Luccombe Hub This document forms part of the policy handbook and is intended for use at Luccombe Hub	
Title:	**Whistleblowing Policy & Procedures**
Subject Area:	Whole Centre
Applies:	Immediately
Issued:	01 September 2022
Latest Review:	23 January 2025
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1. Introduction

1.1 Aims

The Luccombe Hub is dedicated to providing the utmost care for its learners and staff. We aim to ensure that all members of the Centre's community feel safe in the knowledge that they can voice any concerns in confidence and that they will be taken seriously and dealt with appropriately. Staff who are concerned about the conduct of a colleague towards a learner are undoubtedly placed in a very difficult position. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's job.

All staff must remember that the welfare of the child is paramount.

This policy enables staff to raise concerns or allegations in confidence and for a sensitive enquiry to take place. The Luccombe Hub takes responsibility for ensuring that all staff are aware of whistleblowing policy and procedures, and made to feel comfortable that they can voice their concerns no matter what the circumstances.

What is 'whistleblowing'?
'Whistleblowing inside the workplace is defined as the reporting by workers or ex-workers of wrongdoing, such as fraud, malpractice, mismanagement, breach of health and safety law, or any other illegal unethical act or omission, either on the part of management or fellow employees. Workers may include volunteers, contractors and outside agencies or others'

This whistle blowing policy is intended to cover serious concerns that may fall outside the scope of other procedures, in accordance with the Public Interest Disclosure Act 1998. These include:

- Conduct which is an offence or a breach of law
- Failure to comply with a legal obligation

- Disclosures related to miscarriages of justice
- Health and Safety risks, including risks to the public or learners as well as other staff
- Damage to the environment
- Information relating to the above issues that has been, or is likely to be, deliberately concealed.

Examples of the above categories are likely to include:

- The unauthorised use or misuse of public funds
- Possible fraud and corruption
- Sexual, physical or psychological abuse of learners at the Centre
- Harassment & bullying of staff
- Breaches of codes of conduct
- Malpractice in any examinations and assessments.

1.2 Consultation

The Luccombe Hub will communicate this policy to all staff, relevant professionals and learners through inductions, meetings, day to day communications, staff meetings and training. A copy of this policy and all policies will be available on request or via the website.

1.3 Legislation and guidance
Public Interest Disclosure Act 1998
Employment Rights Act 1996
Health & Safety at Work Act 1974
Government Guidelines for Schools
Dorset Council Whistleblowing Policy & Procedures.

2. Procedures and practice

How to Raise a Concern

As a first step, a member of staff should normally raise concerns with the Centre Lead or other senior member of staff where this is appropriate to the nature of the concern.

All concerns will be listened to and taken seriously. If you are in any doubt as to whether a concern is valid, you should report it, and the Centre can decide to what extent it needs to be investigated.

If the concerns relate to allegations that a member of staff or volunteer may have harmed a child or behaved in a way that indicates he/she poses a risk of harm to children, or behaved in such a way that would suggest they are unsuitable to work with children, the allegation should be raised with the Henri Monier-Williams (DSL) in the first instance, in accordance with the Centre's safeguarding policy and Managing Allegations Policy.

Where the allegations involve the Centre Lead (DSL), the member of staff should raise the matter with the deputy safeguarding leads, (Lucie Wharton, Ashley Crocker or Helen Heathfield-White).

We encourage all our staff to follow the internal procedures outlined in this policy, but understand that in some cases you may feel it is necessary to take your concerns to external agencies. This should, however, be done only as a last resort. Staff should only approach external agencies regarding their concerns without discussing them internally first if:

- they feel that they are being discriminated against and that there is no internal authority that can be contacted with trust

- they reasonably believe that they will be victimised if they follow internal procedures for whistleblowing

- they believe that the concern that they have raised has not been taken seriously or acted upon correctly.

External Agencies that could help:

- The union or professional body;
- The independent whistleblowing charity Protect.
- An independent legal advisor.
- Where the concern is extremely serious - LADO directly by calling 01305 221122 or online form **https://forms.office.com/Pages/ResponsePage.aspx?id=Nd9OCtLwI06Y9rCQC06h5lN9Xa5Zoy1Mgfp9n0LOEyFUMjk5V0RMUDk0QzlYRjBKRUlORURXTDlRTy4u**
- Children's Social Care Services
- Police
- NSPCC
- Health & Safety Executive
- Local Citizens Advice Bureau
- Department for Education
- Ofsted/Independent Schools Association

Concerns may be raised verbally or in writing, but the earlier the concern is expressed the easier it is to take any required action. Members of staff who wish to make a written report are encouraged to include the following information:

- Does the worker believe that a service user is at immediate risk of harm?
- To set out the facts; The Background and History of the concern, giving relevant dates and providing as much supporting evidence as possible;
- Do other workers share the concerns?
- Whether the concerns have already been raised with the employer and, if so, what the response was?
- What the workers views are about what should be done?

Where a concern is raised verbally, the person hearing it must ensure that a written account of it is made to assist with any subsequent investigation. The Centre's senior Leadership Team will take all concerns raised within the scope of this policy seriously and identify the appropriate level of investigation. Advice and guidance will be obtained from external supporting bodies if deemed appropriate.

The whistle blower may invite a recognised trade union representative or a work colleague to be present during any meetings or interviews held in connection with the concerns raised.

How the Centre Will Respond

Initial Enquiry

In order to protect the individuals involved, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take and who should be appointed to conduct it. The overriding principle is that of the public interest. If urgent action is required, for example if the welfare of learners may be at risk, this action will be taken before any investigation is conducted. Further to the results of this enquiry, the following steps will be considered:

- Concerns or allegations which fall within the scope of specific procedures, e.g. child protection, bullying or harassment or disciplinary, will normally be referred for investigation and consideration under those procedures.
- Where there are any concerns about financial impropriety or criminal activity, the concern can be referred to the police.
- Concerns indicating unlawful activity should be reported to the police.
- Suspected incidents of malpractice relating to examinations will be reported to the appropriate awarding body at the earliest opportunity.

Communication

Within ten working days of a concern being raised, the person who is dealing with the concern will respond in writing to the employee directly. The response will:

- Acknowledge receipt of the concern
- Indicate how the Centre proposes to deal with the matter
- Give an estimate of how long it will take to provide a final response
- Advise whether any initial enquiries have been made
- Supply information on any staff support mechanisms, and
- Advise whether further investigation or action is required, and if not, why not.

Investigation

Once preliminary enquiries have established the need for an investigation, an appropriate person will be appointed to conduct the investigation. The person appointed to undertake the investigation is responsible for establishing the facts of the matter, as far as it is reasonably possible to do so, and assessing whether the concern has foundation and can be resolved internally. Other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

Written records of all interviews will be kept throughout the investigation together with details of any action taken. The investigation will result in a written report and recommendations for corrective action, which will be passed to the Centre Lead, if appropriate, and any other external organisation who is party to the investigation.

The member of staff raising the concern will, subject to legal constraints, be advised in writing of the outcome of the investigation and, where appropriate, what action is being taken. This may, for example, include changes to working practices to ensure that a similar situation does not occur again. Details of any disciplinary action raised against an individual/s will not be provided and shall remain confidential.

If the concern raised is very serious or complex then The Luccombe Hub Centre recognises that concerns could be raised with the Local Authority Designated Officer (LADO) or Department of Education.

2.3 Aspects

Safeguarding Against Harassment or Victimisation

The Luccombe Hub will take a zero tolerance approach to any act of harassment or victimisation (including informal pressures) resulting from a member of staff raising a concern in good faith, and will handle any such allegations in accordance with the Centre's Harassment in the workplace Policy and Grievance Procedures

A member of staff making an allegation within the scope of this policy will be supported by the Centre when raising a concern, providing that he/she:

- Believes the concern to be true
- Is not acting maliciously or making false allegations
- Is not seeking any personal gain.

Unsubstantiated Allegations

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action is likely to be taken.

Confidentiality

All concerns will be treated in confidence but, at the appropriate time, the Whistle-blower may be asked to come forward as a witness and this will be discussed with them.

Anonymous Allegations

This policy encourages staff to put their name to their allegation wherever possible.

Where a concern is raised via an external agency you may be asked to provide your name and contact details but these should not be passed onto the Centre without your express permission.

Concerns expressed anonymously are much less powerful but will still be given consideration. Consideration will be given to the seriousness of the issues raised, the credibility of the concern and the likelihood of confirming the allegation from sources which can be attributed.

Data Protection

When an individual makes a disclosure, the Centre will process any personal data collected in accordance with its UK GDPR rules and Data Protection Policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

3. Concluding notes

3.1 Monitoring and review

This policy will be reviewed annually and in accordance with any relevant updated governmental guidance.

3.2 Links to other policies

This policy should be read alongside the following:

- Safeguarding & Child Protection Policy
- Safer Recruitment Policy
- Managing Allegations Policy
- Health & Safety Policy
- Risk Assessment Policy
- Grievance Policy
- Staff Code of Conduct.
- Harassment in the Workplace Policy
- Disciplinary Policy and Procedures
- Complaints Policy
- Any awarding body assessment & examinations policies.