **Help with the procedure**

Any of the following will help you to understand the procedure:

- The manager for your team.
- The Trust Personnel Manager for your service (names are available from the Trust Personnel Corporate Personnel Unit).
- Head of Audit & Risk Management.
- Trust Solicitor.

## **HOW YOUR CONCERN WILL BE DEALT WITH**

As a start, discreet enquiries will be made by a senior manager to decide whether an investigation is needed and if so, how it should be carried out. This will help protect everyone concerned. The overriding principle will be the public interest.

If this first, testing, stage shows that the concern should be followed up, there will either be a special examination or another procedure will be used, if appropriate. Examples of special procedures are the Trust's Disciplinary Procedure, the Personal Harassment and Bullying Procedure or child protection procedures. It may be necessary to involve other agencies, for example the police or the Trust's external auditors. Any urgent action will be taken before the investigation starts. It may be possible of course, to sort out the concern without a detailed investigation.

### **WHAT YOU WILL BE TOLD**

Within 10 working days of your concern being received, the manager who carries out the initial enquiries will write to you confirming:

- What initial enquiries have been made?
- How your concern has been or will be dealt with.
- How long any further action may take (as far as this can be known).
- What further work is planned and how you may be involved.

The amount of contact you have with the people considering the matter will depend on many things. These include the type of concern, the potential difficulties of investigating it and the availability of information. You may need to provide more help. Wherever possible, you will be told the final outcome of an investigation.

### **PERSONAL SUPPORT**

The School will do all it can to minimise any difficulties which you may have because you have mentioned your concern. As far as we can, you will be offered personal support, which the manager leading the investigation will arrange. For example, if you had to give evidence in disciplinary or criminal proceedings, full advice about the procedure would be given to you.

### **IF YOU ARE NOT SATISFIED WITH THE TRUST'S RESPONSE**

This procedure is meant to give everyone an effective way to raise a concern *within* the School (and if possible, to resolve it internally). You should not feel that you have to take an issue outside the School to get satisfaction. But if you are still unhappy after using the procedure (and getting a final response), you are entitled to consider taking your concern elsewhere. If you do this, these are some contacts which are available:

- Trust's external auditors
- UNISON Whistle Blowing Hotline – 0800 597 9750
- Audit Commission Anti-Fraud and Corruption Unit – 0270 630 1019
- The independent charity Public Concern at Work - 0270 404 6609
- A Citizens Advice Bureau
- A relevant professional or regulatory body
- A relevant voluntary organisation
- Your trade union
- The police

If you raise the matter outside the School, you must take into account the rules about disclosing confidential information.

**Contact Details****Staff wishing to report under this procedure will contact one of the following:**

The Headteacher	Mr Chris Priddey <a href="mailto:head@sandiway.cheshire.sch.uk">head@sandiway.cheshire.sch.uk</a> 01606 883298
The Chair of the LAB	Mrs Emma Zouhbi <a href="mailto:ezouhbi@sandiway.cheshire.sch.uk">ezouhbi@sandiway.cheshire.sch.uk</a> 01606 883298
Trust Finance Team	Mrs Jenni Goodwin 01270 360030 <a href="mailto:finance@createlearning.co.uk">finance@createlearning.co.uk</a>
Trust HR	Mrs Paula Mattock/Mrs Lyn Mallon <a href="mailto:hrcontracts@createlearning.co.uk">hrcontracts@createlearning.co.uk</a> / <a href="mailto:hroperations@createlearning.co.uk">hroperations@createlearning.co.uk</a>
Trust Solicitor	Cook Lawyers <a href="http://www.cooklawyers.co.uk">www.cooklawyers.co.uk</a> / 01625 725 000