

FG Apprenticeships

Safeguarding Whistleblowing Policy
Francesco Group Education

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Policy

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Signed: 

Position: DIRECTOR of EDUCATION

Date: 1ST SEPTEMBER 2023

1. Policy

The purpose of this policy is to improve the way in which people and organisations safeguard and promote the welfare of young adults and children within their organisation.

Under Section 11 of the Children's Act 2004, Employers have a duty to demonstrate that they have effective arrangements in place within their organisations to safeguard and promote the welfare of young adults and children within the organisation.

Under Section 175 of the Education Act 2002, Training Academies must ensure that they have an effective Whistleblowing Policy and Procedure in place and that employees and young adults are aware of the procedure and how to use it.

2. Policy statement

Staffordshire Safeguarding Children's Board (SSCB) expect all staff and employees including adults working with children and young adults, temporary staff, volunteers, students and external partner agencies, to express any concerns that they may have with regards to the conduct of any individuals. The term 'Staff' will hereinafter include all the wider workforce, as stated above.

In line with these expectations, FG Apprenticeships is committed to the highest standards of openness, integrity and accountability. All persons working for, or within the FG Apprenticeships Academies or salons, must feel safe and supported to express their concerns and issues.

3. Policy aims

It is important to the business that any fraud, misconduct or wrongdoing by employees of the organisation is reported and properly dealt with without the fear of victimisation or discrimination. This policy does not replace the grievance policy. FG Apprenticeships therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Staff who use this policy will be protected under the Public Interest Disclosure Act (PIDA) which protects the public interest by providing a remedy for individuals who suffer work place reprisals for raising a genuine concern, whether it is a concern about child safeguarding and welfare system, financial malpractice, danger, illegality or other wrong doing.

What does the safeguarding whistleblowing policy cover?

The law provides protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by a worker/staff member who has a reasonable belief that:

- a criminal offence
- unprofessional behaviour
- bullying by staff
- any form of abuse (physical, mental, sexual or emotional)
- racial abuse
- inappropriate sexual behaviour

- knowledge of an individual's personal circumstances which may indicate they could be a risk to young people or unsuitable to work with your people
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the staff member to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is enough. The staff member has no responsibility for investigating the matter - it is the organisation's responsibility to ensure that an investigation takes place.

Staff who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

The organisation encourages staff to raise their concerns under this procedure in the first instance. If the individual is not sure whether to raise a concern, he/she should discuss the issue with his/her manager or the HR department.

4. Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the individual who raised the issue.
- Staff will not be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the individual will not be prejudiced because he/she has raised a legitimate concern.
- Victimisation for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the organisation's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, staff should not agree to remain silent. They should report the matter to a Director.

Confidentiality

All concerns raised will be treated in confidence, however, there be a need for the whistle-blower to give evidence if they have witnessed a crime or regarding disciplinary procedures if this is the outcome.

Anonymous allegations

This policy encourages staff to raise concerns to be identified in doing so as part of their professional role/responsibility. However, anonymous allegations will be investigated as fully as possible.

False allegations

If a staff member raises a concern in good faith which is not confirmed in an investigation, no action will be taken. However, if a concern is raised maliciously, disciplinary action may be taken

5. Procedure

Employees young adults and children are encouraged to raise their concerns with the designated management under the FG apprenticeships procedures for dealing with allegations about a person in position of trust. If the Designated Person is the subject of the concern the matter should be referred to a more senior member of management or, if this is not possible, the whistleblowing policy can be consulted.

Under standard procedures, if there are concerns that an adult working with young adults or children may have abused a child or be unsuitable to be working with children and young people, concerns raised will be passed onto the local authorities designated officer.

In some instance employees, young adults or children may feels they are unable to follow the FG Apprenticeships standard procedures as they may feel their position in the organisation would be in jeopardy or they may be subject to intimidation etc. In these circumstances the Whistleblowing Policy should be consulted, and the relevant Designated Person told of any issues or concerns

The policy may also be utilised in circumstances where the matter has been raised but has not been appropriately dealt with. In these circumstances' employees/young adults are encouraged to consult with HR or the person within organisation who is designated when dealing with 'whistleblowing'

When following the Whistleblowing Policy, concerns may be shared verbally, but should also be recorded in writing (Appendix 1)

How FG Apprenticeships will respond

Any concern regarding child protection must be referred to the Francesco Group Designated Safeguarding Lead or HR personnel –

If the concern is not of this nature there will be:

- Investigation by management
- Disciplinary process if appropriate
- Consideration of policies, processes and procedures if such issues arise from an investigation.

Within 10 working days of the concern being raised, the referrer will receive a written response from the responsible person which will:

- Acknowledge that the concern has been received
- Supply information on relevant support mechanisms
- Advise whether further investigation will take place
- Or advise that no further action is necessary and why

Who to contact:

Contact should be made with either HR Personnel or a Director within the business.

Francesco Group Designated Safeguarding Officer

Director of Education Craig Davies – Mobile – 07787517571

If it is felt that it would be unsafe for any reason to share a concern with any of the above people, the below are appropriate alternative authorities to consult with.

Stafford Academy – Stafford County Council

If you have concerns regarding an adult who works with a child then this should be reported to the Local Authority Designated Officer (LADO).

To report a concern to LADO please call:

First Response in the Multi Agency Safeguarding Hub (MASH): 0800 1313 126 (ask for Local Authority Designated Officer (LADO)

Education Safeguarding Advisory Service (ESAS) for the Education sector: Phone: **01785 895836**, Email: esas@staffordshire.gov.uk

Operates 08.30 to 17.00 Monday to Thursday, 08.30 to 16.30 Friday

Poole Academy

If you have concerns regarding an adult who works with a child then this should be reported to the Local Authority Designated Officer (LADO).

Dorset - **Children's Advice and Duty Service**

Telephone: **01305 228558**

Bournemouth, Christchurch or Poole - **Children's First Response Hub**

Telephone – **01202 123334**

Between 8.30 am – 5.15 pm Monday to Thursday, 8.30 am – 4.45 pm Friday

Out of the above hours or on weekends and bank holidays:

Telephone – **01202 738256**

Email – childrensfirstresponse@bcpcouncil.gov.uk

Birmingham Academy

If you have concerns regarding an adult who works with a child then this should be reported to the Local Authority Designated Officer (LADO).

Children's Advice & Support Service (CASS)

Telephone - **0121 303 1888**

Out of the above hours, call the Emergency Duty Team:

Telephone – **0121 675 4806**

If you have access to secure e-mail:

secure.cass@birmingham.gcsx.gov.uk,
if you do not have access to a secure email:
cass@birminghamchildrenstrust.co.uk

Other support

Regulatory bodies such as Ofsted also have 'Whistleblowing' hotlines. Ofsted's whistleblowing hotline is: **0300 123 3155** (08.00 to 18.00 Monday to Friday)

Protect

For independent advice, if you are unsure about what to do, you can call 'Protect' (formerly Public Concern at Work). This independent charity staffed by lawyers offers independent, confidential, free legal and practical advice on how people can raise concerns about malpractice at work.

Helpline: **020 3117 2520** E-mail: whistle@protect-advice.org.uk

Whistleblowing Report Form

Name: _____

Date: _____

Name of person completing this form:
Location/department:
Please give a brief outline of your concern? (Please give relevant names, dates, locations etc)

Were there any other witnesses? If so, please give their full contact details.

What action did you take and what still needs to be done?

Signed:

Date.....

Designation.....