



EMMAUS

CATHOLIC MULTI ACADEMY TRUST

Journeying together with Christ, to recognise the
Lord in our midst and to bear witness to the
Good News of God in Jesus Christ.

Whistleblowing Policy

Contents

Statement of intent.....	2
Legal framework.....	2
Aims.....	3
Confidentiality	3
How to Raise a Concern	3
What should be referred to the LADO?	4
Allegations that may meet the harms threshold	4
Concerns that do not meet the harm threshold	5
How the Trust/school will respond.....	5
What the Trust asks of you.....	6
Outcome	6
Monitoring and review	6
Contact Details.....	7

Statement of intent

The Emmaus Catholic Multi Academy Trust is committed to open and honest communication and ensuring the highest possible standards in integrity – we will always treat whistleblowing as a serious matter and will pursue fraud and serious abuse as vigorously as possible through our disciplinary procedures, or through courts. Frauds will always be reported to the police.

In line with the Trust's commitment to openness, probity and accountability, members of staff are encouraged to report concerns. This policy and our academy school's Code of Conduct will work to ensure that, if an employee sees or suspects that something is wrong, they will raise this with the Trust and can do so without fear of reprisal or victimisation. This is known as "*blowing the whistle*" – a phrase that is used throughout this policy and typically, although not necessarily, be something they have witnessed or believe to be happening at work. This should be viewed as a positive action of speaking up.

This policy covers '*protected disclosures*' made in the public interest that fall outside the scope of other Trust policies and procedures. Therefore, it provides a framework for concerns to be raised, such as:

- A criminal offence, e.g. fraud
- Someone's health and safety is in danger
- Risk or actual damage to the environment
- A miscarriage of justice
- A breach of legal obligation e.g. does not have the right insurance
- You believe someone is covering up a wrongdoing

It is not intended as recourse against financial or business decisions made by the Trust / academy, and in most cases personal grievances (for example bullying, harassment, discrimination) should be dealt with in accordance with the Grievance Procedures. The Trust Complaints Policy can be used for complaints about governors/members, trustees and by individuals who are not employed by the Trust.

This policy applies to all individuals working for Emmaus Catholic Academy Trust at all levels and grades, whether they are employees, contractors and casual or supply staff. This policy does not form part of an employee's contract of employment and as such it may be amended at any time.

Where this policy necessitates personal or special category data to be processed, it will be done so in accordance with the Trust's Data Protection Policy.

Legal framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- [Public Interest Disclosure Act 1998](#)
- [Employment Rights Act 1996](#)

This policy has been created with regard to the following guidance documents:

- [ESFA \(2021\) 'Academies financial handbook 2021'](#)
- [GOV.UK 'Whistleblowing for employees'](#)
- [Sir Robert Francis \(2015\) 'Freedom to speak up report'](#)

This policy operates in conjunction with the following school policies:

- Capability Policy and Procedure
- Records Management Policy
- Complaints Procedures Policy
- Data Protection Policy

Aims

Employees are often the first to realise that something seriously wrong may be happening within the workplace. However, they may not express their concerns either because they feel that speaking up would be disloyal to their colleagues or the Trust/school or because they fear reprisal or victimisation. Emmaus Catholic Academy Trust's commitment to employees who whistleblow aims to:

- Empower workers to raise concerns. The Trust considers it a professional duty for employees to make a disclosure when they are aware of or strongly suspect wrongdoing
- Provide clear processes for workers to raise concerns and support those who make a disclosure
- Provide an appropriate response and feedback to those who raise concerns and make them aware of how to pursue their concerns if they are not satisfied
- Establish a consistent, fair and impartial investigation procedure, protecting workers from malicious or vexatious allegations, reprisals or victimisation
- All cases of whistleblowing will be brought to the attention of the CEO and board of directors

Confidentiality

The Trust understands that it is never easy to report a concern, particularly one which may relate to fraud or corruption by a colleague. We urge all workers to come forward with any concerns at an early stage, as this may prevent the concern to become serious. If you prefer, you may come forward with another colleague, friend or other representative to report a concern. We will treat all concerns in confidence and do our best to protect your identity if you do not want your name to be disclosed. If the investigation of the concern is sufficiently serious to warrant disciplinary action or police involvement, your name will not be released as a possible witness until the reasons for release have been discussed with you.

This policy does encourage you to put your name to your allegation as concerns expressed anonymously are much less powerful, but anonymous concerns will be considered at the discretion of the Trust, taking into consideration the seriousness of the issue raised, likelihood of confirming the allegation from attributable sources, the Trust's best interest and protection of Trust assets.

If you make an allegation in good faith but it is not confirmed by investigation, no reprisals will be taken against you. However, discouraging a colleague from expressing concerns, victimising someone who has done so, or raising concerns with malicious intent, may be treated in accordance with the Disciplinary Procedure.

How to Raise a Concern

Concerns should be raised with the headteacher of your school, a member of the Trust Board, Trust Safeguarding Lead or nominated governor. If you are a member of a Trade Union, you are advised to make contact with them for advice as soon as possible.

Each academy school is responsible for ensuring colleagues are aware of the Trust Whistleblowing Policy, where to find it and who they need to contact.

When individuals raise their concern, they should include the following information, where possible:

- The background and history of the concern
- Any relevant names, dates and places
- The reason for the concern

To ensure that all allegations are considered consistently, the individual receiving the concern will immediately raise it with the CEO who will ensure the concern is investigated properly. If the allegation arises from a disciplinary matter, they will investigate as part of a disciplinary investigation.

If our policies and procedures are working properly, you should not need to contact external agencies to express a concern. However, in exceptional or urgent circumstances where it might be best to do this, you can raise your concern(s) externally to one of the bodies listed on the '[List of Prescribed Persons and Bodies](#)'.

Where a concern relates to a child protection matter this should be raised with the school's headteacher or designated safeguarding lead. If you do not wish to raise it via the school, you should inform your [Local Authority Designated Safeguarding Officer \(LADO\)](#). If the concern requires police or other agency involvement, the whistleblowing process will be stopped until relevant agencies have completed any necessary investigations and confirmed the appropriate actions to continue with the whistleblowing procedure.

Concerns may be raised verbally but it is best practice for the concern to be recorded in writing as soon as possible to ensure all details are correctly understood.

What should be referred to the LADO?

We will follow the guidance as laid out in the latest version of Part 4 Keeping Children Safe in Education, for dealing with concerns and/or allegations against those working in or behalf of our schools. Whether this is in a paid or unpaid capacity including members of staff, supply teachers, volunteers and contractors.

Allegations that may meet the harms threshold

We will alert the [Local Authority Designated Safeguarding Officer \(LADO\)](#) to all cases, within one working day, in which it is alleged that a person who provides education for children under 18 years of age has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child
- behaved towards a child or children in a way that indicated they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

Where a child has been harmed, that there may be an immediate risk of harm to a child or the situation is an emergency, we will contact children's social care and as appropriate the police immediately.

We will approach allegations with common sense and judgement and deal with them quickly, fairly and consistently, providing effective protection for the child and support the person subject to the allegation.

Following the individual school and local authority arrangements for managing allegations. If there is any doubt, we will contact the LADO for advice.

Allegations of historical abuse will be responded in the same way as contemporary concerns. In such cases, it is important to find out whether the person against whom the allegation is made is still working with children and if so, to inform the person's current employer or voluntary organisation or refer their family for assessment.

Concerns that do not meet the harm threshold

We will follow the Trusts policies and processes that deal with concerns which do not meet the harm threshold.

How the Trust/school will respond

The action taken by the Trust/school will depend on the nature of the concern. After initial enquiries to assess the seriousness, the matters raised may:

- Be investigated by the school leadership team, internal audit or through disciplinary process
- Be referred to the Trust
- Be referred to external auditors
- Be referred to the LADO
- Be referred to children's social care
- Be referred to the Police
- Be referred to TRA
- Be referred to Disclosure and Barring Service (DBS)
- Be referred to any other relevant agency

If urgent action is required, this will be taken before a full investigation takes place. Some concerns may be resolved by agreed action without the need for investigation or it may mean an investigation is carried out without the person(s) under investigation being made aware of the process.

The Trust/school will write to the individual within 10 working days of the concern being received to:

- Acknowledge that the concern has been received
- Indicate how it proposes to deal with the matter
- Explain whether initial enquiries have been made
- Explain whether further investigations will take place and if not, why not
- Provide an estimate of timescales and when the final report will be completed
- Where appropriate, name an independent support officer to support you through the process

When a meeting is arranged, you will have the right to be accompanied by a trade union or professional association representative or a friend.

The Trust/school will retain a record of the seriousness of the issues raised and the credibility of the concern. All records will be kept confidential and stored in accordance with Trust/school retention policies.

The Trust/school will conclude the investigation within 20 working days. Where it is believed the investigation will take longer due to the nature of the investigation, the Trust/school will let you know in writing and keep you fully informed of the progress of any investigation.

What the Trust asks of you

The purpose of this policy is to enable individuals to raise concerns in confidence, without fear of reprisal. Therefore, it is imperative that whistle-blowers:

- Do not take the concern outside Trust e.g., gossiping
- Declare any personal interest in the matter as the policy is designed to be used in the interest of the public and not for individual matters

Outcome

We accept that you need to be assured that the matter has been properly addressed. Therefore, you will be invited to an outcome meeting, subject to legal and/or confidentiality constraints. You will have the right to be accompanied by a trade union or professional association representative or a friend.

If you are not satisfied with the outcome of the investigation, you have the right of appeal to be made up of personnel different to the original panel. You may also raise the matter with one of the following organisations:

- Your trade union or professional association
- Your solicitor or legal advisor
- The Police
- [The Local Government Ombudsman](#)
- [The Health and Safety Executive](#)
- [Public Concern at Work](#)
- Relevant professional bodies or regulatory organisations
- [Citizen's Advice Bureau](#)

Monitoring and review

The board of directors will review this policy annually, ensuring that all procedures are up to date. Any changes made to this policy will be communicated to all members of staff.

A copy of the latest version on this policy can be found on the [Trust website](#).

Contact Details

Trust	CEO	Contact Details
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