

# The NSB Trust

## Whistleblowing Policy

To be reviewed annually (to reflect the annual publication of the Keeping Children Safe in Education updates, published in September of each year)

This policy is in line with the statutory guidance contained within KCSiE 2023, Working Together to Safeguard Children 2018 and Northamptonshire Safeguarding Children Partnership Guidance as of 1 September 2023; Whistleblowing, Guidance for Employers and Code of Practice 2015;

Information relating to Northampton School for Boys

Designated Safeguarding Lead	Deputy Designated Safeguarding Lead(s)	Governance
Matt Kneeshaw Telephone: 07968530221	Craig Armstrong Telephone: 07968373231 Ilona Farkas Sarah Bradley-Brophy Lindsay Greenaway  Additional Safeguarding Leads: Jon Elder Phil Beaumont Dan Pearle, Tom Winfield Claire Alderson Laura Checkley Pete Loughney Abi Imison Helen Sharp Jeni Souter	Safeguarding Trustee Vicki Rockall  Chair of MAT Trustees Peter Bason

The named personnel with Designated Responsibility regarding allegations

Designated Senior Manager	Deputy Designated Senior Manager	Chair of MAT Trustees (in the event of an allegation against the Headteacher)
Richard Bernard	Matt Kneeshaw	Peter Bason
Data Protection Officer	Mental Health Lead	Prevent Single Point of Contact
Judicium	Lindsay Greenaway	Matt Kneeshaw Craig Armstrong Lindsay Greenaway

Information relating to Northampton School

Designated Safeguarding Lead	Deputy Designated Safeguarding Lead(s)	Governance
Katy-Jane Wilkins	Farid Charidine	Safeguarding Trustee Vicki Rockall  Chair of MAT Trustees Peter Bason

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Designated Senior Manager	Deputy Designated Senior Manager	Chair of MAT Trustees (in the event of an allegation against the Headteacher)
Matthew Edwards	Katy-Jane Wilkins	Peter Bason

Data Protection Officer	Mental Health Lead	Prevent Single Point of Contact
Judicium	Katy-Jane Wilkins	Katy-Jane Wilkins

The protection of students from harm is a responsibility shared between Statutory and Voluntary agencies with the principles established by the Children Act 1989 and Children Act 2004 being applied. Certain parts of these Acts and Statutory Guidance affect schools and details are given below:

1. The school has a statutory duty to promote and safeguard the welfare of all its students.
2. The school has a duty to protect and support any student who is subjected to suspected or proven abuse.
3. All matters involving the possibility of child abuse will be taken seriously.
4. All personnel will familiarise themselves with the types and symptoms of child abuse.
5. Staff must be in no doubt what action to take if there is any reason to believe that child abuse is or may be occurring.

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## 1. Aim of policy

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 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 whistleblowing 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 Trust in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

## 2. Legislation

This policy has been written in line with the above documents, as well as government guidance on whistleblowing. We also consider the Public Interest Disclosure Act 1998.

This policy complies with our funding agreement and articles of association.

## 3. Definition of Whistleblowing

Whistleblowing covers concerns made that report wrongdoing that is "in the public interest".

Examples of whistleblowing include (but are not limited to):

- criminal offences, such as fraud or corruption
- pupils' or staff health and safety being put in danger
- 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 about the Trust count as whistleblowing. For example, personal staff grievances such as bullying or harassment do not usually count as Whistleblowing. 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:

- further guidance on the difference between a Whistleblowing concern and a grievance that staff may find useful

- a free and confidential advice line
- [Protect - Speak up stop harm - Protect - Speak up stop harm \(protect-advice.org.uk\)](https://protect-advice.org.uk) offers further information

#### 4. Procedure for staff to raise a whistleblowing concern

##### 4.1 When to raise a concern:

Staff should consider the examples in section 3 when deciding whether their concern is of a whistleblowing 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.

##### 4.2 Who to report to:

Staff should report their concern to the headmaster. If the concern is about another member of staff, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern as soon as they are able. If the concern is about the headmaster, it should be reported to the Chair of Governors.

##### 4.3 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.

#### 5. Trust procedure for responding to a whistleblowing concern

##### 5.1 Investigating the concern

When a concern is received by the headmaster - 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 trade union or professional association representative
- 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 Whistleblowing 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, involving the chair of governors or designated safeguarding leader 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

##### 5.2 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 headteacher, Trustees and other staff, 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.

## 6. 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.

## 7. Escalating concerns beyond the Trust

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. A list of prescribed bodies to whom staff can raise concerns is included.

The Protect advice line, listed in section 3 of this document can also help staff when deciding whether to raise the concerns to an external party.

## 8. Approval

This policy will be reviewed annually.

These procedures have been agreed by the MAT Trustees.

Section 17 of the Child Protection and Safeguarding policy refers to Safeguarding concerns about and allegations against members of staff.