

<b>Policy Title:</b>	<b>Whistleblowing Policy</b>
<b>Academic Year:</b>	<b>2020-22</b>
<b>Policy Reference:</b>	<b>G36 – V2.3</b>
<b>Description:</b>	Framework for governors to establish the iCollege whistleblowing procedures
<b>Status:</b>	Approved by the Management Committee
<b>Category:</b>	Statutory
<b>Review frequency:</b>	Every 2 years
<b>Contact:</b>	Headteacher or Chair of Governors
<b>Version:</b>	This policy has been developed using DfE guidance and making reference to the Local Authority policy and process
<b>Who was consulted:</b>	Headteacher, SLT and governors
<b>Other relevant policies:</b>	See item 7
<b>Acronyms:</b>	MC - Management Committee TLC - Teaching & Learning Committee SWC - Safeguarding & Wellbeing Committee FC – Finance Committee H&SPC - Health & Safety and Premises Committee PERS - Personnel Committee LA - Local Authority WBC - West Berkshire Council HT - Headteacher SLT - Senior Leadership Team ACAS - Advisory, Conciliation and Arbitration Service
<b>Date for Review:</b>	<b>September 2022</b>

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**1: Key contact list for Whistleblowing Policy**

<b>Headteacher</b>	Jacque Davies	<b>01635 528048</b>	<a href="mailto:jdavies@iCollege.org.uk">jdavies@iCollege.org.uk</a>
<b>Designated Safeguarding Lead/Assistant Headteacher</b>	Faye Miller	<b>0163548872</b>	<a href="mailto:fmiller@iCollege.org.uk">fmiller@iCollege.org.uk</a>
<b>POD</b>	Jo Farley	<b>0163549397</b>	<a href="mailto:jfarley@iCollege.org.uk">jfarley@iCollege.org.uk</a>
<b>Inspiration KS 1 &amp; 2</b>	Charlotte Duly	<b>01635 877114</b>	<a href="mailto:cduly@iCollege.org.uk">cduly@iCollege.org.uk</a>
<b>Integration KS 3 &amp; 4</b>	Pietro Framaliccio	<b>0118 9416636</b>	<a href="mailto:pframaliccio@iCollege.org.uk">pframaliccio@iCollege.org.uk</a>
<b>Intervention Year 9 &amp; 10</b>	Helen Blunn	<b>01635 49397</b>	<a href="mailto:hblunn@iCollege.org.uk">hblunn@iCollege.org.uk</a>
<b>Independence Year 11 &amp; 12</b>	Angie Palmer	<b>01635 48872</b>	<a href="mailto:apalmer@iCollege.org.uk">apalmer@iCollege.org.uk</a>
<b>Safeguarding Governor</b>	<b>Maureen Sims</b>		
<b>Chair of Governors</b>	Independence Richmond House Bath Road Newbury Berkshire RG14 1QY		<b>Maureen Sims</b>
<b>Clerk to Governors</b>			<a href="mailto:jhills@iCollege.org.uk">jhills@iCollege.org.uk</a>

If a worker felt unable to discuss their concern with the Headteacher or Chair of Governors they may also contact West Berkshire Councils Head of Human Resources by telephone, email or in writing as follows:-  
Whistleblowing Helpline Telephone 01635 519358

[roreilly@westberks.gov.uk](mailto:roreilly@westberks.gov.uk)

Post: Robert O'Reilly, Head of Human Resources, Council Offices, Market Street, Newbury. RG14 5LD Email  
The NSPCC has a Whistleblowing Advice Line. This has been developed to provide support to employees wishing to raise concerns over how child protection issues are being handled in their own or other organisations.

The NSPCC Whistleblowing Advice Line can be reached on 0800 028 0285.

**Local Authority Berkshire West Safeguarding Children Partnership (BWSCP) Procedures guidance:**

<https://www.berkshirewestsafeguardingchildrenpartnership.org.uk/scp/west-berks/west-berkshire>

<b>2: Purpose</b>	To ensure all staff at the iCollege are aware of the school's Whistleblowing Policy and that it protects staff members who report colleagues they believe are doing something wrong or illegal, or who are neglecting their duties. The school's Whistleblowing Policy has a key role to play in safeguarding children.
<b>3: Roles and Responsibilities</b>	<p>The Management Committee is responsible for agreeing and establishing the school's whistleblowing procedure.</p> <p>Whilst staff can report whistleblowing concerns to any manager they feel able to, the Headteacher and Chair of the MC can also be contacted in the event of the need to use the whistleblowing Procedures.</p> <p>All managers/senior leaders are responsible for ensuring they engender a positive workplace culture and support the implementation of this policy and guidance.</p>
<b>4: Terminology</b>	<p><b>What is a whistleblower:</b></p> <p>You're a whistleblower if you're a worker and you report certain types of wrongdoing. This will usually be something you've seen at work - though not always. The wrongdoing you disclose must be in the public interest. This means it must affect others, e.g. the general public. As a whistleblower you're protected by law - you shouldn't be treated unfairly or lose your job because you 'blow the whistle'.</p> <p>You can raise your concern at any time about an incident that happened in the past, is happening now or you believe it will happen in the near future.</p>
<b>5: Whistleblowing Policy Context Statement, &amp; Principles</b>	<p>In February 2015, the Freedom to Speak Up report was published. This report written by Sir Robert Francis QC looked at how incidents of poor care practice in the National Health Service could be prevented. Sir Robert found that NHS staff found it difficult to report their concerns and could be penalised for doing so.</p> <p>Whilst the Freedom to Speak Up report is written primarily about the NHS, Sir Robert's findings have been applied in other fields, including those organisations covered by Working Together to Safeguard Children (2015). In this case, the iCollege is one of those organisations covered.</p> <p>Every school maintained by the local authority should have a whistleblowing procedure. Whistleblowing Procedures protect staff members who report colleagues they believe are doing something wrong or illegal, or who are neglecting their duties.</p> <p>The iCollege is equally committed to ensuring its staff feels able to openly raise concerns as they occur. However should this not be possible for whatever reason this Whistleblowing Policy is intended to support staff to still be able to raise their concern and be supported and protected in doing so.</p> <p><b>Principles of Whistleblowing</b></p> <p>The iCollege is committed to the following principles which support the ethos and values of the school community as a whole, not only safeguarding;</p> <ul style="list-style-type: none"> <li>• The need to develop and maintain a positive culture of safety and learning, staff able to raise concerns, a culture free from bullying, visible leadership that values staff who raise concerns and supports reflective practice;</li> </ul>

- Where there are concerns the SLT and MC will enable both an informal and formal raising and resolution of concerns, prompt, swift, proportionate, and blame free investigation/s and, if required, mediation and dispute resolution;
- To support sound practice the policy and associated guidance will be easily accessible to staff (including bank, agency staff and trainees), managers will support staff to raise concerns. Staff induction and safeguarding training will include an introduction and awareness raising of whistleblowing.

**Whistleblowing: How it works; what to do.**

**Complaints that count as whistleblowing**

You're protected by law if you report any of the following:

- a criminal offence, e.g. fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, e.g. doesn't have the right insurance
- you believe someone is covering up wrongdoing.

**Complaints that don't count as whistleblowing**

Personal grievances (e.g. bullying, harassment, discrimination) aren't covered by whistleblowing law, unless your particular case is in the public interest. Report these under the iCollege's Grievance Procedure.

**Who to tell**

In the first instance you should tell your Lead teacher or the Headteacher about any issue you feel meets the whistleblowing criteria. They will support and advise you about next steps. If the concern is about your lead teacher/line manager report directly to the Headteacher, or in the event of a concern about the Headteacher, report to the Chair of the MC via the Clerk to Governors (contact details are noted at the top of this Policy)

There are other options if you don't want to report your concern to iCollege or the Council, e.g. you can get legal advice from a lawyer, or tell a prescribed person which in iCollege's context are listed at the following link.

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies#education>

In addition, the following can provide advice and guidance but you should ensure that confidential information is not disclosed to third parties:

Organisation	Contact Details
Public Concern at Work	<a href="http://www.pcaw.org.uk">www.pcaw.org.uk</a>
ACAS	<a href="http://www.acas.org.uk">www.acas.org.uk</a>
GOV.UK	<a href="http://www.gov.uk/whistleblowing">www.gov.uk/whistleblowing</a>
Citizens Advice	<a href="https://www.citizensadvice.org.uk/">https://www.citizensadvice.org.uk/</a>
Trade Union Representative	Contact your relevant representative or branch.
Relevant Professional Bodies	Contact your relevant professional body.

Your employment rights are protected if you make a relevant disclosure to the following:

Organisation	Area of Concern	Other Contact Details
Thames Valley Police	Criminal Law, Fraud & Corruption	<a href="http://www.thamesvalley.police.uk">www.thamesvalley.police.uk</a>
Member of Parliament	Treated unfairly by a Government office or agency. A problem affecting people in your local area.	<a href="http://www.parliament.uk/get-involved/contact-your-mp/">http://www.parliament.uk/get-involved/contact-your-mp/</a>

### **Making your claim anonymously or confidentially**

- You can tell your Lead teacher/line manager or a prescribed person anonymously i.e. through a written letter, but they may not be able to take the claim further if you haven't provided all the information they need.
- You can give your name but request confidentiality - the person or body you tell should make every effort to protect your identity.
- If you report your concern to the media, in most cases you'll lose your whistleblowing law rights.
- You may feel that the only way you can raise your concerns is if we protect your identity. We will respect your confidentiality as far as we possibly can but there are times when we cannot guarantee this, for example, where a criminal offence is involved or if there are child protection issues.
- If we proceed to a formal investigation we may require you to give evidence along with other employees and witnesses; we are, in some circumstances, able to do this without disclosing the identity of the whistle-blower.
- A statement from you may also be required as part of criminal proceedings or Employment Tribunal – this depends on the nature of the concern.


### **What your employer or a prescribed person will do**

- The Headteacher and MC are committed to ensuring that any whistle-blower is listened to and the concern is taken seriously and sensitively. The investigating manager responsible for addressing the concern will decide if any action is needed. You may be asked for further information.
- You must say straight away if you don't want anyone else to know it was you who raised the concern.
- We will not tolerate any harassment or victimisation (including informal pressure) and will take action to protect you when you raise a concern in good faith. We will take any disciplinary or corrective action should anyone attempt to victimise the whistle blower or prevent concerns being raised.

### **You won't always have a say in how your concern is dealt with.**

- The investigating manager (or the prescribed person) will aim to keep you informed about the action they've taken, but they may not be able to give you much detail if they have to keep the confidence of other people.
- You will be informed of the outcome of any investigation, in writing, and/or of any action taken, subject to the constraints of confidentiality and the law.

	<p><b>If you're not satisfied with how your concern has been dealt with</b></p> <ul style="list-style-type: none"> <li>• Tell someone else (e.g. a more senior member of staff) or a prescribed person/body if you believe your concern wasn't taken seriously or the wrongdoing is still going on.</li> <li>• You can also contact the Advisory, Conciliation and Arbitration Service (ACAS), the whistleblowing charity Public Concern at Work or your trade union for more guidance.</li> </ul> <p><b>If you're treated unfairly after whistleblowing</b></p> <p>Whilst most instances never require whistleblowing processes, when they are used the matter should be resolved quickly and appropriately. However, in the event that you feel you have been treated unfairly because you have "blown the whistle" you can take a case to an employment tribunal.</p> <ul style="list-style-type: none"> <li>• ACAS, Citizens Advice, the whistleblowing charity Public Concern at Work or your trade union can provide further advice.</li> <li>• If you reported your concern anonymously, you may find it harder to argue that your unfair treatment was as a result of your whistleblowing. You must raise any claim of unfair dismissal within three months of your employment ending.</li> <li>• You must notify ACAS if you want to take your case to an employment tribunal.</li> </ul> <p><b>Malicious allegations</b></p> <p>It is not necessary for a worker to have proof that wrong doing is being, has been, or is likely to be committed; a reasonable belief is sufficient. Information given should be true to the best of the worker's knowledge, information and belief. Maliciously making a false allegation is a disciplinary offence and will be handled under the iCollege's disciplinary procedure.</p> <p><b>Failure to comply with the Whistleblowing Policy and Procedure</b></p> <p>Workers are expected to report concerns. For some categories of employees failing to report a concern may be failing in their professional duty and be in breach of legislation; this may result in disciplinary action being taken.</p>
<p><b>6: Other guidelines</b></p>	<p>To meet statutory guidance our Management Committee meeting minutes will include a record of:</p> <ul style="list-style-type: none"> <li>• our school's whistleblowing arrangements</li> <li>• the people in and outside the school that staff members should report concerns to.</li> </ul> <p><b>Informing staff</b></p> <p>The Headteacher will inform every member of staff of our school's whistleblowing arrangements, ensuring we tell school staff who they can contact in the local authority and elsewhere in case a staff member feels they should report to someone outside the school.</p>
<p><b>7: Associated Policies and Information</b></p>	<p>Disciplinary Procedure Grievance Procedure Safer Recruitment &amp; Allegations Against Staff Policy Staff Code of Conduct Child Protection &amp; Safeguarding Policy + addendum 2020 Guidance –BWSCB website</p>

8: Change Record				
Version Number	Date Approved	MC Minute Reference	Description of Amendments	Date
1.0	30.11.17	MC Minutes 30.11.17	PRU policy updated into ic format	Sept 2017
1.1	28.10.18	Vice Chair	Updated academic year	Oct 2018
2.0	29.1.19	eapproved	Included more relevant contact details	Jan 2019
2.1	15.3.19	eapproved	Included additional contact and added 'Lead Teacher' rather than 'Line Manager'	18.03.19
2.2	Sept 19	eapproved	FM-review and amend LSCB-BWCSB website details, NSPCC link etc.	24.10.19
2.3	Sept 20		FM updated inline with kcsie sept20 and other minor amendments	14.9.20
<b>Approved by:</b> Signed: <b>Print name:</b> <b>Position:</b> <b>Date:</b> <b>Review due:</b>		 Maureen Sims Chair of Governors Sept 20 Sept 2022		

### Keeping Children Safe in Education

All staff with the iCollege take seriously their responsibility to protect and safeguard the welfare of children and young people in their care; this includes protecting children from maltreatment; preventing impairment of children's Mental and Physical health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.