



LONG CLOSE SCHOOL

# **Safeguarding: Whistleblowing Policy and Procedure**

May 2018

## Long Close School

<b>Contact names</b>	
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<b>Third Party contacts</b>	

## Whistleblowing

### KEY FACTS:

- ▶ Staff are encouraged to report to Cognita any suspected wrongdoing within their School or within Cognita.
- ▶ Members of staff who raise genuine concerns under this policy will be supported, even if they turn out to be mistaken.
- ▶ Staff must not suffer any detrimental treatment as a result of raising a genuine concern.
- ▶ Staff should ordinarily report wrongdoing internally. In most cases staff should not find it necessary to alert anyone externally.
- ▶ Reports made maliciously or in bad faith may lead to disciplinary action.
- ▶ For reporting allegations of abuse or any child protection concern please refer to procedures for Dealing with Allegations of Abuse against Teachers and Other Staff.

### 1. Purpose and Scope

1.1. Cognita encourages open communication. This Policy applies to all individuals working for Cognita including all individuals working within a Cognita school. It applies to individuals working at all levels whether full-time, part-time or temporary. Reporting suspected wrongdoing is often called 'whistleblowing'. If you make such a protected disclosure you are protected in law from detrimental treatment.

1.2 The aims of this Policy are:

1.2.1. To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated appropriately, and that their confidentiality will be respected;

1.2.2. To provide staff with guidance as to how to raise their concerns; and

1.2.3. To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

1.3 This Policy does not form part of any contract of employment and may be amended or updated at any time.

1.4 You should use this Policy when you suspect wrongdoing within the School/Cognita. Wrongdoing may include:

1.4.1 Actions which endanger the Health and Safety of others or the environment;

1.4.2 Concerns about poor or unsafe practice; including in relation to the care and protection of a pupil or pupils;

1.4.3 Conduct which suggests extremism or radicalisation of other staff or pupils;

1.4.4 Allegations against adults – See Safeguarding and Child Protection Policy.

1.4.5 Bribery or corruption;

1.4.6 Criminal activity;

- 1.4.7 Fraud or other financial irregularities;
  - 1.4.8 Failure to comply with any legal or professional obligation or regulatory requirements;
  - 1.4.9 Conduct likely to damage the Company's reputation;
  - 1.4.10 Misuse of sensitive information;
  - 1.4.11 Deliberate attempts to conceal any of the above;
  - 1.4.12 Any activity or state of affairs within Cognita or anywhere in our supply chain which amounts to modern slavery (see *Anti-Slavery and Human Trafficking Policy*).
- 1.5 Whistleblowing is not about complaints relating to your personal circumstances (for these refer to other policies such as the [Grievances Procedure](#), [Anti-Workplace Bullying Policy](#) and [Anti-Harassment Policy](#)).

## 2. Your Protection

- 2.1 If you have raised a genuine concern through this Policy, the School/Company will ensure you suffer no detriment. Provided you have a reasonable belief that your disclosure is in the public interest, it does not matter whether or not your concern proves to be well founded.
- 2.2 Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform your Head/Line Manager or to a key Cognita contact (as set out at paragraph 6 below) immediately. If the matter is not remedied you should raise it formally using our [Grievances Procedure](#).
- 2.3 Any employee who victimises another because they have invoked this Policy will be dealt with under the [Disciplinary Action Procedure](#) and their actions may constitute gross misconduct.
- 2.4 The Company will not tolerate abuse of this Policy. If the investigation shows that untrue allegations were malicious and/or vexatious or made for personal gain then the School/Company will consider taking disciplinary action against that individual in accordance with the [Disciplinary Action Policy](#).

## 3 How to Raise Your Concern

- 3.1 If you have a concern about a wrongdoing, you should raise it in the first instance with your Head/Line Manager either orally or in writing. They may be able to agree a way of resolving your concern quickly and effectively. It will help if you state the facts of the matter clearly. If you have a direct or personal interest in the matter, you should also tell us at this stage.
- 3.2 If you cannot raise the issue with your Head/Line Manager (perhaps because it involves him/her), you should escalate it to his/her Manager or to a key Cognita contact as set out at paragraph 6 below.
- 3.3 When you have raised your concern, the School/Company will determine if it falls within the scope of this Policy. If not, you will be advised on how best to progress your concerns (e.g. by using the [Grievances Procedure](#)).

- 3.4 If your concern does fall within the scope of this Policy, the person to whom you have reported the issue (or a suitable authorised person) will initially assess what action should be taken and a meeting will be arranged with you as soon as possible to discuss your concern. You will be told who is handling the matter and how you can contact him/her. You may be required to attend additional meetings in order to provide further information. Please be aware that the School/Company may not be able to discuss details with you but will endeavour to keep you well apprised of progress. You should treat any information about the investigation as confidential.
- 3.5 The School/Company cannot guarantee that all matters will be responded to in the way that you would like, but every reasonable effort will be made to handle the matter fairly and properly. If you are unhappy with the School/Company's response, you can escalate your concern to a key Cognita contact as set out at paragraph 6 below.
- 3.6 Where appropriate the School/Company will inform appropriate external bodies of any serious malpractice and/or concerns which come to light as a result of the investigation. In certain circumstances (e.g. child protection) the School/Company may need to do so before embarking on any investigation (see [Safeguarding and Child Protection Policy](#)).
- 3.7 If a member of staff makes an allegation in good faith but it is not confirmed by further inquiry the matter will ordinarily be closed and no further action taken.
- 3.8 While the School/Company would prefer you to raise your concern openly, you may request that your disclosure is raised in confidence under this Policy. Where confidentiality is requested, the School/Company will make every effort to resolve the concern without revealing your identity, this will be discussed with you and the available options will be explained.
- 3.9 NB: Remember, whilst we can deal with your concern even if you prefer to remain anonymous, if you do not tell us who you are, it will be much more difficult for us to investigate your concern or to give you feedback.

#### 4. [External Referrals and Child Protection concerns](#)

- 4.1 The aim of this Policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing. In most cases you should not find it necessary to alert anyone externally. All staff and volunteers should follow the School's Safeguarding and Child Protection Policy which outlines how to raise any type of safeguarding concerns.
- 4.2 In some exceptional circumstances it may be appropriate for you to report your concerns to an outside regulatory body. If in doubt please refer to the Human Resources Director, to the DfE guidance, or contact Ofsted's Whistleblower Hotline (0300 123 3155) or the charity Public Concern at Work's confidential helpline (020 7404 6609). These bodies can help you to determine whether this is the correct course of action.
- 4.3 If a member of staff raises a concern related to a child protection issue in a School, the Designated Safeguarding Lead (DSL) and Head of that School should be informed immediately and where appropriate a referral to external bodies such as Children's Social Services and/or the Local Authority Designated Officer ("LADO") should be made in

accordance with the School's [Safeguarding and Child Protection Policy](#). A member of staff may refer child protection concerns directly to these external bodies.

## 5 Exceptional Circumstances

- 5.1 The School/Cognita will consider exceptional circumstances exist where you have a reasonable belief that: the School/Cognita will subject you to detriment if you inform your Head/Line Manager; a cover-up is being mounted by the School/Cognita; or a disclosure made previously to your Head/Line Manager and escalated to the Cognita Human Resources Director in accordance with the stages above has not prompted a satisfactory response.
- 5.2 Even when exceptional circumstances are thought to exist, it will very rarely, if ever, be appropriate to approach a commercial body or the media with details of the suspected wrongdoing. If you approach any such body and/or where your concern is disclosure for personal gain, the School/Company may consider this to be Gross Misconduct and immediate disciplinary action may be taken against you.

<b>Ownership and consultation</b>	
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Specialist Advice	Farrer's and Co. (Lawyers) - 11.08.2015

<b>Audience</b>	
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Spain	No

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<b>Related documentation</b>	
Related documentation	<ul style="list-style-type: none"> <li>○ Procedure for Dealing with Allegations of Abuse Against Teachers and Other Staff</li> <li>○ Anti-Harassment Policy</li> <li>○ Anti-Workplace Bullying Policy</li> <li>○ Disciplinary Action Policy</li> <li>○ Grievances</li> </ul>