



**BLACKBURNE  
HOUSE**

## **Whistleblowing Policy**

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Blackburne House is committed to conducting its business fairly, honestly and openly; to the highest standards of integrity; and following all legal requirements. The purpose of this policy is:

- encourage staff members to feel confident and safe in raising serious concerns and to question and act upon concerns about the practice
- provide an avenue for staff members to raise these concerns and receive feedback on any action taken
- ensure that staff members receive a response to their concerns and that they are aware of how to pursue them if not satisfied
- reassure staff members that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith

### Scope

This policy applies:

- To all members of the board, staff; students in the course in their activities as students of Blackburne House in relation to their activities and to all third parties who are retained by Blackburne House to perform services for or on behalf of the Organisation including contractors, agents, associates, subsidiaries, joint venture and consortium partners.

### What is Whistleblowing?

Whistleblowing is when a worker reports suspected wrongdoing at work. Wrongdoing covered by this 'public interest disclosure' may include:

- someone's health and safety are in danger
- damage to the environment
- a criminal offence
- not obeying the law
- covering up wrongdoing
- misusing public funds
- actions that negatively affect the welfare of learners
- Concerns or allegations that raise issues routinely covered by other policies/procedures will normally be addressed under those procedures, e.g., disciplinary, health and safety, grievance, child protection procedures etc.

Blackburne House is committed to delivering services of the highest possible standard, having a culture of safety and of raising concerns where staff are valued, and reflective practice is promoted. Therefore, staff members are welcomed and encouraged to come forward and voice any concerns that they have about any aspect of the

organisation's work, including about poor or unsafe practice and potential failures in the organisation's safeguarding regime so that they can be dealt with effectively.

Blackburne House wants staff members to feel able to raise concerns following this procedure without fear of reprisals rather than overlooking a problem. Provision for mediation and conflict resolution are provided where necessary. The organisation seeks to promote a culture of transparency and accountability in relation to how concerns are raised and handled. Staff members are expected to acknowledge their individual responsibilities to bring matters of concern to the attention of the Executive Leadership Team and/or relevant agencies; although this can be difficult, this is particularly important where the welfare of children or vulnerable adults may be at risk. A staff member may be the first to realise that there may be something wrong within the organisation. However, they may not feel able to express their concerns because they feel that speaking up could be disloyal to their colleagues or the organisation. They may also fear the possibility of harassment or victimisation. In these circumstances, they may feel it could be easier for them to ignore the concern rather than report it. These feelings, however natural, should not result in a child or young person or vulnerable adult continues to be unnecessarily at risk. Staff members should not think "what if I'm wrong?" - rather "what if I'm right?"

### Individual Responsibilities

Concern's that fall in the scope of whistleblowing include anything that:

- has an adverse impact on the welfare and safety of the pupils
- is potentially or actually unlawful and/or involves a significant miscarriage of justice
- might cause significant environmental damage
- is against the school's policies
- might endanger someone's health and safety
- falls below established standard or practice
- amounts to improper conduct
- is inappropriate concealment of such actions

Staff members have the right to raise concerns about the actions of other employees or private contractors. Under the organisation's Health & Safety Policy, they are expected to raise concerns about actual or potential health and safety risks. If staff are concerned about something to do with their terms and conditions of employment, they should raise this under the organisation's Grievance Procedure.

### Self-Reporting

Any staff member must report immediately to the CEO any criminal conviction (including e.g., a suspended sentence, restorative arrangement, formal warning etc) they receive. There may be occasions when a staff member has a personal difficulty, e.g., a physical or mental health problem, which they know to be impinging on their

professional competence. They have a responsibility to discuss such a situation with their line manager without delay so that professional and personal support can be offered to the member of staff concerned. Confidentiality cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of learners.

## Whistleblowing

Before whistleblowing, staff members should consider the following:

- the responsibility for expressing concerns about unacceptable practice or behaviour rests with all staff members
- the use of appropriate internal opportunities in organisation to raise questions and seek clarification on issues that concern them
- whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, they must act to prevent the problem from getting worse, to reduce potential risks to the health and safety of others, and to prevent themselves potentially being implicated When whistleblowing staff members must:
  - act in good faith
  - not commit a criminal offence, or interfere with any judicial or pre-judicial process
  - in doing so
    - not disclose any confidential information to any person outside the organisation
    - not bring the organisation into disrepute
    - not expect or accept any personal gain from doing so

## Raising a Whistleblowing Concern

The earlier a concern is raised, the easier it is to take action.

### Step 1

Staff should normally raise a concern with their immediate line manager. Depending on the type of concern, the line manager may seek advice from a member of ELT or the Designated Safeguarding Lead. For serious concerns, staff should speak to a member of ELT or the Designated Safeguarding Lead directly. If the member of staff feels that any of these colleagues are involved in the concern, staff should contact the CEO directly.

Staff should put their concern in writing, stating:

- that they are raising concerns via the whistleblowing policy
- the background and history of the concerns
- names, dates and places where possible

- the reasons why they are particularly concerned about the situation
- their name and post title

Staff are strongly encouraged to share their identity when raising a concern and are assured of the appropriate support and protection when raising a concern in good faith. Disclosures made anonymously are less likely to allow managers to gain a full understanding of the concern and will only be considered at the discretion of the ELT. If a member of staff feels they are unable to put their disclosure in writing, they should arrange a meeting with the appropriate person.

Staff are not expected to prove the truth of any allegation but are expected to demonstrate that there are sufficient grounds for raising a concern. Where a concern relates to safeguarding, staff should follow the procedure identified in the safeguarding policy in line with the associated timescales. Safeguarding Concerns should be raised with the Designated Safeguarding Lead or the Operations Manager of Education in the absence of the DSL.

## **Step 2**

Once a member of staff has raised a concern a nominated investigation manager will be appointed and will:

- where appropriate, give them outline information on the nature and progress of any enquiries
- if necessary, take action to protect them from harassment or victimisation
- provide mediation and dispute resolution if appropriate
- do its best to protect their identity if they do not want their name disclosed (although this might not be possible in all cases, especially if a signed statement is needed from them to address the concern via another procedure, e.g., the disciplinary procedure)
- take no action against them if they raise a concern in good faith that is later confirmed to be unfounded. The nominated investigating manager will make initial enquiries (usually involving a meeting with them), to decide whether an investigation is required and what form it should take. For example, the matter raised may:
  - be resolved simply without the need for further investigation.
  - be investigated internally by an appropriate manager e.g., member of ELT
  - be referred to a relevant external agency or equivalent for advice
  - be referred to the Police
  - form the subject of an independent inquiry

Within ten working days of their concern being received as Whistleblowing under this Policy, the nominated investigating manager will send them a written response:

- acknowledging that the concern has been received
- indicating how they propose to deal with the matter
- giving an estimate of how long it will take to provide a final response; and/or
- indicating whether any initial enquiries have been made and whether further investigations will take place or
- explaining the reasons for not investigating further if that is the decision and/or
- indicating when they can expect to receive further details if the situation is not yet resolved

If their whistleblowing concern, once investigated, is confirmed as unfounded, Blackburne House will deem the matter to be concluded and will not reconsider the matter via this or other procedure unless new evidence becomes available. If the whistle-blower feels that there have been errors of fact or procedure, they may reapproach the same investigating manager to raise these errors which will be reviewed.

Whilst genuine Whistleblowing is acknowledged and welcomed as helpful and contributes towards high levels of quality, staff members should note that, if there is clear evidence that they have deliberately made a malicious or false statement, disciplinary action may be taken against them.

### Support for Whistle-blowers

Whistleblowing can be difficult and stressful. Advice and support for stress are available from the Blackburne House's Executive Leadership Team. If they are not happy with the response that they receive from the Blackburne House, they may wish to raise the matter externally with:

- Protect (previously Public Concern at Work) is a registered charity that you can contact for advice on how to raise a concern at work about poor practice. The charity may also provide the organisation with advice as to the best possible ways to address your concern(s). Public Concern at Work can be contacted on 020 3117 2520 or complete a contact form on [Contact our Advice Line - Protect - Speak up stop harm \(protect-advice.org.uk\)](https://www.protect-advice.org.uk)
- the NSPCC whistleblowing helpline is available for staff members who do not feel their concerns regarding child protection failures have been actioned appropriately. Staff members can call 0800 028 0285 from 8 am to 8 pm Monday to Friday; alternatively, email [help@nspcc.org.uk](mailto:help@nspcc.org.uk)
- relevant professional bodies or regulatory organisations, e.g., the Health & Safety Executive

If a staff member raises a concern externally, it is their responsibility to ensure that confidential information is not disclosed - that is, they must not hand over confidential information, in whatever format, to a third party.

## **Related Policies**

Whistleblowing Policy

Anti-bribery and Corruption

Disciplinary policy

Safeguarding Policy