



Whistleblowing Policy

Aims

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all staff in the trust know how to raise concerns about potential wrongdoing in or by the trust
- Set clear procedures for how the trust will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the Nurture Space Ltd in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

Legislation

The requirement to have clear whistle-blowing procedures in place. This policy has been written in line with the Government guidance on Whistleblowing for employees ([Whistleblowing for employees: What is a whistleblower - GOV.UK \(www.gov.uk\)](#)). We also consider the [Public Interest Disclosure Act 1998](#).

Definition of whistle-blowing

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest". Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or staff health and safety being put in danger
- The safeguarding of children and child protection.
- Failure to comply with a legal obligation or statutory requirement

- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns count as whistleblowing. For example, personal staff grievances such as bullying, or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

When staff have a concern, they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has:

- For further guidance on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure - [Whistleblowing or grievance? | Protect - Speak up stop harm \(protect-advice.org.uk\)](https://www.protect-advice.org.uk/whistleblowing-or-grievance/)
- A free and confidential telephone line – 020 3117 2520

When to raise a concern

Staff should consider the examples given within the 'Definition of Whistleblowing' when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

Who to report to

Staff should report their concern to the Director of Nurture Space Ltd. If the concern is about the Director of Nurture Space Ltd or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to an external body such as:

Illegal activity – Police via 101 or 999 if it is an emergency.

Safeguarding and Child Protection – NSPCC Whistleblowing 0800 028 0285 / email – help@NSPCC.org.uk / or the Local Authority LADO (Local Authority Designated Officer) -

How to raise the concern

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

Investigating the concern

When a concern is received by the Director of Nurture Space Ltd - referred to from here as the 'recipient' - they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a professional association representative or college for support.
- Get as much detail as possible about the concern at this meeting and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
 - The recipient should then arrange a further investigation into the matter. If appropriate. In some cases, they may need to bring in an external, independent body to investigate. In other cases, they may need to report the matter to the police
 - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps

Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified, and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the Director of Nurture Space Ltd, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation.

Escalating concerns

The trust encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body. It is strongly recommended that if a staff member decides to do this, that they first consult with an external advice service such as Protect (<https://protect-advice.org.uk/>)

The Protect advice line can also help staff when deciding whether to raise the concern to an external party.

Links with other policies

This policy links with our policies on:

- Staff grievance policy
- Complaints procedure
- Safeguarding and Child protection policy

Approved by: Ruth Moor – Director of Nurture Space Ltd

Signed:



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