



Whistle-blowing Policy

Review date:	February 2024
Next review date:	March 2025
Staff resp. for review:	CEO

Introduction

The staff, governors and trustees of The Manor Trust seek to run all aspects of their schools with full regard for high standards of conduct and integrity. In the event that members of school staff, parents, governors, trustees or the school community at large become aware of activities which give cause for concern, the trust has established the following whistle-blowing policy 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.

The Manor Trust is committed to tackling fraud and other forms of malpractice and treats these issues seriously. The Manor Trust recognises that some concerns may be extremely sensitive and has therefore developed a system which allows for the confidential raising of concerns internally also has recourse to an external party outside the management structure of the trust.

The Manor 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.

The provisions of this policy apply to matters of suspected fraud and impropriety and not matters of more general grievance which would be dealt with under the schools grievance procedures.

Legislation

The Public Interest Disclosure Act 1998 (by way of amendment to the Employment Rights Act 1996) is designed to provide protection to workers who raise genuine concerns about specified matters. These are known as “qualifying disclosures”. The specified matters are:

- Conduct which is a criminal offence;
- Breach of any other legal obligation;
- Disclosures related to miscarriages of justice;
- Health and safety risks, including risks to the public or pupils as well as other staff;
- Damage to the environment; or
- Deliberate concealment of any of the above.

A worker who makes a qualifying disclosure has the right not to be dismissed, subjected to any other detriment or victimised because he/she has made the disclosure. A zero tolerance approach will be taken to any act of harassment or victimisation resulting from a member of staff raising a concern in good faith. A member of staff making an allegation within the scope of this policy will be supported when raising a concern, providing that he/she:

- Believes the concern to be true;
- Is not acting maliciously or making false allegations;
- Is not seeking any personal gain.

When might the whistle-blowing policy apply?

Types of activity or behaviour that the trust considers should be dealt with under this policy include:

- Manipulation of accounting records and finances
- Inappropriate use of school assets or funds
- Decision-making for personal gain
- Any criminal activity
- Abuse of position
- Fraud and deceit
- Serious breaches of school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)

What action should the whistle-blower take?

The Manor Trust encourages the whistle-blower to raise the matter internally in the first instance to allow those school staff and governors in positions of responsibility and authority to investigate the matter.

The Manor Trust 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, if it is of a safeguarding nature then staff should go straight to the DSL and/or Headteacher.

Kensington Avenue Primary school

Position	Name	Contact details
Headteacher	Clare Cranham	head@kaps.croydon.sch.uk ; 0208 764 923
Chair of Governors	Richard McIntosh	richard.mcintosh@btinternet.com
Deputy Headteacher	Gill Chamberlain	gchamberlain@kaps.croydon.sch.uk ; 0208 764 2923
Senior Resources Manager	Lisa Allen	lallen@kaps.croydon.sch.uk ; 0208 764 2923
Data Protection Officer	Lousie Malina	dpo@npw.uk.com; 0208-249-6977

Norbury Manor Business and Enterprise College for Girls

Position	Name	Contact details
Headteacher	Markie Hayden	m.hayden@nhsg.org.uk 020 8679 0062 ext. 210
Chair of Governors	Caroline Parker	cazeparker@aol.com
Deputy Headteachers	Angharad Ryder Owen Millena Mottram	a.ryder-owen@nhsg.org.uk m.collins@nhsg.org.uk

		020 8679 0062
Business Manager	Petra Lindsay	p.lindsay@nhsg.org.uk 020 8679 0062
Data Protection Officer	Angharad Ryder Owen	a.ryder-owen@nhsg.org.uk 020 8679 0062

The Manor Trust

CEO	Amanda Compton	a.compton@nhsg.org.uk
Chair of Trustees	Alan Chambers	alanrchambers@gmail.com
Chair of Finance, Audit and Risk committee	Jane Chandler	janerchandler@hotmail.co.uk

The whistle-blower may prefer to raise the matter in person, by telephone or in written form (including email) 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.

Although the trust would prefer whistle-blowers not to take their concerns to external parties without first going through these internal procedures, there may be a good reason for doing so. For example, the whistle-blower might not be happy with the conclusions of a manager. Other reasons could be that senior managers are involved, or there are serious health and safety issues or possible discrimination.

External bodies which could be used are:

- Children’s social care services (if the matter is about child protection or safeguarding issues)
- Police
- Health & Safety Executive
- Audit Commission
- Local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- Department for Education
- Ofsted
- The Information Commissioner’s Office (ICO)

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:

The Green House
244-254 Cambridge Heath Road
London E2 9DA

Telephone: 020 3117 2520
Website: www.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, the involvement of other members of school staff, legal or human resources (HR) advisors, the police or the Department for Education. If the investigation is of a child protection issue the matter will be reported to the Local Authority Designated Officer (LADO).

Written records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the governing body and or trust, 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 to the police. In the event that the allegation was regarding a headteacher then the matter would be referred to the chair of governors and the CEO.

The whistle-blower will be informed of the results of the investigation and the action taken to address the matter, whilst respecting the confidentiality of individuals and any legal constraints. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the governing body who will decide what other third parties should be informed. e.g. police.

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 investigating officer(s), the governing body or an external body.

Where possible the investigator will seek to conclude their investigation in 28 days, this may not always be possible due to school holiday periods and/or staff absence.

Respecting confidentiality

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. 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.

Conclusion

Existing good practice within the trust in terms of its systems of internal control - both financial and non-financial - and the external regulatory environment in which the school operates minimises the risk of suspected fraud or impropriety that can occur. This whistle-blowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and, if necessary, outside the management structure of the schools. This document is a public commitment that concerns are taken seriously and will be actioned.

The trust board will review the policy at least every two years to assess its progress and performance and all cases of whistle blowing will be reported to them. All staff and people working within the school will be made aware of the policy.

Malicious or Vexatious Complaints

If a member of staff makes an allegation in good faith but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action is likely to be taken in accordance with the disciplinary procedure.

Procedure: how to raise a concern

You should first raise your concern with your line manager, supervisor or the headteacher. You can do this in writing or by talking to them about it. You have the right to ask for the matter to be treated confidentially.

If your concerns involve your line manager or supervisor, you should approach someone from the senior leadership team (SLT) or headteacher.

If you feel unable to discuss the matter with your line manager or the headteacher, you can take it directly to the chair of governors. If this is the case, you will be asked to justify why you feel unable to raise your concerns in the normal way. If the chair of the governing body is allegedly involved in the malpractice, the chair of trustees should be contacted.

If you feel you might be victimised, or there might be a cover-up, or your concerns are being ignored, you may feel unable to raise the issue with staff at school. In these cases, you should contact another senior manager if the case involves possible child abuse and HR for any other issues. If, at any stage, you feel your concerns are not being dealt with properly, you should move on to the next stage. You must put your concerns in writing within 48 hours at each stage.

If you are not sure what to do, or you want independent advice at any stage, you can contact the independent charity Public Concern at Work on **020 3117 2520** or visit their web site at www.pcaaw.co.uk.

Data Protection

When an individual makes a disclosure, the trust will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.