

CATEGORY: Safeguarding

TYPE: Policy

TITLE: Whistleblowing Policy

PERSON RESPONSIBLE: Director of Student Engagement & Partnerships

Introduction:

Improving the way in which people and organisations safeguard and promote the welfare of children is crucial to improving outcomes for children and young people. Key local organisations named under section 11 of the Children Act 2004, have a duty to demonstrate that they have effective arrangements in place within their organisation to safeguard and promote the welfare of children. College corporations have a similar duty under section 175 of the 2002 Education Act, and Independent Schools, Academies and the Further Education Sector under Section 157 of the same Act. These key bodies have to demonstrate that they have an effective whistleblowing process in place and that their workforce is aware of this process.

Policy Statement

Staffordshire Children Safeguarding Board expect **all staff and employees including adults working with children and young people, temporary staff, volunteers, students, contractors or external partner agencies**, to express any concerns that they may have with regards to the conduct of any individual(s). The term 'staff' will hereafter include all of the wider workforce, as stated above.

In line with these expectations, Newcastle & Stafford College Group (NSCG) is committed to the highest standards of openness, integrity and accountability. All persons working for, or with the College, must feel safe and supported in order to express their concerns.

This policy document is intended to encourage and enable our staff to raise their concerns and to do so without fear of victimisation or discrimination. It does not replace the Complaints Procedure or the College's Safeguarding Policy or the College's standard procedures for reporting allegations or concerns about staff or volunteers.

The Public Interest Disclosure Act (PIDA) protects the public interest by providing a remedy for individuals who suffer workplace reprisal for raising a genuine concern, whether it is a concern about child safeguarding and welfare systems, financial malpractice, danger, illegality, or other wrongdoing. The concern may relate to something that is happening or has happened in the past. The PIDA covers all workers, including temporary agency staff. It does not cover the self-employed or

volunteers. The Act also provides protection should individuals have difficulty gaining a reference from an employer because they have raised a concern. It makes it clear that any clause in a contract that purports to gag an individual from raising a concern that would be protected under the Act is void.

Aims

This policy aims to:

- Encourage adults working for or within the College to feel confident in raising concerns;
- Provide a process by which concerns can be raised and dealt with;
- Receive feedback on the process (where appropriate); and
- Provide a means by which staff can receive support where concerns have been raised.

What does the whistleblowing policy cover?

This policy is designed to cover concerns that staff have about the conduct of individuals in a position of trust within the College. This includes conduct which could be detrimental to the safety or wellbeing of young people and where staff, for whatever reason, **feel unable** to raise them under the College's standard safeguarding procedures around dealing with such allegations. It would include issues about:

- Unprofessional behaviour
- Bullying by staff
- Any form of abuse (physical, sexual, emotional or neglect)
- Name calling
- Personal contact with learners which is contrary to the organisation's policies and codes of conduct
- Any form of racial abuse
- Inappropriate sexualised behaviour
- Knowledge about an individual's personal circumstances which may indicate they could be a risk to young people or unsuitable to work with young people

Please be mindful that these are examples of concerns, and are not exhaustive.

Safeguarding against harassment or victimisation

NSCG is committed to professional standards and to supporting staff. It is recognised that the decision to report a concern is a difficult one to make. Harassment or victimisation will not be tolerated and the College will take appropriate action in order to protect the person raising the concern when they are acting in good faith.

Confidentiality

All concerns will be treated in confidence, however, there may be a need for the whistleblower to give evidence e.g. if they have witnessed a crime or in regard to disciplinary procedures if this is the outcome.

Anonymous allegations

This policy encourages staff to raise concerns to be identified in doing so as part of their professional role/responsibility. However, anonymous allegations will be investigated as thoroughly as possible.

False allegations

If staff raise a concern in good faith, which is not confirmed by an investigation, no action will be taken. However, if a concern is raised maliciously, disciplinary action may be taken.

How to raise a concern

Staff should normally raise their concerns with a designated manager under the College's standard procedures for dealing with allegations about a person in a position of trust. If the Designated Person is the subject of concern the matter should be referred to a more senior member of management or, if this is not possible, the Whistleblowing Policy can be implemented. Under standard procedures, if there are concerns that an adult working with children may have abused a child, or be unsuitable to work with children and young people, concerns will be passed to the Local Authority Designated Officer (LADO) by the manager.

In certain circumstances, staff may feel they are unable to follow the College's standard procedures e.g. because they feel their position in the organisation would be in jeopardy, they would be subject to intimidation, or that the person of concern is the designated manager to whom they should report such matters and there is no one senior to refer to. They should then follow the Whistleblowing Policy by contacting either the Director of Student Engagement and Partnerships (DSL) or the Director of HR and Communications. The Policy may also be used in circumstances when the matter has been raised under appropriate organisation procedures for referring safeguarding concerns, but the referrer considers that the manager has not taken the concerns seriously or acted appropriately with relation to them. In such circumstances, referrers are encouraged to contact the named responsible person for 'whistleblowing' for the organisation for discussion and advice.

When following the Whistleblowing Policy, concerns may be shared verbally, but should also be recorded in writing (Safeguarding Whistleblowing report form – Appendix A).

Staff may wish to invite their trade union representative to be present during any subsequent interviews.

How the College will respond:

Any concern regarding child protection must be referred to the College's senior designated Safeguarding Lead (DSL)

If the concern is not of this nature there will be:

- Investigation by management
- Disciplinary process if appropriate
- Consideration of policies, processes and procedures if such issues arise from the investigation.

Within 10 working days of a concern being raised the referrer will receive a written response from the responsible person which will:

- Acknowledge that the concern has been received;
- Supply information on relevant support mechanisms
- Advise whether further investigations will take place; or
- Advise that no further action has taken place and why.

Who to contact

Contact should be made with either the Director of Student Engagement and Partnerships or the Director of HR and Communications.

If it is felt that it would be unsafe for any reason to share concerns with either of the above people, the following are appropriate contacts with whom to discuss your concerns:

Staffordshire County Council:

-Individual designated agency leads for Child Protection

-First Response in the MASH* – 0800 1313126 (ask for LADO if your concerns are that a member of staff could be harming children)

The Emergency Duty Service (located within the MASH): 01785 354030

Education Safeguarding Advisory Service (ESAS)

Phone: 01785 895836

Email: esas@staffordshire.gov.uk

This service operates 08:30-17:00 Monday to Thursday and 08:30-16:30 Fridays

**Multi-agency Safeguarding Hub*

Other support

Recognised trade unions or professional associations can provide support and assistance or independent, external advice this can be obtained from the charity Public Concern at Work.

Regulatory bodies such as Ofsted also have 'whistleblowing' hotlines.

Ofsted Whistleblowing hotline on:

0300 1233155 (8am to 6pm, Monday to Friday)

Email whistleblowing@ofsted.gov.uk.

Public Concern at Work

Helpline: 020 7404 6609

E-mail: whistle@protect-advice.org.uk

Appendix A

Whistleblowing Report Form

Name: _____

Date: _____

Location/department:

Please give a brief outline of your concern? (Please give relevant names, dates, locations etc)

Were there any other witnesses? If so, please give their full contact details.

What action did you take and what still needs to be done?

Signed:

Date.....

Designation.....