



**Confidential Reporting Policy
("Whistle-blowing policy")**

June 2020

Mission Statement

As a Catholic Sixth Form College we strive to be a centre of educational excellence for the community built on faith, respect and trust. We celebrate diversity amongst all our students and staff and seek to nurture the gifts of each individual through high quality teaching and learning and dedicated pastoral care.

Values Statement

Cardinal Newman College is a community which aims to live out the Gospel values of service and love. This means that:

- The individual student is central to all our endeavours
- The College values each individual as a unique person and regards each person, made in the image and likeness of God, as worthy of the utmost respect
- The College strives to develop each person intellectually, socially and spiritually through an inclusive programme of study and enrichment
- The College values the spiritual journey of each individual and will offer opportunities for each to engage appropriately in their spiritual search
- The College is committed to creating a culture that is open and welcoming, free from fear and from violence of any kind, in which all individuals feel safe, happy and secure
- The College provides learning environments that are stimulating, enjoyable and challenging to students, fostering their creativity, imagination and search for truth
- The College encourages individuals to contribute positively to the world in which they live, to challenge injustice and to seek out more co-operative, just and peaceful forms of human existence

1. PREAMBLE

- 1.1 Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to our activities. This includes bribery, fraud or other criminal activity, miscarriages of justice, health and safety risks, damage to the environment and any breach of legal or professional obligations.
- 1.2 Staff are often the first to realise that there may be something seriously wrong within the College. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the College.
- 1.3 This policy makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage.
- 1.4 The College is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect any suspected wrongdoing to be reported as soon as possible.
- 1.5 This policy applies to all employees, officers, consultants, contractors, volunteers, governors, casual workers and agency workers. It also covers suppliers and those providing services under a contract with the College in their own premises.
- 1.6 This policy does not form part of any employee's contract of employment and we may amend it at any time following consultation with the recognised trade unions.

2. AIMS AND SCOPE OF THIS POLICY

- 2.1 This policy aims to:
 - provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace (In most cases you should not find it necessary to alert anyone externally. However, the law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external. Public Concern at Work operates a confidential helpline. Their contact details are at the end of this policy).
 - encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice.
 - ensure that you receive a response to your concerns and where appropriate, feedback on any action taken
 - reassure you that you will be supported if you have genuine concerns under this policy, even if they turn out to be mistaken.
 - ensure the protections of the Public Interest Disclosure Act are upheld.

2.2 This policy is not to be used for pursuing individual grievances or private disputes since these are covered by existing procedures/policies. This policy is intended to cover major concerns that fall outside the scope of other procedures. For example:

- Conduct which is a criminal offence or breach of law
- disclosures related to miscarriages of justice
- failure to comply with any legal or professional obligation or regulatory requirement health and safety risks, including risks to the public as well as other members of staff and/or students
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- abuse of students
- the deliberate covering up of wrongdoing in the above categories, or
- other seriously unethical, unprofessional or unacceptable conduct

2.3 Thus, any serious concerns that you have about any aspect of service provision or the conduct of employees at the College or members of the Governing Body or others acting on behalf of the College can be reported under this policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or standards you believe the College subscribes to; or
- is against the College's Articles & Instruments and policies; or
- falls below established standard of practice; or
- amounts to improper conduct.

3. SAFEGUARDS

3.1 Protection

3.1.1 The College is committed to good practice and high standards and wants to be supportive to all.

3.1.2 The College recognises that the decision to report a concern can be a difficult one to make.

3.1.3 The College will not tolerate any detrimental treatment (including informal pressures) towards a 'whistleblower' as a result of them raising a genuine concern. If you are involved in any such conduct towards a whistleblower, you may be subject to disciplinary action.

3.1.4 If you believe that you have suffered any such treatment, you should inform the person dealing with your concern immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

3.1.5 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that might already affect you.

3.2 Confidentiality

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. Completely anonymous disclosures are difficult to investigate. If you want to raise your concern confidentially, we will make every effort to keep your identity secret and only reveal it where necessary to those involved in investigating your concern.

3.3 Untrue Allegations

If you make an allegation in good faith, but it is not confirmed by the investigations, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

4. HOW TO RAISE A CONCERN

4.1 As a first step, you should normally raise concerns with your immediate line manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. If your line manager is not appropriate for any reason you should raise your concerns with any member of the College's Senior Leadership Team.

4.2 Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- the background and history of the concern (giving relevant dates);
- the reason why you are particularly concerned about the situation.

4.3 The earlier you express the concern the easier it is to take action.

4.4 Advice and guidance on how matters of concern may be pursued can be obtained from your Union Representative or from the HR Manager.

4.5 You may invite your trade union representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

5. HOW THE COLLEGE WILL RESPOND

5.1 Where appropriate, the matters raised may:

- be investigated by management
- be referred to the police
- be reported to the Local Authority Designation Officer (Safeguarding)
- be referred to the external auditor
- form the subject of an independent enquiry

- 5.2 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Whilst maintaining the confidentiality of the complainant, the individual complained of must be given details of the allegations so that they can respond, unless this is deemed inappropriate e.g. potential issues of safeguarding, fraud or corruption.
- 5.3 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken into account before any investigation is conducted.
- 5.4 Within 14 days of a concern being raised, the responsible person will write to you:
- acknowledging that the concern has been received
 - indicating how the College proposes to deal with the matter
 - giving an estimate of how long it will take to provide a final response
 - telling you whether any initial enquiries have been made, and
 - supplying you with information on staff support mechanisms.
- 5.5 The amount of contact between the staff considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the College may invite you to a meeting to seek further information and/or seek clarification of your concerns from you.
- 5.6 The College will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence on behalf of the College in criminal or disciplinary proceedings the College will arrange for you to receive advice about the procedure.
- 5.7 The College accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation. However, sometimes the need for confidentiality may prevent the College giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

6. THE RESPONSIBLE PERSON

The Principal has overall responsibility for the maintenance and operation of this policy. He/she maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Governing Body.

7. CONTACTS

- 7.1 This policy is intended to provide you with an avenue within the College to raise concerns. The College hopes you will be satisfied with any action taken. If you are not, you may raise it, in confidence, with the Chair of the Governors, the Chair of the Audit Committee or the Clerk to the Governors.

7.2 The following are possible contact points:-

- **The Local Authority Designated Officer (Safeguarding)**
Tim Booth (Tim.booth@lancashire.gov.uk)
01772 536694 or 07826 902522
 - **Head of the Education Service (Diocese of Lancaster Education Service)**
Diocese of Lancaster Education Service
The Education Centre
Balmoral Road
Lancaster
LA1 3BT
 - **The College's external auditor**
Mazars
One St Peter's Square,
Manchester
M2 3DE
 - **Your Trade Union**
 - **The Police**
 - **The ESFA:**
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry CV1 2WT
Please see ESFA link below to report a disclosure in the public interest (including whistleblowing):
https://form.education.gov.uk/ffillform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1
- Please see link below for further guidance on what the ESFA can and cannot investigate:
<https://www.gov.uk/government/publications/complaints-about-post-16-efa-funded-institutions/how-to-complain-about-post-16-efa-funded-institutions>
- **The Department for Business, Energy & Industrial Strategy** (see link for list of prescribed persons) <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

8. FURTHER INFORMATION

Further information is available from:

- The charity Public Concern at Work at <https://protect-advice.org.uk/>

9. REVIEW

This policy shall be reviewed regularly. The review process will involve the recognised College trade union representatives. Full records should be kept and sufficient detail disclosed during the review process (excluding names and/or other identifying features).