

Whistleblowing Policy



BRADGATE Education Partnership

Approved: June 2019
Review Date: June 2022
Responsible Officer: Human Resources Manager



Trust Mission Statement

Our mission is to create high quality educational opportunities for all children and young people across the partnership by developing a strong collaborative and co-operative model through which we encourage autonomy, share best practice, enhance the professional aspirations of our staff and ensure the safety and well-being of all pupils and staff.

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Definitions

‘Trust’	Bradgate Education Partnership
‘Whistleblowing’	Whistleblowing is the term used when a worker passes on information concerning wrongdoing within the workplace or an organisation.
‘Whistleblower’	A worker who raises a whistleblowing concern acting in the public interest. Worker’s must reasonably believe that their disclosure tends to show past, present or likely future wrongdoing.
‘Workers’	Any individual who is engaged to represent or work for the organisation eg. volunteers, governors/trustees, 3rd party workers, trainees.

Related Policies and Procedures

- Child Protection and Safeguarding Policy
- Keeping Children Safe in Education
- Disciplinary Policy
- Code of Conduct
- Grievance Policy

Contact Details

School Head Teacher Contact Details

Broomfield Primary School

Head Teacher: Alex Allison
Email: office@broomfieldprimaryschool.co.uk
Telephone: 0116 2606704

Church Hill Infant School

Head Teacher: Meera Bulsara
Email: admin@churchhill-inf.leics.sch.uk
Telephone: 0116 2692083

Eastfield Primary School

Head Teacher: William Griffiths
Email: office@Eastfield.leics.sch.uk
Telephone: 0116 2694692

Gaddesby Primary School

Head Teacher: Leigh Fox
Email: office@gaddesby.leics.sch.uk
Telephone: 01664 840253

Great Dalby Primary School

Head Teacher: Lucy Anderson/Sarah Corner
Email: admin@greatdalby.leics.sch.uk
Telephone: 01664 562750

Newtown Linford Primary School

Head Teacher: Chris Chorlton
Email: office@newtown.bepschools.org
Telephone: 01530 242370

Ratby Primary School

Head Teacher: Lisa Jones
Email: admin@ratbyprimary.co.uk
Telephone: 0116 239 3610

Seagrave Village Primary School

Head Teacher: Kate Lichfield
Email: admin@seagravevps.org
Telephone: 01509 812486

Swallowdale Primary School

Head Teacher: Samantha Harries
Email: headteacher@swallowdale.org.uk
Telephone: 01664 565456

The Merton Primary School

Head Teacher: Shelagh Thomson
Email: admin@merton.leics.sch.uk
Telephone: 0116 2608150

The Pochin School

Head Teacher: Michelle O'Dell
Email: office@pochin.leics.sch.uk
Telephone: 0116 2692078

The Roundhill Academy

Head Teacher: James Tickle
Email: school.enquiries@roundhill.leics.sch.uk
Telephone: 0116 269 38969

Wreake Valley Academy

Head Teacher: Tony Pinnock
Email: admin@wvacademy.org
Telephone: 0116 264 1080

Director of Schools Contact Details

Dean Pomeroy
Email: dean@bepschools.org
Telephone: 0116 478 3426

Chief Executive Officer Contact Details

Gareth Nelmes
Email: gareth@bepschools.org
Telephone: 0116 478 3426

Chair of Trustees Contact Details

Heidi Seary
Telephone: 0116 478 3426
Email: info@bepschools.org

Union Contact Details

Support Staff Unions

GMB Union

National Telephone Contact: 020 7391 6700

National Email Contact: info@gmb.org.uk

Leicester Office Telephone Contact: 0116 2324515

Email Contact: midland.membership@gmb.org.uk

Unison

Telephone: 0800 0 857 857

Email: eastmidlands@unison.co.uk

Unite

Telephone: 01332 548 400

Email: membership.eastmids@unitetheunion.org

Voice (Support & Teaching Union)

Telephone: 01332 372 337

Email: contact@voicetheunion.org.uk

Teaching Unions

ASCL

Telephone: 0116 299 1122

Email: hotline@ascl.org.uk

National Education Union

Telephone: 0115 8386707

Email Form: <https://neu.org.uk/form/contact-neu-head-office>

National Association of Head Teachers

Telephone: 0300 30 30 333

Email: info@naht.org.uk

NASUWT

Telephone: 03330 145550

Email: advice@mail.nasuwt.org.uk

1.0 Introduction

- 1.1 The Trust is committed to the highest standards of openness, honesty and accountability therefore it encourages workers to raise promptly any serious concerns they may have about the activities of Trust workers or external organisations in relation to their experience and dealings with the Trust.
- 1.2 This policy aims to support and enable workers to raise their concerns and create an open, transparent and safe environment that provides a culture of honesty and integrity amongst the group.
- 1.3 The Trust welcomes information being brought in good faith to the attention of management.

2.0 Scope & Principles

- 2.1 This policy applies to all workers involved with Bradgate Education Partnership.
- 2.2 A qualifying disclosure will tend to fall within one or more of the following categories:
 - 2.2.1 That a criminal offence has been committed, is being committed or is likely to be committed.
 - 2.2.2 That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
 - 2.2.3 That a miscarriage of justice has occurred, is occurring or is likely to occur.
 - 2.2.4 That the health or safety of any individual has been, is being or is likely to be endangered.
 - 2.2.5 That the environment has been, is being or is likely to be damaged.
 - 2.2.6 That information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.
- 2.3 Allegations of abuse against workers will be dealt with in accordance with *Keeping Children Safe in Education* statutory guidance for schools and colleges and the Trust's Statement for Dealing with Allegations of Abuse Against Staff and Volunteers which is outlined in the Trust's Disciplinary Policy and Code of Conduct.
- 2.4 All whistleblowing concerns will be dealt with promptly, transparently, consistently and fairly. Those responsible for dealing with whistleblowing concerns will treat them seriously and attempt to resolve them and feedback to the worker who raised the concern swiftly.
- 2.5 The policy intends to outline how the Trust will deal with concerns that are raised and outlines the appropriate individuals to deal with such matters. The policy also outlines how workers can take matters further if they aren't satisfied with the Trust's response.
- 2.6 The Trust aims to ensure that workers can be open and raise concerns and should not be subject to any detrimental treatment as a result of raising a concern. The Trust will not tolerate any instances of victimisation and these will be taken seriously and managed appropriately.
- 2.7 Workers should also be assured that action will be taken as a result of raising a concern, workers must follow the necessary steps as outlined within this policy.

- 2.8 Where workers have problems or issues related to their own employment/working arrangements at the Trust then they must raise these via the policy that is applicable to the specific circumstance eg. Grievance Policy, Bullying & Harassment, Equality & Diversity, Pay Policy.

3.0 Confidentiality & Identity

- 3.1 This policy is intended to enable individuals to feel able to voice whistleblowing concerns openly under this policy. The Trust will make every effort to protect a worker's identity and will never disclose the individual's identity without first discussing the situation with them.
- 3.2 Workers must be aware that there may be a requirement in some circumstances for the identity to be disclosed.
- 3.3 Workers can raise concerns anonymously, however the Trust will always encourage workers to be transparent about who they are so as not to limit the opportunity for a thorough investigation to be carried out. Workers who don't raise concerns anonymously will be provided with a mechanism for feedback on the concern that has been raised, ordinarily this will not be the case for those who remain anonymous.

4.0 Stage 1 – Raising Concerns

- 4.1 Workers must raise their concerns at appropriate levels within the organisation, normally with a member of the Senior Leadership Teams within the Trust:
- 4.1.1 Where an individual feels the need to raise a concern, as a first step they should normally raise concerns with the Head Teacher within their school.
- 4.1.2 If the individual is unable to raise the concern directly with the Head Teacher within their school then they must raise their concern with the Director of Schools.
- 4.1.3 Where the concerns cannot be raised with either the Head Teacher or Director of Schools the concern must be reported directly to the Chief Executive Officer.
- 4.1.4 Any concerns that involve the Chief Executive Officer, individuals must raise this with the Chair of Trustees.
- 4.1.5 Trust Central Team employees must raise concerns with their direct line manager, if this is not resolved they must then report to the Chief Executive Officer. Where the concern involves the Chief Executive Officer the process at 4.1.4 is applicable.
- 4.1.6 **Appendix 1** outlines the above in a flow chart for clarification.
- 4.2 Concerns are always better to be raised in writing, when putting concerns in writing the worker should:
- 4.2.1 Raise the background of the concern
- 4.2.2 Provide any relevant information in relation to the history of the concern
- 4.2.3 Provide names of individuals involved
- 4.2.4 Provide dates
- 4.2.5 Provides specific places where concerns/incidents took place
- 4.2.6 Make it clear that they are raising the issue via this Whistleblowing Policy
- 4.3 If an individual does not feel able to put the concern in writing, they should telephone or meet the appropriate person to report their concern. In some circumstances, a worker may wish to ask their Trade Union Representative to raise a concern on their behalf.

- 4.4 The earlier that an individual raises a concern after an event the better, this combats difficulties that may arise due to passage of time. It makes taking action easier for the Trust.
- 4.5 At each meeting under this policy the individual may bring a workplace colleague or a recognised Trade Union representative. Any individual accompanying workers who raise concerns to meetings must be aware of and respect the confidentiality of the disclosure and any subsequent investigation.

5.0 **Stage 2 – Dealing with Concerns**

- 5.1 At the point of the concern being raised with Senior Leaders within the Trust they must seek advice from the Trust's HR Team as soon as the disclosure has been made/received.
- 5.2 The Senior Leader will be expected to acknowledge any concern raised with them immediately in writing.
- 5.3 Where possible **within two working days** the Senior Leader must meet with the individual to discuss the concern in detail, the Senior Leader will:
 - 5.3.1 Establish there is genuine cause and sufficient grounds for the concern.
 - 5.3.2 Establish that the concern has been appropriately raised via the Whistleblowing Policy – the Senior Leader may need to seek advice as to whether the concern fall under this policy or another policy – for example Grievance Policy.
 - 5.3.3 Ask the individual to expand on their written statement and ask them to provide further detail. The Senior Leader may ask some questions in relation to the disclosure to establish the necessary information in order to determine how to move forwards.
 - 5.3.4 Produce a written record of the meeting and share it with the individual who has raised the concern to determine accuracy.
 - 5.3.5 Ask the individual to date and sign the notes of any discussion. The Senior Leader should positively encourage the individual to do this, as a concern expressed anonymously is much less powerful and much more difficult to address, especially if the letter/notes become evidence in other proceedings, e.g. an internal disciplinary hearing.
 - 5.3.6 At the end of the meeting the Senior Leader should inform the individual of the following:
 - 5.3.6.1 Who they will need to speak to in order to determine the next steps
 - 5.3.6.2 What steps they intend to take to address the concern eg. Seek further advice
 - 5.3.6.3 How they will communicate with the individual during and at the outcome of the process. It should be noted that the need for confidentiality may prevent the Trust giving the individual specific details of any necessary investigation or prevent any necessary disciplinary action.
 - 5.3.6.4 That the individual will receive a written response as soon as is reasonably practicable.
 - 5.3.6.5 That their identity will be protected as far as possible, but should the investigation into the concern require the individual to be named as the source of the information, that this will be discussed with the individual before their name is disclosed and that they will provide the appropriate support to them.
 - 5.3.6.6 That the Trust will do all that it can to protect the individual from discrimination and/or victimisation.
 - 5.3.6.7 That the matter will be taken seriously and investigated immediately.

6.0 Stage 3 – Further Action

- 6.1 **Within 5 working days** following the initial meeting at Stage 2 of this policy the Senior Leader will determine whether further investigation into the concern is required and what form it should take.
- 6.2 In some cases, it may be possible to resolve the concern(s) simply, by agreed action or an explanation regarding the concern(s), without the need for further investigation. However, depending on the nature of the concern(s) it may be necessary for the concern(s) to:
 - 6.2.1 Be investigated internally
 - 6.2.2 Be referred to an external auditor
 - 6.2.3 Form the subject of an independent inquiry
 - 6.2.4 Be referred to the police
- 6.3 Where appropriate, the person who is subject to the concern will be informed. Actions of how the matter will be dealt with will also be provided to them where it has been appropriate to raise the concerns with them.
- 6.4 At this stage the Senior Leader will also write to the individual who has raised the concern to outline the following:
 - 6.4.1 Thank them for raising their concern and for meeting with them
 - 6.4.2 Indicate how they propose to deal with the matter
 - 6.4.3 Provide an estimate of how long it will take to provide a substantive response; and/or
 - 6.4.4 Tell the individual whether any initial enquiries have been made; and
 - 6.4.5 Tell the individual whether further investigations will take place, and if not why not; and/or

7.0 Stage 4 – Closing the Concern

- 7.1 Where the necessary steps have been taken to review the concern that has been raised and actions have been taken (where necessary) the Senior Leader must:
 - 7.1.1 Document the steps they have taken to investigate matters
 - 7.1.2 Seek further advice from the Trust's HR Department
 - 7.1.3 Write to the individual concerned with the outcome of the concern that was raised being mindful of confidentiality and the sharing of appropriate information.
 - 7.1.4 Implement follow up actions related to the concern that was raised.
- 7.2 Where subjects of the concern have been notified they will be informed:
 - 7.2.1 That the concern has been dealt with and closed.
 - 7.2.2 What form any further investigation will take as outlined above in Section 6.2.
 - 7.2.3 If an investigation has been finalised what outcome/further action will be taken by the Trust.
 - 7.2.4 Whether the matter is to be dealt with under another policy eg. Disciplinary Policy.

8.0 Stage 5 – Where an Individual Is Not Satisfied with Outcome Provided

- 8.1 Where the individual who has raised the concern is not satisfied with the response that they have received from the Senior Leader dealing with the matter then they must escalate their concerns to the next appropriate Senior Leader in line with **Appendix 1**.
- 8.2 Further concerns should be raised in writing.
- 8.3 The Senior Leader will be expected to follow the stages from Stage 1 to Stage 4.

9.0 Dealing with Anonymous Concerns

- 9.1 It may be necessary, with anonymous allegations, to consider whether it is possible to take any further action. When making this decision, senior leaders should take the following factors into account:
 - 9.1.1 The seriousness of the issue(s) raised;

- 9.1.2 The credibility of the concern(s); and
- 9.1.3 The likelihood of confirming the allegation(s) from attributable sources.

10.0 Raising Concerns Outside of the Trust

- 10.1 The aim of this policy is to provide an internal mechanism for reporting and remedying any wrongdoing in the workplace. In most cases the individual should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for the individual to report their concerns to an external body such as a regulator. Individuals are strongly encouraged to seek advice before reporting a concern to anyone external to the Trust. **Appendix 2** outlines the appropriate external bodies should it be necessary for individuals to make a report externally.
- 10.2 If an individual is not satisfied with the Trust's response, the senior leader should ensure that s/he is made aware with whom s/he may raise the matter externally. Details of prescribed persons and bodies are provided in the Appendix.
- 10.3 The senior leader should stress to the individual that if s/he chooses to take a concern outside the Trust, it is the individual's responsibility to ensure that confidential information is not disclosed, i.e. confidential information, in whatever format, is not handed over to a third party.

11.0 Support

- 11.1 The Trust have a duty to support all workers who involved in raising whistleblowing concerns and those who are subject of whistleblowing concerns.
- 11.2 Depending upon the circumstance the Trust will seek to tailor support to each individual situation.
- 11.3 The Trust's Employee Support Package will be offered out to all workers.
- 11.4 The Trust will encourage all parties to seek advice and support from their Trade Union representative.

12.0 Training

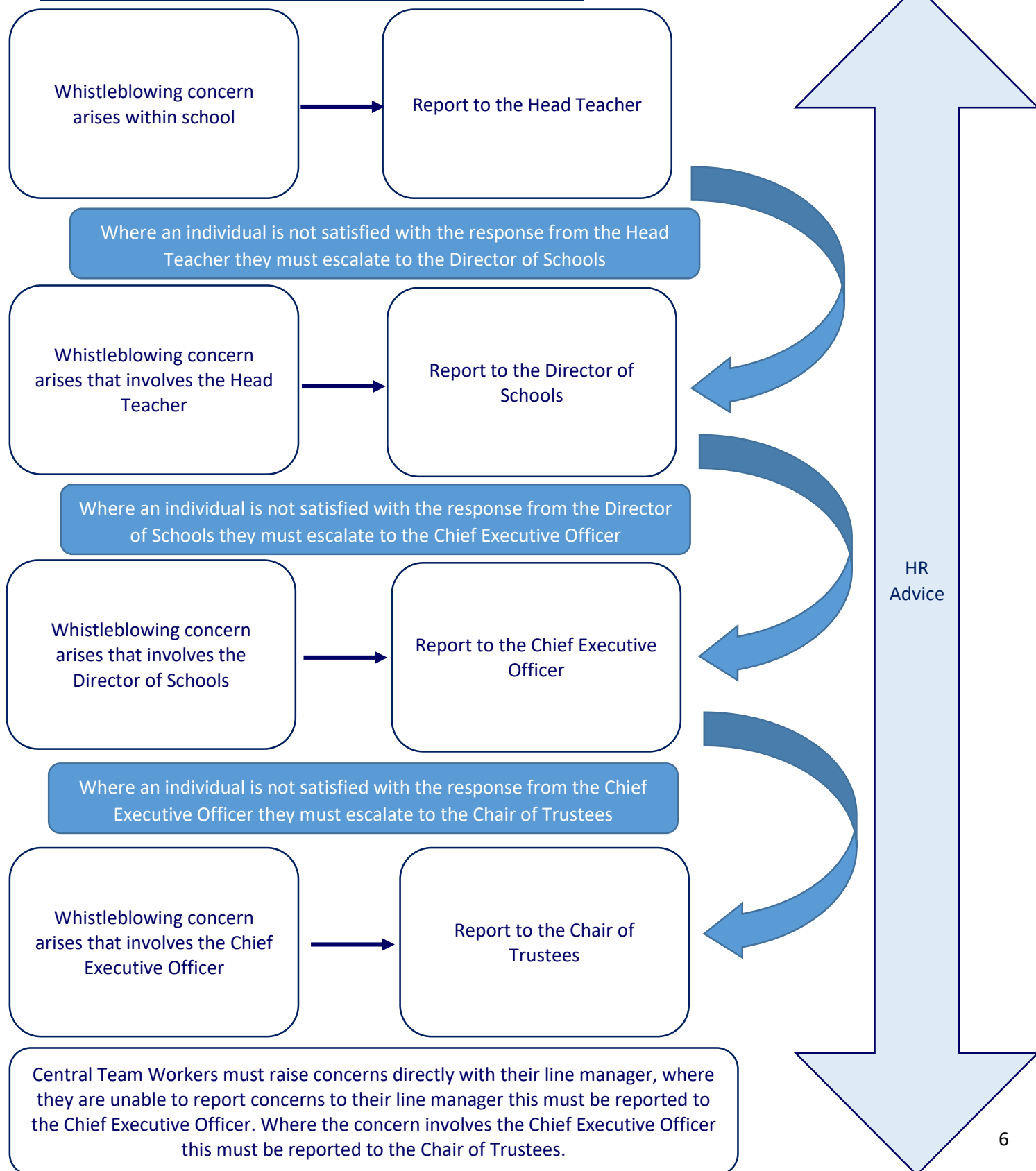
- 12.1 The Trust are committed to providing training to all workers with regards to raising whistleblowing concerns and ensuring that information is provided to workers at induction.

13.0 Malicious and Vexatious Complaints

- 13.1 The Trust will always encourage workers to come forward where they feel they have a genuine whistleblowing concern. It is important to state that if clear evidence is uncovered during any type of investigation that a malicious or vexatious allegation has been made, disciplinary action may be taken against the individual. This may also confirm their allegations to be unfounded, in which case the Trust will deem the matter to be concluded unless new evidence becomes available.

Appendix 1

Appropriate Individuals to Raise a Whistleblowing Concern With



Appendix 2

External Bodies Contact Details

The aim of this policy is to provide an internal mechanism for reporting and remedying any wrongdoing in the workplace. In most cases the individual should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for the individual to report their concerns to an external body such as a regulator. Individuals are strongly encouraged to seek advice before reporting a concern to anyone external to the Trust. A list of external bodies related to education are outlined below:

Ofsted

Her Majesty's Chief Inspector of Education, Children's Services and Skills ('the Chief Inspector')
Contact them about matters relating to regulation and inspection of children's social care.

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD
Tel: 0300 123 3155
Email: whistleblowing@ofsted.gov.uk

NSPCC

The National Society for the Prevention of Cruelty to Children (NSPCC)
Contact them about matters relating to child welfare and protection.

NSPCC
Weston House
42 Curtain Road
London
EC2A 3NH
Tel: 020 7825 2500
Fax: 020 7825 2525
Email: help@nspcc.org.uk

Children's Commissioner

Contact them about matters relating to the rights, welfare and interests of children in England.

The Office of the Children's Commissioner
Sanctuary Buildings
20 Great Smith Street
London
SW1P 3BT
Tel: 020 7783 8330
Email: info.request@childrenscommissioner.gsi.gov.uk
Website: www.childrenscommissioner.gov.uk

Office of Qualifications and Examinations Regulation (Ofqual)

Contact them about matters in relation to which the Office of Qualifications and Examinations Regulation exercise functions under the Apprenticeships, Skills, Children and Learning Act 2009.

Whistleblowing and malpractice
Complaints investigation manager
Ofqual
Earlsdon Park
53-55 Butts Road
Coventry
CV1 3BH
Tel: 0300 303 3344

Email: whistleblowing@ofqual.gov.uk

Online form: www.smartsurvey.co.uk/s/ofqual-whistleblowing/

Secretary of State for Education

Contact them about matters relating to the following educational institutions in England:

maintained schools, maintained nursery schools, independent schools (including academies and free schools), non-maintained special schools, pupil referral units, alternative provision academies, 16-19 academies (and free schools), an institution within the further education sector special post-16 institutions.

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Tel: 0370 000 2288

Website: www.gov.uk/contact-dfe

Care Inspectorate

Contact them about matters relating to the provision of care services in Scotland.

Compass House
11 Riverside Drive
Dundee
DD1 4NY

Tel: 0345 600 9527

Email: enquiries@careinspectorate.com