

NAS Whistleblowing Policy and Procedure – SO-023

Date of Issue	12-10-20
Date reviewed	September 2021
Date of next review	September 2024
Amendments	17th July 2023
Version Number	V1.5
Policy Lead	Lesley Andrews / Khursh Khan
Distribution	Education and Children's services
Date ratified by board	7 th December 2020

EQUALITY STATEMENT

We will regularly review our policies to ensure that we are

- promoting equality of opportunity
- eliminating discrimination and harassment
- valuing diversity and promoting positive relationships
- providing an inclusive education which enables all pupils to develop their full potential
- meeting the requirements of the Equality Act 2010 and the protected characteristics therein.

QUALITY OF LIFE FRAMEWORK

All NAS schools and Children's services follow our Quality of life (QoL) Framework. In implementing this framework, we listen to pupils, parents and the child's keyworker to understand what is important to them in relation to their quality of life. We then work as a transdisciplinary team to ensure we plan each child's education carefully and cohesively, shaping each pupil's provision around their EHCP and agreed developmental goals in order to develop pupils' knowledge and skills now and for the future.

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Scope

This policy explains the steps needed to be followed by both managers and employees of NAS in order to ensure that NAS applies best practice and complies with legislation.

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

Employment Rights Act 1996
DfE (2023) Keeping Children Safe in Education 2023

Speak up – we will listen

Speaking up about any concern you have at work is really important. In fact, it's vital because it will help us to keep improving our services for all those we support and the working environment for our staff.

You may feel worried about raising a concern, and we understand this. But please don't be put off. In accordance with our duty of candor, our senior leaders and entire board are committed to an open and honest culture. We will look into what you say and you will always have access to the support you need.

What concerns can I raise?

You can raise a concern about risk, bad practice or wrongdoing you think is harming the service we deliver.

Just a few examples of this might include (but are by no means restricted to):

- Sexual, emotional or physical abuse or ill treatment or exploitation of the people we support or staff.
- Any issue relating to the protection of children or vulnerable adults
- unsafe working conditions
- inadequate induction or training for staff
- lack of, or poor, response to a reported safety incident
- A bullying culture (across a team or organisation rather than individual instances of bullying).

Remember that if you are working with pupils in our school you may have a professional and statutory duty to report a concern.

If in doubt, please raise it.

Don't wait for proof. We would like you to raise the matter while it is still a concern. It doesn't matter if you turn out to be mistaken as long as you are genuinely troubled.

This policy is not for people with concerns about their employment that affect only them – that type of concern is better suited to our NAS grievance policy

Feel safe to raise your concern

If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment or victimisation of anyone raising a concern. Nor will we tolerate any attempt to bully you into not raising any such concern. Any such behaviour is a breach of our values as an organisation and, if upheld following investigation, could result in disciplinary action.

Provided you are acting honestly, it does not matter if you are mistaken or if there is an innocent explanation for your concerns.

Confidentiality

We hope you will feel comfortable raising your concern openly, but we also appreciate that you may want to raise it confidentially. This means that while you are willing for your identity to be known to the person you report your concern to, you do not want anyone else to know your identity. Therefore, we will keep your identity confidential, if that is what you want, unless required to disclose it by law (for example, by the police).

You can choose to raise your concern anonymously, without giving anyone your name, but that may make it more difficult for us to investigate thoroughly and give you feedback on the outcome.

Who can raise concerns?

Anyone who works (or has worked) in NAS, or for an independent organisation that provides services to NAS can raise concerns. This includes agency workers, temporary workers, students, volunteers and trustees.

Who should I raise my concern with?

In many circumstances the easiest way to get your concern resolved will be to raise it formally or informally with your line manager.

But where you don't think it is appropriate to do this, you can use any of the options set out below in the first instance.

If raising it with your line manager does not resolve matters, or you do not feel able to raise it with them, you can contact one of the following people:

The Head of Department / member of the Senior Leadership Team

The Principal Jon Mount

Governor with responsibility for safeguarding Pamela Marsden

If you still remain concerned after this, you can contact:

Whistleblowing@nas.org.uk

Or

National Lead for Health and Safety
Director of Assurance and Compliance
Director of Education and Children's Services

If for any reason you do not feel comfortable raising your concern internally, you can raise concerns with external bodies.

Raising your concern with an outside body

Alternatively, you can raise your concern outside the organisation with:

- Safecall – An independent company working with NAS. All calls to Safecall are confidential and you can remain anonymous if you want.
Call Safecall on 0800 915 1571 Report on line
www.safecall.co.uk/reports
Email: nas@safecall.co.uk
- NSPCC- The NSPCC Whistleblowing Advice Line offers free advice and support to professionals with concerns about how child protection issues are being handled in their own or another organisation
Call on: 0800 028 0285
Email: help@nspcc.org.uk
- The independent charity, Public Concern at Work, Tel 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.
- Social Services Departments in the case of child protection. Local address can be obtained from the Citizens Advice Bureau or the internet.
- Local Authority Designated Officer (LADO) if you have concerns about the conduct of a member of staff towards a child.
- The Police, if employees believe a serious criminal matter warrants immediate investigation.

You may wish to consider discussing your concern with a colleague first, and may find it easier to raise the matter if there are two (or more) people who have had the same experience or concerns.

You may invite a representative (e.g. a friend or advisor) to be present during any meetings or interviews in connection with the concerns you have raised.

How should I raise my concern?

You can raise your concerns with any of the people listed above in person, by phone or in writing (including email).

Whichever route you choose, please be ready to explain as fully as you can the information and circumstances that gave rise to your concern.

What will we do?

We are committed to listening to our staff, learning lessons and improving the care that we give to the people we support.

On receipt the concern will be recorded and you will receive an acknowledgement within two working days. The central record will record the date the concern was received, whether you have requested confidentiality, a summary of the concerns and dates when we have given you updates or feedback.

1. Investigation

Where you have been unable to resolve the matter quickly (usually within a few days) with your line manager, we will carry out a proportionate investigation and we will reach a conclusion within a reasonable timescale (which we will notify you of). Wherever possible we will carry out a single investigation (so, for example, where a concern is raised about a safety incident, we will usually undertake a single investigation that looks at your concern and the wider circumstances of the incident).

The investigation will be objective and evidence-based, and will produce a report that focuses on identifying and rectifying any issues, and learning lessons to prevent problems recurring.

We may decide that your concern would be better looked at under another process; for example, our process for dealing with bullying and harassment. If so, we will discuss that with you.

Any employment issues (that affect only you and not others) identified during the investigation will be considered separately.

2. Communicating with you

We will treat you with respect at all times and will thank you for raising your concerns. We will discuss your concerns with you to ensure we understand exactly what you are worried about. We will tell you how long we expect the investigation to take and keep you up to date with its progress. Wherever possible, we will share the full investigation report with you (while respecting the confidentiality of others).

3. How will we learn from your concern?

The focus of the investigation will be on improving the service we provide. Where it identifies improvements that can be made, we will track them to ensure necessary changes are made, and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

4. Board oversight

The NAS Board of Trustees will be given high level information about all concerns raised by our staff through this policy and what we are doing to address any problems.

The Board of Trustees support staff raising concerns and want you to feel free to speak up.

Making a 'protected disclosure'

There are very specific criteria that need to be met for an individual to be covered by whistleblowing law when they raise a concern (to be able to claim the protection that accompanies it).

A disclosure will qualify for protection under the legislation if it relates to one of the following (which are not exhaustive):

- The unauthorised use of the NAS funds
- Possible fraud or corruption.
- Sexual, emotional or physical abuse or ill treatment or exploitation of the people we support or staff.
- Any issue relating to the protection of children or vulnerable adults.
- Health and Safety risks (including risks to clients, the public as well as other employees) or the potential for harm
- Conduct which is an offence or breach of law.
- Disclosures related to miscarriages of justice (i.e. where NAS has acted improperly or unfairly).
- Damage to the environment.
- Other unethical conduct, including any deliberate concealment of any of the above.

In Summary:

Do	Don't
Deal with the matter promptly if you feel your concerns are warranted.	Do nothing.
Convey your suspicions to someone with the appropriate authority to deal with them.	Be afraid of raising your concerns.
Feel assured that NAS will take seriously disclosures based on honest and reasonable suspicions.	Try to investigate the matter yourself (this might hinder further enquiries at a later stage).
	Approach or accuse any individual directly.
	Convey your suspicions to anyone other than those with the proper authority.

Appendix One: Process for raising and escalating a concern

Location: Robert Ogden School

Step one

If you have a concern about a risk, malpractice or wrongdoing at work, we hope you will feel able to raise it first with your line manager.

This may be done orally or in writing.

Step two

If you feel unable to raise the matter with your line manager, for whatever reason, please raise the matter with your Principal **Jon Mount** jon.mount@nas.org.uk
If you want to raise the matter in confidence, please say so at the outset so that appropriate arrangements can be made.

Step three

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact either:

Pamela Marsden pamela.marsden@nas.org.uk

Or

Whistleblowing@nas.org.uk

Or

National Lead for Health and Safety
Director of Assurance and Compliance
Director of Education and Children's Services

Step four

You can raise concerns formally with external bodies:

- **Safecall** – An independent company working with the NAS. All calls to Safecall are confidential and you can remain anonymous if you want.
Call Safecall on 0800 915 1571 Report on line
www.safecall.co.uk/reports
Email nas@safecall.co.uk
- **NSPCC**- The NSPCC Whistleblowing Advice Line offers free advice and support to professionals with concerns about how child protection issues are being handled in their own or another organisation
Call on: 0800 028 0285
Email: help@nspcc.org.uk

- The independent charity, [Public Concern at Work](#), Tel 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

- [LADO](#) in the case of child protection or vulnerable adults.

01226 772341 or LADO@Barnsley.gov.uk

- [Employee Assistance Programme \(EAP\)](#) on 0800 072 7072
- The [Police](#), if employees believe a serious criminal matter warrants immediate investigation

Appendix Two: Safecall Poster

**Wrongdoing at work?
Be BOLD...
Speak up!**



Health & Safety
Environmental issues
Dishonesty
Discrimination
Fraud
Victimisation
Bullying

If you have any concern over wrongdoing at work

1. Report it to your line manager, or
2. Speak to a senior manager, or
3. Call Safecall

0800 915 1571

Report online at:
www.safecall.co.uk/report

All calls are treated confidentially by Safecall and you may remain anonymous if you wish.

Appendix Three: NSPCC Whistleblowing Poster



NSPCC

Things aren't being done properly, so I know we're putting the children we work with in danger. I've raised my concerns, but I kind of got... brushed off. I don't want to press it, but it feels wrong to leave it. What should I do?

A chat with your partner over a cup of tea won't change anything. A chat with us can change a child's life.

Call the NSPCC Whistleblowing Advice Line today
0800 028 0285
Free & Anonymous

EVERY CHILDHOOD IS WORTH FIGHTING FOR
www.nspcc.org.uk/whistleblowing

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