

WHISTLEBLOWING POLICY 2023

Approved by: Karen Pickles
Designated Safeguarding Lead
Date: 23rd May 2024

POLICY REVISION RECORD (annual reviews)

Date	Section	Revision	Updated by
21/08/2019			Jo Clark
09/06/2020	update KCSIE 2020	updating all references to KCSIE	Karen Pickles
06/06/2021	update KCSIE 2021	updating all references to KCSIE	Karen Pickles
10/06/2022	update KCSIE 2022	updating all references to KCSIE	Karen Pickles
10/02/2023	Re-written policy	Re-styled to include all above as required	Karen Pickles
19/08/2023	Updated	Updated	Karen Pickles
23/05/2024	Updated link to Protect	Website Protect link changed to new version	Karen Pickles

Introduction:

Berkeley Guardians requires all staff and homestays to uphold the law and place the safety of others at the forefront of their duties. Berkeley Guardians values and protects staff members who report colleagues they believe are doing something wrong or illegal, or who are neglecting their duties. We remind staff that the earlier a concern is raised, the sooner it can be actioned upon. Whistleblowing has a key role to play in safeguarding children.

Responsibilities:

Each member of staff and homestay has a responsibility for:

- Raising concerns about unacceptable practice or behaviour
- To prevent the problem worsening or widening
- To protect or reduce risks to others

Berkeley Guardians encourage whistleblowing in the following instances:

- actions that negatively affect the welfare of children (not only Berkeley Guardians' pupils)
- damage to the environment
- someone's health or safety is in danger
- a criminal offence
- covering up wrongdoing
- where an act or an omission of an act is against Berkeley Guardians' policies
- falls below Berkeley Guardians' standards
- against Berkeley Guardians' Codes of Conduct
- to prevent becoming implicated themselves

What prevents people from whistleblowing:

- Fear of being disloyal to other colleagues
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of harassment or victimisation
- Fear of not being believed
- Starting a chain of events that spirals

Procedure:

- Where staff have concerns, they should aim to report it internally first before using an external 'prescribed person or body
- Making a report to an external person may only be undertaken where the staff member thinks Berkeley Guardians will cover the matter up, would treat them unfairly if they complained or have raised the matter before, but the concern has not been dealt with satisfactorily
- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all employees
- Whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, staff must act to prevent the problem getting worse, to reduce potential risks to the health and safety of others, and to prevent themselves from potentially being implicated

The person to contact:

- Staff members with concerns should inform the DSL
- If appropriate the DSL or DDSL will inform the LADO in relation to issues regarding safeguarding of children or the necessary local authority department/governing body for issues not in relation to child safeguarding
- Similarly, if you have concerns about the safety or welfare of a child and feel they are not being acted upon appropriately by Berkeley Guardians, you can seek advice at any time from the NSPCC helpline on **08000280285** or by email to help@nspcc.org.uk
- In addition, Protect provide a free, confidential advice line for concerned staff to call before whistleblowing. The helpline is 020 3117 2520 and their website is: www.protect-advice.org.uk/

Contact and Names of Leads:

The Designated Safeguarding Lead (DSL) is Karen Pickles, a Berkeley Guardians Director

Contact at all times 24/7 via the **emergency phone: 07565493818**

Her email is karen@berkeleyguardians.com

Process:

The DSL will carry out a prompt, swift, proportionate and blame free investigation. In some cases, it may be appropriate for staff to ask for a trade union to raise the concern on their behalf.

Concerns should be put in writing, stating clearly:

- That the concern is being raised under the whistleblowing policy
- The background and history of the concerns
- Names, dates and places where possible
- The reasons why there is concern about the particular situation
- Staff members name and post title (concerns can be provided anonymously but are much less powerful)
- If for any reason the concern cannot be put in writing, a telephone call or meeting with the DSL would be satisfactory

Although staff making the allegation will not be expected to prove the truth of any allegation, they will need to demonstrate to the DDSL/DSL that there are sufficient grounds for their concern. Remember, the earlier a concern is raised, the easier and sooner it is possible for Berkeley Guardians to act.

Steps Following a Concern:

After a concern has been Raised Berkeley Guardians will:

- Provide support to those raising the concern
- Provide training to each member of staff about raising concerns and handling them
- Provide transparency and accountability
- Ensure there is an external review if appropriate
- Provide to the staff raising the allegation information on the nature and progress of any enquiries
- Take action to protect the member of staff from harassment or victimisation

- Provide mediation and dispute resolution if appropriate
- Do our best to protect the staff members 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 in order to address the concern via another procedure, e.g. the disciplinary procedure)
- Will not take action against the member of staff raising the concern if raised in good faith that is later confirmed to be unfounded

The DSL will make initial enquiries (usually involving a meeting with the member of staff making the allegation), to decide whether an investigation is required and what form it should take. For example, the matter raised may:

- Simply be resolved without the need for further investigation
- Involve an internal investigation by the DSL or assigned member of the management team
- Be referred to the Local Authority Designated Officer (LADO) for advice
- Be referred to the Police
- Form the subject of an independent inquiry

Concerns or allegations that raise issues covered by other Berkeley Guardians policies/procedures will normally be addressed under those procedures, e.g. Disciplinary, Grievance Procedures.

Within ten working days of a concern being received, the person receiving the concern (DSL) will send the member of staff a written response detailing:

- Acknowledging that the concern has been received
- Indicating in which manner the matter will be investigated
- Provide an estimate of how long it will take to provide a final response; and/or
- Indicate whether any initial enquiries have been made, and whether further investigations will take place; or
- Explain the reasons for not investigating further if that is the decision; and/or
- Indicating when to expect to receive further details, if the situation is not yet resolved

If the concern, once investigated, is confirmed as unfounded, Berkeley Guardians will deem the matter to be concluded and will not expect the member of staff raising the concern to raise the matter via another procedure unless new evidence becomes available.

If there is clear evidence that a malicious or false statement was deliberately made, disciplinary action may be taken and further guidance can be found in the Grievance and Disciplinary Procedures.

Further guidance on whistleblowing can be found:-

- <https://www.gov.uk/whistleblowing>
- <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2023>
- <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2018>