



CONFIDENTIAL REPORTING (WHISTLEBLOWING) POLICY

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MISSION STATEMENT

Holy Cross, founded by the Daughters of the Cross, is a Catholic Sixth Form College and University Centre, which exists to provide a high quality education within a community based on Gospel values. The College provides the opportunity for each person spiritually, morally and intellectually and welcomes students and staff of all faiths

1. PREAMBLE

- 1.1 The College is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees and workers (collectively referred to as “employees” in this policy) who have serious concerns about any aspect of the College’s work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.2 Employees 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. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.3 This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting (Whistleblowing) Policy is intended to encourage and enable employees, as a first step, to raise serious concerns within the college rather than overlooking a problem or “blowing the whistle” outside.
- 1.3 The policy applies to:
 - All employees of the College including apprentices;
 - Workers which includes casual workers; home-based casual workers and employees of sub-contractors; and
 - Agency workers engaged by the College

2. AIMS AND SCOPE OF THIS POLICY

- 2.1 This policy aims to:
 - encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice.
 - provide avenues for you to raise those concerns and receive feedback on any action taken
 - ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
 - reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made a disclosure which is in the public interest
- 2.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. This policy is not to be used for pursuing individual grievances or private disputes since these are covered by existing procedures/policies.
- 2.3 The law protects employees who, out of a sense of public duty, want to reveal suspected wrongdoing or malpractice, to raise what it defines as a “protected disclosure”. In order to be a “protected disclosure”, it must relate to a specific subject matter as follows:
 - * conduct which is an offence or breach of law
 - * disclosures related to miscarriages of justice
 - * health and safety risks, including risks to the public as well as other employees
 - * damage to the environment
 - * the unauthorised use of public funds

- * possible fraud and corruption
- * abuse of students, 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 of the College or members of the Governing Body or others acting on behalf of the college can be reported under the Confidential Reporting 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 Harassment or Victimisation

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

3.1.2 The College recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and to the College as a whole.

3.1.3 An employee will not suffer dismissal or any detrimental action or omission of any type (including informal pressure or any form of victimisation) by the College for making a disclosure in accordance with this policy. The College will not tolerate any bullying, harassment, threats or victimisation against an employee for making a disclosure and will take appropriate action to protect you when you raise a concern which is in the public interest.

3.1.4 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

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time; however, you may need to come forward as a witness.

3.3 Anonymous Allegations

3.3.1 This policy encourages you to put your name to your allegations whenever possible.

3.3.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the College.

3.3.3 In exercising this discretion the factors to be taken into account would include:

- * the seriousness of the issues raised
- * the credibility of the concern; and
- * the likelihood of confirming the allegation from attributable sources

3.4 Untrue Allegations

If you make an allegation in the public interest, 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 You should raise your concerns with any member of the College's Core Leadership Team or with the College's Whistleblowing Champion. In cases of whistleblowing regarding Safeguarding issues, you should contact the DSL (Designated Safeguarding Lead) or the College's Whistleblowing Champion.

4.2 You may confidentially contact the College's Whistleblowing Champion, who will be responsible for ensuring that the correct procedure is followed.

The Whistleblowing Champion is Kelly Needham, Lay Chaplain, Holy Cross College, Manchester Road, Bury, BL9 9BB. E-mail: kpa@holycross.ac.uk

The Whistleblowing Champion's liaison point with the Governing Body is through Ms B Hyndman, staff governor

4.3 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.

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

4.5 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

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

4.7 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

4.8 You may invite your trade union representative to raise a matter on your behalf. In such circumstances disclosures by a worker to the trade union will not be treated as grounds for disciplinary proceedings and the trade union representatives will themselves act as in accordance with the procedures with regard to information disclosed.

4.9 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 MATTER CAN BE TAKEN FURTHER

5.1 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 Mrs. H. Stainton, Chair of the Governors (via Ms. Elma Hoyle, Clerk to the Governors). If you are still not satisfied you may feel it is right to take the matter outside the College. The following are possible contact points:-

- The independent whistleblowing charity Protect (www.protect-advice.org.uk) offer free expert, confidential advice around whistleblowing protection. You can contact them by telephone: 020 3117 2520.

- * The designated independent person or organisation nominated for the purpose by the College is Simon Smith simon.smith@dioceseofsalford.org.uk c/o Salford Diocese Education Services, Cathedral Centre, 3 Ford Street, Salford, M3 6DP. Phone 0161 817 2222
- * The independent auditor (currently: Ms Louise Tweedie (Internal Audit Partner), RSM Manchester Office – 0161 830 4000)
- * your trade union
- * your local Citizens Advice Bureau
- * Relevant professional bodies or regulatory organisations
- * a relevant voluntary organisation
- * the police

- 5.2 If you do take the matter outside the College, you should ensure that you do not disclose confidential information.

6. HOW THE COLLEGE WILL RESPOND

- 6.1 The College will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.
- 6.2 Where appropriate, the matters raised may:
- be investigated by management, or through the disciplinary process
 - be referred to the police
 - be referred to the independent auditor
 - form the subject of an independent enquiry
- 6.3 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. The overriding principle which the College will have in mind is the public interest.
- 6.4 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.
- 6.5 Within ten working days of a concern being raised, the responsible person will write to you:
- acknowledging that the concern has been received
 - indicating how we propose 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
 - supplying you with information on staff support mechanisms, and
 - telling you whether further investigations will take place and if not, why not.
 - indicating when you can expect a further report
- 6.6 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 will seek further information from you.
- 6.7 Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union representative or a friend.
- 6.8 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 in criminal or disciplinary proceedings the College will arrange for you to receive advice about the procedure.
- 6.9 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.

7. 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.

8. REVIEW

The policy, including the handling of complaints under the procedures, shall be reviewed on an annual cycle. 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).

