



WHISTLEBLOWING POLICY

Review cycle: every 2 years. Next Review date: June 2026

1. Purpose

To set out The Den's policy and procedure for dealing with concerns raised by employees.

2. Background

As employees are often the first to realise that there may be something wrong within their own setting, it is important that they feel able to express their concerns without fear of harassment or victimisation. The Den is committed to the highest possible standard of operation, probity and accountability. In line with that commitment, employees and others with serious concerns about any aspect of The Den's work 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 Den rather than overlooking a problem or alerting anyone external to The Den. It is recognised that cases may have to proceed on a confidential basis.

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

3. Aims and Scope of the Policy

This policy aims to:

- provide avenues for employees to raise concerns internally as a matter of course, and receive feedback on any action taken;
- provide for matters to be dealt with quickly and appropriately, and ensure that concerns are taken seriously;
- reassure employees that they will be protected from reprisals or victimisation for whistleblowing in good faith;
- allow employees to take the matter further if they are dissatisfied with The Den's response.

This policy describes how any employee can raise any concerns s/he may have about working practices and who should be informed about the concerns. It may be that issues raised via this policy will be addressed via other procedures, e.g. anti-fraud and corruption, grievance, disciplinary, harassment and child protection procedures.

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) they should report it under this policy.

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This list is not exhaustive, but may include:

- A. safeguarding;
- B. criminal activity;
- C. miscarriages of justice;
- D. danger to health and safety;
- E. damage to the environment;
- F. failure to comply with any legal or professional obligation or regulatory requirements;
- G. bribery;
- H. financial fraud or mismanagement;
- I. unauthorised use of public funds;
- J. other unethical conduct;
- K. negligence;
- L. breach of our internal policies and procedures;
- M. conduct likely to damage our reputation;
- N. unauthorised disclosure of confidential information;
- O. examination fraud;
- P. 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 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 impacted.

All employees have the right to raise concerns which could be about the actions of another employee, private contractors, governors, board trustees, volunteers or the Local Authority.

The Den is committed to ensuring that staff are trained in how to deal with whistleblowing concerns and understand this policy and the law relating to whistleblowing.

4. Safeguards

Harassment or Victimisation

The Den recognises 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 Den will not tolerate harassment or victimisation and will take action to protect employees when they raise a concern in good faith.

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.

Confidentiality

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

However, it must be understood that should the concern raised need to be addressed through another procedure, e.g. disciplinary procedures, the employee may be asked to provide a signed statement as part of the evidence, or to be a witness, thus revealing identity. Failure to provide such a statement or appear as a witness may mean that further action cannot be taken by The Den to address the concern and in some circumstances, The Den may have to disclose the identity of the employee without their consent, although this will be discussed with the employee first.

Anonymous Allegations

Employees are encouraged to put their name to an allegation. Allegations expressed anonymously are much less powerful and more difficult to address, but they will be considered at the discretion of The Den, although they will then not be able to provide feedback to the whistleblower. 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.

Untrue Allegations

If an employee makes an allegation in good faith, 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.

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 Den deems the matter to be concluded and that it should not be raised again unless new evidence becomes available.

Support to 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 the employee(s) subject to investigation.

5. How to raise a Concern

As a first step, an employee should normally raise concerns with the Lead Teacher.

This depends, however, on the seriousness and sensitivity of the issues and who is involved. For example, if an employee believes that the Lead Teacher.

is involved, they should approach The Directors.

Concerns are better raised in writing. The employee should set out the background and history of the concerns, giving names, dates and places where possible, and the reasons why they are particularly concerned about the situation. If an employee does not feel able to put the concern in writing, they should telephone or meet the appropriate person. It is important that, however the concern is raised, the employee makes it clear that they are raising the issue via the whistleblowing procedure.

The earlier an employee expresses the concern, the easier it is to take action.

Although an employee is not expected to prove the truth of an allegation they will need to demonstrate to the person contacted that there are sufficient grounds for the concern.

An employee may wish to consider discussing their concern with a colleague or trade union representative first, and may find it easier to raise the matter if there are two (or more) people who have the same experience or concerns. However, once a concern has been raised under the Whistleblowing Policy, the employee should be mindful that any further discussions with other parties may impede the maintenance of confidentiality.

At each meeting under this policy the employee may bring a colleague or trade union representative. The companion must respect the confidentiality of the disclosure and any subsequent investigation.

6. How the company will respond

The Den will respond to the employee's concerns. The employee should not forget that testing out their concerns is not the same as either accepting or rejecting them.

Where appropriate, the matters raised may:

- be investigated by management, or through the disciplinary process
- be referred to the police
- be referred to the external auditor
- form the subject of an independent enquiry

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the school will have in mind, is the public interest.

Concerns or allegations which fall within the scope of specific procedures (for example child protection or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

The appropriate person under the policy with whom the concerns have been raised will write to the employee within ten working days of a concern being raised:

- acknowledging that the concern has been received
- indicating how it is proposed to deal with the matter
- giving an estimate of how long it will take to provide a final response
- saying whether any initial enquiries have been made
- supplying the employee with information on staff support mechanisms, and
- saying whether further investigations will take place and if not, why not.

The amount of contact between those considering the issues and the employee will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the school will seek further information from the employee.

Where any meeting is arranged, even off-site if desired, a union or professional association representative or a friend can accompany the employee.

The Den will take steps to minimise any difficulties which the employee may experience as a result of raising a concern. For instance, if the employee is required to give evidence in criminal or disciplinary proceedings, The Den will arrange for the employee to receive advice about the procedure.

The Den accepts that the employee needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, they will inform the employee of the outcomes of any investigation.

7. Monitoring and Review

The Directors will be responsible for monitoring the implementation and effectiveness of this policy/procedure. The policy/procedure will be reviewed by the Directors as necessary.