

FG Apprenticeships

Safeguarding Whistleblowing Policy
Francesco Group Education

Safeguarding Whistleblowing Policy and Procedure

*To safeguard and promote the
welfare of young adults and
children*

*Francesco Group
Education*

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Signed: *Clare Denny*
Position: *Director of Education*
Date: *16th June 2021*

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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 2002, Employers have a duty to demonstrate that they have effective arrangements in place within their organisation 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) and Stoke-on-Trent Safeguarding Children's Board (SCB) 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 individuals. The term 'Staff' will hereinafter include all the wider workforce, as stated above.

In line with what is expected with the above two boards, Francesco Group is committed to the highest standards of openness, integrity, and accountability. All persons working for, or within Francesco Group's 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. Francesco Group 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 Disclosure Act which protects the public interest by providing a remedy for individuals who suffer work place reprisals for raising a genuine concern or issue.

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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 young 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 make such a protected disclosure have 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 Manager.

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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 may 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.

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5. Procedure

Employees, young adults, and children are encouraged to raise their concerns with the designated Management under Francesco Group's procedures for dealing with allegations about a person in a 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 instances, employees, young adults, or children may feel they are unable to follow the Francesco Group 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 and young adults are encouraged to consult with the HR Department or the person within the 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 Francesco Group will respond

Any concern regarding child protection must be referred to Francesco Group's Designated Safeguarding Officer (Craig Davies) or the HR Manager.

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

- An investigation by management
- A 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.

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Who to Contact

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

Francesco Group's Designated Safeguarding Officer

Director of Education – Craig Davies – 07787 517571

HR Manager – Steve Williamson – 07483 026054

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 – Staffordshire 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:

Staffordshire First Response Team: 0800 1313 126 (ask for Local Authority Designated Officer – LADO)

Poole Academy – Bournemouth and Poole 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 or email:

Bournemouth and Poole – 01202 817600 / lado@bcpcouncil.gov.uk

Birmingham Academy – Birmingham City Council

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

The LADO Team can be contacted on **0121 675 1669** or email

ladoteam@birminghamchildrenstrust.co.uk

Other Support

Regulatory bodies such as Ofsted also have Whistleblowing hotlines. Ofsted's Whistleblowing hotline is **0300 123 3155**

Protect

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

Helpline: 020 3117 2520

Email: whistle@protect-advice.org.uk

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Appendix 1 – Whistleblowing Report Form

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)

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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: _____

