



## Whistleblowing

### Policy Summary

Twynham Learning is committed to high operating standards and the utmost integrity—always putting the needs of our learners first. We never condone wrongdoing or malpractice. In large organisations like ours, workers are often the first people to witness any such issue. When workers speak up and report their concerns, senior leaders can act promptly to put things right and prevent or minimise the harm that wrongdoing can cause.

This policy explains how workers with concerns can report them, how we will deal with any disclosures made to us and how we will protect those who speak up from negative consequences.

#### Key

*“We”, “our”, “us”* means Twynham Learning

*“You”, “your”, “yourself”, “our people”, “colleagues”* means adults working/volunteering in Twynham Learning settings

*“Learner”* means any child or young person who attends a Twynham Learning nursery, school, sixth form or wraparound/holiday provision

## Who this policy applies to

Teaching Staff	✓
Support Staff	✓
Trustees and Governors	✓
Other volunteers	✓
Supply staff, agency workers and employees of third party organisations who work at our sites	✓
Trainees who are placed with us	✓

## What is whistleblowing?

Whistleblowing means coming forward to a senior leader to report a genuine concern about wrongdoing within Twynham Learning. You can blow the whistle at any time about something that has happened in the past, is happening now, or you believe will happen in the near future. To be classified as a whistleblowing disclosure, the concern you raise must be in the public interest, which means that it must affect others (not just yourself) and not be raised entirely for personal gain. If you have a personal complaint, you should use our Staff Grievance Policy and Procedure instead.

Whistleblowers will always be listened to because they give us a valuable opportunity to act on information and promptly put right whatever wrongdoing is found. We will treat all disclosures made seriously and consistently. Blowing the whistle about a genuine concern is a positive act which may help others and prevent harm from being caused.

## Reasons for blowing the whistle

A whistleblowing disclosure can be about any perceived wrongdoing at Twynham Learning that is in the public interest, such as:

- Criminal/law-breaking activity
- Fraud, theft, financial irregularity or misuse of public money (refer to our Financial Procedures Policy)
- Any danger to health and safety
- Environmental damage (e.g. pollution)
- A miscarriage of justice
- Exam/assessment malpractice
- Poor/unsafe/negligent practices, improper conduct or abuse of power
- You believe someone is deliberately covering up wrongdoing

If your concern is about **safeguarding specific children or young people**, you should follow the setting's safeguarding/child protection procedures (which are available on their website) instead of this policy. Usually, the first port of call for these matters is the setting's Designated Safeguarding Lead (DSL) or Deputy Designated Safeguarding Lead (DDSL).

## Who can make a whistleblowing disclosure

We want to hear from anybody inside our organisation who has reason to be concerned about wrongdoing at Twynham Learning. This includes our staff, volunteers, supply/agency workers, third party employees who work at our settings, trainees placed with us, LAB Members and Trustees.

The law gives special protections to staff members, trainees and agency workers who blow the whistle (see page 5 for details).

## How to blow the whistle

To help us deal with your concern effectively, you should direct any whistleblowing disclosure to an appropriate person, as follows:

	WHO TO DIRECT YOUR WHISTLEBLOWING DISCLOSURE TO	
WHERE YOU WORK/ VOLUNTEER	Option 1 Normally the most appropriate person to raise your concern to <i>(as long as your concern is not about him/her/them)</i>	Option 2 If your concern is about the person/people listed under option 1 <i>(or you are the person listed under option 1)</i>
A Twynham Learning school or childcare provision	The Headteacher, Deputy Headteacher or Head of School	The CEO, Director of Education or Chair of Trustees (chair@twynhamlearning.com)
A Twynham Learning holiday club	The Primary Standards Leader	The CEO, Director of Education or Chair of Trustees (chair@twynhamlearning.com)
Twynham Learning Core Services	The CEO or Director of Education	Chair of Trustees (chair@twynhamlearning.com)
A Local Advisory Board (LAB) for a Twynham Learning school	The CEO or Director of Education	Chair of Trustees (chair@twynhamlearning.com)
The Twynham Learning Trust Board	Chair of Trustees (chair@twynhamlearning.com)	The CEO or Director of Education

Ideally, we would like you to express your concern in writing, including:

- The background and history of the concern
- Any relevant names, dates and places
- The reasons for the concern, and any evidence you have (although providing evidence is not essential)
- Declaring any personal interest you have in the matter
- Whether or not you are comfortable with others knowing it was you who raised the concern

We will act on any anonymous whistleblowing disclosure made. However, it is much more difficult for us to clarify and follow up on the issues if we cannot contact the whistleblower, so we prefer disclosures not to be anonymous.

You should not report your concerns to the media. Workers who do this normally forfeit their legal right to special protections at work (see page 5).

If you are a member of a trade union, you may wish to seek their support with making a whistleblowing disclosure, but this is not essential.

If you make a whistleblowing disclosure, we may ask you to keep it confidential to allow us to investigate the matter effectively. If this is the case, you should not discuss it with anyone other than the named contacts you have been given. That being said, nothing should ever prevent you from escalating your concern internally or externally if you are not satisfied that it is being dealt with appropriately (see 'If you are not satisfied with the progress or outcome of your concern' on page 5 for further details).



## How we will respond to a whistleblowing disclosure

If you make a whistleblowing disclosure, we will follow this procedure:

1. Within ten working days of you blowing the whistle, the senior leader who is dealing with the concern will confirm receipt and invite you to a meeting to discuss it as soon as practically possible. The meeting will be held at a discrete location/time. If you want to, you can bring a companion to the meeting – this could be any willing member of Twynham Learning staff, or a trade union representative. If you bring a companion, their role is just to support you – they will not be allowed to become involved in the proceedings. A representative from our HR team will also normally attend.
2. At the meeting, the senior leader will:
  - Gather all relevant information about the concern from you
  - Give you a general indication of how we intend to deal with the matter and the timescales involved
  - Advise you of the level of confidentiality expected from you (to maintain the integrity of the process) and which named individuals you may discuss it with – although this will never prevent you from escalating a concern if necessary
  - Explain any special protections that apply to you as a whistleblower and the consequences of making a malicious or false disclosure (see page 5)
  - Discuss your preference for being named or remaining anonymous
  - Explain how we will communicate with you throughout the process
  - Offer support (as this can be a difficult or anxious time) for example mentoring, advice or our staff counselling service
3. Then, the senior leader (supported by advice and guidance from HR) will take responsibility for investigating the concern, taking action to resolve it, maintaining detailed confidential records and keeping the whistleblower updated as appropriate. The action taken by the senior leader will depend on the nature of the specific concern. This may include:
  - Taking urgent action ahead of a full investigation
  - Carrying out a full internal investigation/audit
  - Commissioning an external investigation/audit
  - Referring/reporting the matter to an external body e.g. the Police, the LADO (Local Area Designated Officer), the DBS (Disclosure & Barring Service) the Teaching Regulation Agency or ESFA (Education & Skills Funding Agency)
  - Providing written instructions, guidance or training to workers
  - Taking formal action under our Staff Discipline Policy & Procedure or Capability Policy

The senior leader's main concern will always be to prioritise the interests of the public, our staff and particularly our learners.

4. When the matter is resolved to our satisfaction, the senior leader will notify the whistleblower that it has been concluded.



When making a whistleblowing disclosure, you should bear in mind the following important procedural points:

- You will not have a say in how your concern is dealt with, this will be decided by the assigned senior leader.
- We may decide that no action is required. If so, we will give you a full explanation of our rationale.
- It may not be appropriate for us to give you full details of the actions we take, or the resolution reached, if this would breach other people's rights to confidentiality. We will tell you as much as we are able to, in a prompt manner, to give you assurances that the matter is being acted upon and concluded.
- You will not be involved in deciding whether the matter has been satisfactorily resolved, this will be decided by the assigned senior leader - who will notify you.
- If you request to remain anonymous, we will do our very best to respect your wishes. However, we cannot guarantee this in every case (especially if we need to refer the matter externally).

## **Special protections for whistleblowers**

We recognise that the decision to blow the whistle can be a difficult one to take, not least due to the fear of personal consequences e.g. reprisal from those responsible for the wrongdoing or concern that your future career could be negatively impacted. However, you can be assured that we will not tolerate any such harassment or victimisation (no matter how serious or minor) or any detrimental impact on your working life. We will take appropriate action to protect anyone who raises their concern in good faith. This includes action in accordance with our Staff Discipline Policy & Procedure (up to and including dismissal) against anyone who treats a whistleblower badly or unfairly as a result of their disclosure.

The law gives special protections to Twynham Learning staff members, trainees and agency workers who blow the whistle. Even if it turns out that their concern was not proven, we will never take disciplinary or detrimental action against them, as long as their concern was genuine, in the public interest and followed the correct procedure (as described in the 'How to blow the whistle' section on page 3). If you believe that blowing the whistle has had a detrimental impact on you, you should speak to your Headteacher, line manager or HR about this without delay so that we can support you and take action to put things right.

## **If you are not satisfied with the progress or outcome of your concern**

We are fully committed to taking swift and appropriate action in response to every genuine whistleblowing disclosure. However, you should escalate your whistleblowing concern if you have reason to believe:

- it has not been taken seriously
- it has not been progressed in a timely way, and/or
- it has not been resolved fully (i.e. the wrongdoing is still going on after you've been advised that the matter concluded)

You can do this by reporting it to a more senior member of staff (e.g. the CEO) or to the Chair of Trustees (by emailing [chair@twynhamlearning.com](mailto:chair@twynhamlearning.com)).

If your concern is serious and you believe it is still unresolved, despite exhausting all options within the Trust, you may decide to report it to an outside agency yourself. A charitable organisation called Protect has been set up to help UK workers in this position, you can access their website [here](https://www.protect.org.uk/). Other available options are contacting the Police, the [LADO](https://www.lado.gov.uk/), the [ESFA](https://www.esfa.gov.uk/), or a relevant 'prescribed person' (these are mainly regulators, professional bodies and MPs – a full list is [here](#)).

## **Malicious or false whistleblowing disclosures**

You must not abuse our whistleblowing procedure by making a disclosure which you know to be untrue/unfounded, which is unreasonable or is made with malicious or 'bad faith' intent. Doing so will trigger us taking action against you under our Staff Discipline Policy & Procedure.