



# **SPORTING STARS ACADEMY WHISTLEBLOWING POLICY**

**Current Version Valid from July 2023**

**To be Reviewed in January 2024**

**Reviewed by The Directors**

*July 2023 – January 2024*

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### 1. Policy Statement

Our school is:

- A safe, supportive stimulating learning environment
- A team of respectful, tolerant, open-minded citizens
- A community where everyone aspires to be the very best, they can be
- A community of resilient lifelong learners
- A centre of excellence where all are supported to achieve success

### 2. Purpose

To set out the school's policy and procedure for dealing with concerns raised by employees which relate to suspected wrongdoing or dangers at work. Allegations of child abuse against teachers and other staff and volunteers is be dealt with in accordance with Keeping Children Safe in Education statutory guidance for schools and colleges 2023).

In line with the expectations of our local authority, including the safeguarding board, Sporting Stars Academy is committed to the highest standards of openness, integrity, and accountability. All persons working for, or with this organisation, must feel safe and supported in order to express their concerns.

### 3. Background

As employees are often the first to realise that there may be something wrong within the school, it is important that they feel able to express their concerns without fear of harassment or victimisation. Otherwise, they may find it easier to ignore the concern rather than report it. The Public Interest Disclosure Act (PIDA) 1998 recognises this fact and is designed to protect employees who make certain disclosures of information in 'the public interest', from detriment and/or dismissal. This policy builds on the provisions of the Act.

The Directors of the school are committed to the highest possible standard of operation, probity, and accountability. In line with that commitment, employees, officers, consultants, contractors, and any other staff assigned duties within the school environment with serious concerns are encouraged to come forward and voice those concerns. This policy document makes it clear that employees can do so without fear of reprisals; it is intended to encourage and enable employees to raise serious concerns within the school rather than overlooking a problem or alerting anyone external to the school.

**\*\* This policy does not form part of any employee's contract of employment, and it may be amended at any time\*\***

#### **4. Aims**

This policy aims to:

- Encourage adults working for or within the organisation to feel confident in raising concerns
- Provide a process by which concerns can be raised and dealt with
- Receive feedback on the process (where appropriate), and
- Provide a means by which staff can receive support where concerns have been raised

##### *4.1 What does the safeguarding whistleblowing policy cover?*

This policy is designed to cover concerns that staff have about the conduct of individuals in a position of trust within the school which could be detrimental to the safety or wellbeing of young people and where staff, for whatever reason, feel unable to raise them under the school's standard child protection procedures around dealing with such allegations. It would include issues about:

- Unprofessional behaviour
- Bullying by staff
- Any form of abuse (physical, sexual, emotional or neglect)
- Name calling
- Personal contact with children and young people which is contrary to the organisations policies and codes of conduct
- Any form of racial abuse
- Inappropriate sexualised behaviour
- Knowledge about an individual's personal circumstances which may indicate they could be a risk to children or unsuitable to work with children

**Please be mindful that these are examples of concerns and are not exhaustive.**

A **whistleblower** is a person who raises a genuine concern relating to the matters below. If employees have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) s/he should report it under this policy.

**Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:**

- Criminal activity
- Miscarriages of justice
- Danger to health and safety
- Damage to the environment
- Failure to comply with any legal or professional obligation or regulatory requirements
- Bribery
- Financial fraud or mismanagement
- Negligence
- Breach of our internal policies and procedures
- Conduct likely to damage our reputation
- Unauthorised disclosure of confidential information
- Public examination fraud

- The deliberate concealment of any of the above matters

**Before initiating the procedure, employees should consider the following:**

- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all employees
- Employees should use line manager or team meetings and other opportunities to raise questions and seek clarification on issues which are of day-to-day concern
- Whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, employees must act to prevent an escalation of the problem and to prevent themselves being potentially implicated

This policy should not be used for complaints about an employee's personal circumstances, such as the way s/he has been treated at work. In these cases, an employee should use the school's procedures identified in the staff handbook, similarly concerns can be raised with the head teacher if the concerns are not relating directly to her. In this event, concerns should be raised with either Shane Tudor or Robin Hulbert.

## **5. Safeguards**

### *5.1 Harassment or Victimisation*

The Directors recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Directors will not tolerate harassment or victimisation and will take action to protect employees when they have a genuine concern.

This does not mean that if an employee is already the subject of internal procedures such as disciplinary or redundancy, that those procedures will be halted as a result of that employee raising a concern under the whistleblowing policy.

### *5.2 Confidentiality*

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. The Directors will make every effort to protect an employee's identity if confidentiality is requested.

As indicated above, identity will be protected as far as possible, but should the investigation into the concern require the employee to be named as the source of the information, that this will be discussed with the employee before their name is disclosed.

### *5.3 Anonymous Allegations*

Employees are encouraged to put their name to an allegation. Proper investigation may be more difficult or impossible if we cannot obtain further information and it is also more difficult to establish whether allegations are credible. Anonymous allegations will be considered at the discretion of the Directors. In exercising the discretion, the factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern, and
- The likelihood of confirming the allegation from attributable sources

#### *5.4 Untrue Allegations*

If an employee makes an allegation where s/he has a genuine concern, but it is not confirmed by the investigation, no action will be taken against that employee. If, however, we conclude that an employee has made malicious or vexatious allegations, or with a view to personal gain, disciplinary action may be taken against that employee.

#### *5.6 Unfounded Allegations*

Following investigation, allegations may be confirmed as unfounded. This outcome will be notified to the employee who raised the concern, who will be informed that the Directors deem the matter to be concluded and that it should not be raised again unless new evidence becomes available.

#### *5.7 Support for Employees*

It is recognised that raising concerns can be difficult and stressful. Advice and support will be made available, as appropriate to both the employee(s) raising the concerns and any employee(s) subject to investigation.

### **6. How to Raise a Concern**

Staff should normally raise their concerns with one of the Directors under the school's standard procedures for dealing with allegations about a person in a position of trust (Miss Emma Tench, Mr. Shane Tudor or Mr. Robin Hulbert).

If the Designated person is the subject of concern, the matter should be referred to a more senior member of management or, if this is not possible, the Whistleblowing Policy can be implemented. Under standard procedures, if there are concerns that an adult working with young people may have abused a child or be unsuitable to work with children and young people, concerns will be passed to the Local Authority Designated Officer (LADO) by the manager.

In certain circumstances, staff may feel they are unable to follow the school's standard procedures e.g., because they feel their position in the school would be in jeopardy, they would be subject to intimidation, or that the person of concern is the designated manager to whom they should report such matters and there is no one senior to refer to. They should then follow the Whistle Blowing Policy by contacting a nominated person (the 'responsible person') within the school or an umbrella organisation to which the organization is affiliated. At Sporting Stars Academy this should be Deputy Headteacher who will seek advice from the local authority.

The policy may also be used in circumstances when the matter has been raised under appropriate school procedures for referring child protection concerns, but the referrer considers that the manager has not taken the concerns seriously or acted appropriately with relation to them. In such circumstances, referrers are encouraged to contact the named responsible person for 'whistle blowing' for the school or a LADO directly for discussion and advice. The LADO contact details are listed at the end of the policy.

When following the Whistleblowing Policy, concerns may be shared verbally, but should also be recorded in writing (Safeguarding Whistleblowing report form – Appendix A)

Staff may wish to invite their trade union representative to be present during any subsequent interviews.

### 6.1 How Sporting Stars Academy Will Respond

Any concern regarding child protection will be referred to external agencies for investigation (children's services, police, LADO).

If the concern is not of this nature, there will be:

- Investigation by management
- Disciplinary process if appropriate
- Consideration of policies, processes, and procedures if such issues arise from the investigation

Within 10 working days of a concern being raised the referrer will receive a written response from the responsible person which will:

- Acknowledge that the concern has been received
- Supply information on relevant support mechanisms
- Advise whether further investigations will take place, or
- Advise that no further action has taken place and why

Who to contact:

- Emma Tench: Designated Safeguarding Lead
- Daniel Hill: Deputy Designated Safeguarding Lead
- Stephen Tudor: HR Manager

If it is felt that it would be unsafe for any reason to share concerns with the named person from the school the following are appropriate contacts with whom to discuss your concerns:

#### **Remember...**

A LADO (Local Authority Designated Officer) **MUST** be consulted when there is a concern or allegation that someone working or volunteering with children:

- Has or may have harmed a child
- May have committed a criminal offence related to a child
- Has behaved towards a child or children in a way that indicates they may pose a risk of harm to children

The LADO gives advice and guidance on how concerns or allegations should be investigated. An investigation may be completed by the police, children's social care, the employer, or a combination of these.

#### **Contact Details:**

<b>Stoke on Trent Authority:</b>
Stoke-on-Trent Safeguarding Children Partnership
LADO referrals should be made via the Children's Advice and Duty service (ChAD) on: 01782 235100 (8:30am-6:00pm) or email <a href="mailto:CHAD.Referrals@stoke.gov.uk">CHAD.Referrals@stoke.gov.uk</a>

If immediate LADO advice is needed please call ChAD and ask to speak with one of the Social Workers or Team Managers. Referrals should be triaged by CHaD to determine if there are any safeguarding issues relating to a child.

If LADO advice is required after 6pm or at the weekend, then please contact the Emergency Duty Team (EDT) on 01782 234234

#### **Staffordshire County Council:**

Staffordshire Safeguarding Children Board (SSCB)

Telephone: 0300 111 8007 or complete the online enquiry form (please follow link below)  
<https://www.staffordshire.gov.uk/Care-for-children-and-families/Childprotection/rc-Initial-professionals-enquiry.aspx>

Contact details for Staffordshire Police and the Emergency Duty Team are 999 for an emergency or 101. Emergency Duty Team (EDT): 0345 604 2886

#### **Other support:**

Recognised trade unions or professional associations can provide support and assistance or independent, external advice this can be obtained from the charity Public Concern at Work.

Regulatory bodies such as Ofsted also have 'whistle blowing' advice and guidance:  
[Reporting concerns and whistleblowing about children's social care services - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/reporting-concerns-and-whistleblowing-about-childrens-social-care-services)

#### **Protect: Speak Up, stop harm**

Helpline: 020 3117 2520

[To email follow the link:](#)

[Contact our Advice Line - Protect - Speak up stop harm \(protect-advice.org.uk\)](https://protect-advice.org.uk)

#### **[NSPCC Whistleblowing Advice Line:](#)**

Tel: 0800 028 0285

<https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/>

## **7. Policy Review Procedures**

This policy should be read in conjunction with all other school policies and will be reviewed annually.

## 8. APPENDIX A – WhistleBlowing disclosure form (School Based Staff)

### When to use this model whistleblowing form:

- For the employee to make a formal disclosure

### Form wording:

<b>Making a Public Interest Disclosure (Whistleblowing)</b>	
<p>This form is intended for use by any individual working at the Academy (including contractors, agency workers and volunteers) who wish to raise an issue about wrongdoing.</p> <p>This form should be used to report wrongdoing within the Academy (for example, misconduct of a child protection nature, financial irregularities or health and safety concerns), rather than to raise a personal grievance (for example, if you would like to make an allegation of bullying or harassment, or are complaining that your contract of employment has been breached).</p> <p>If you are unsure about whether your concerns are best dealt with under the Academy's whistle blowing policy or grievance procedure, please read the whistleblowing policy, which provides an example of the issues that should be reported using this form. If, having read the whistleblowing policy, you remain unsure about which procedure to use, please consult your Head Teacher for further advice. If you are implicating your Head teacher then you should contact Mr Stephen Tudor.</p> <p>Once you have submitted this form, the Academy's whistleblowing procedure will be invoked. This will result in an investigation, which will not involve anyone you may have implicated below.</p> <p>In certain circumstances, you can request that your concerns be kept anonymous. Where possible, the Academy will respect a request for anonymity, but cannot guarantee that it will be able to do so.</p> <p>This form should be completed and delivered to (Emma Tench. Head teacher or to Stephen Tudor if you are implicating the Head teacher) in an envelope marked "confidential" or sent as an email attachment with "confidential" in the subject line.</p>	
<b>Formal Public Interest Disclosure (whistleblowing)</b>	
<b>Employee's Name:</b>	
<b>Employee's Job Title:</b>	
<b>Date:</b>	
<b>Does your public interest disclosure relate to your HeadTeacher?</b>	Yes/No
<b>Summary of Disclosure:</b>	



Please set out the details of the issue that you wish to raise, providing examples where possible, particularly dates, times, locations and the identities of those involved. You may attach additional sheets if required.

**Individuals Involved:**

Please provide the names and contact details of any people involved in your concerns, including witnesses.

**Outcome Requested:**

Please set out how you would like to see the issue dealt with, and why and how you believe that this will resolve the issue.

**Declaration:**

I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that, if I knowingly make false allegations, this may result in the organisation taking disciplinary action against me.

**Form Completed By:**

**Name (please print)**

**Signature:**

**For Completion by the Headteacher or Stephen Tudor (if Headteacher is Implicated)**

Date Form Received by the Headteacher

Or Stephen Tudor if Headteacher is Implicated:

Name of Recipient and Job Role:

Signature: