

Kernow Learning

Speak Up (Whistleblowing) Policy

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Why we have this policy

This policy and procedure has been adapted to replace our whistleblowing policy and to highlight our commitment to fostering a culture of safety and learning in which all stakeholders feel safe to raise a concern about anything they believe is harmful to Kernow Learning. It sends a strong message to everyone within Kernow Learning that they are valued and that Trustees are clear that bad organisational practice will not be tolerated. As valued employees your concerns are important, and trustees encourage problems to be brought to their attention through the procedures contained within this Speak Up policy .

Kernow Learning believe that a Speak Up policy and procedure will support their endeavours to create a positive working environment with a culture of mutual trust and where the welfare of staff, pupils and stakeholders is paramount. It gives guidance to staff about how to raise a concern, and assurance that they will be provided with appropriate support. It also gives guidance to headteachers and line leaders about how to receive and investigate concerns, and the support available to ensure adherence to our vision for wellbeing for all our staff, volunteers, pupils and our wider community.

The terms “whistleblowing” and “speak up” are often used interchangeably. Kernow Learning are advocating the promotion of “speak up” because its connotations are generally more positive – encouraging employees (and other stakeholders) to voice their concerns internally without fear of retaliation. Whistleblowing makes the concern external and occurs after the event. A speak-up procedure acts as an early-warning system and can prevent any acts of misconduct becoming a reputational crisis.

Staff are protected within the policy if they “Speak Up” this does not erode but enhances their rights under The Public Interest Disclosure Act (PIDA) 1998 which makes it unlawful for an employer to dismiss or victimise a worker for having made a “protected disclosure”. Within our Speak Up policy

we are extending this protection and guarantee to listen and support, without reprisal to your concerns, to ensure Kernow Learning creates an open culture where employees are encouraged to talk about it if they see something done wrongly in their workplace. Kernow Learning whilst maintaining the confidentiality of individuals will be open about the positive outcomes of raising ethical concerns, to give all staff the confidence to share their concerns with each other and with the wider Trust.

Nobody wants to be seen to be a complainant but by adopting this Speak Up approach it is our intention to recast the whistle-blower as a contributor to the overall and on-going improvement of a school in its practices and action, working for the good of the Kernow Learning, our colleagues, our pupils, our stakeholders and our communities

1 Who is covered by this Policy?

This policy applies to all stakeholders working and volunteering at every level within Kernow Learning, including employees, contractors, agency staff, consultants, trainees, casual workers, and governors.

The Board of Trustees at Kernow Learning encourages and supports all stakeholders to Speak Up

If you have a safeguarding concern or an immediate worry about a child please contact:

School	Name	Contact number	Email
Beacon	Kim Alway	01208 72773	kalway@kernowlearning.co.uk
Charlestown	Mark Clutsom	01726 812831/ 07745729819	mclutsom@kernowlearning.co.uk
Constantine	Caroline Gilbert	01326 314070	cgilbert@kernowlearning.co.uk
Falmouth	Claire Smith	01326 314070	csmith@kernowlearning.co.uk
Foxhole	Matt Oakley	01726 812831	Head.foxhole@tlat.co.uk moakley@kernowlearning.co.uk
Leedstown	Nicola Neale	01326 314070	Head.leedstown@tlat.org.uk nneale@kernowlearning.co.uk
Mabe	Julie Jenkin (Jules)	01326 314070	Head.Mabe@tlat.org.uk Jjenkin@kernowlearning.co.uk

St Agnes	Jess Mills	01872 552648	jmills@kernowlearning.co.uk
St C Major	Marie Taylor	01637 873958	mtaylor@kernowlearning.co.uk
St C Minor	Kyja King	01637 873958	kking@kernowlearning.co.uk
St Kew	Rachel Murray	01637 873958	rmurray@kernowlearning.co.uk
St Merryn	Alison Brooke	01637 873958	arichards@kernowlearning.co.uk
St Newlyn East	Hollie Bearne	01637 874532	hbearne@kernowlearning.co.uk
The Bishops	Adam Richards	01637 874532	arichards@kernowlearning.co.uk
Trenance	Emma French	01637 874532	efrench@kernowlearning.co.uk
Trevisker	Collene Thorpe	01637 873958	cthorpe@kernowlearning.co.uk
Upton Cross	Emily Goodey	01208 72773	egoodey@kernowlearning.co.uk
Trust Strategic Safeguarding Lead	Jennie Walker	07885102717	ceo@kernowlearning.co.uk
Trust Safeguarding Team	Emma French Executive Safeguarding Lead	07503124593	efrench@kernowlearning.co.uk
	Mark Clutsom E safety lead	07745729819	mclutsom@kernowlearning.co.uk
Chair of Trustees	Kay Crosse	c/o 01637 303106 (option 4) to leave a message	Via asoltys@kernowlearning.co.uk Clerk to Trustees
Safeguarding Trustee	Tanya Ovenden Hope	c/o 01637 303106 (option 4) to leave a message	Via asoltys@kernowlearning.co.uk Clerk to Trustees

Speak up / Whistleblowing	Clare Ridehalgh	07799502406	cridehalgh@kernowlearning.co.uk
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2 Why Speaking Up is important

Consistently achieving high standards in the way we work helps us achieve the right outcomes for staff, volunteers, pupils and communities ultimately ensuring we deliver our Trust values. At Kernow Learning we are committed to working with honesty and integrity. However, sometimes things do go wrong or people behave in ways which are not appropriate or acceptable. That's why a culture of openness and accountability is so important. We also need to have a framework in place to enable all stakeholders to report issues and concerns if they are not able to raise those concerns with their Headteacher or Line Manager, or they believe that their concerns have not been dealt with appropriately. Our staff and governors, and some of our stakeholders are bound by professional codes of practice that require them to highlight misconduct or malpractice to a relevant professional body.

Speak Up – we are listening

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 outcomes for our pupils and the working environment for our staff and volunteers.

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 candour, our Senior Leaders and Board of Trustees 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.

3 Scope and purpose

The aims of this Policy are to:

- provide a fair and consistent framework within which you are encouraged to speak up, in a responsible way, about any concerns you have as soon as possible
- assure you that those concerns will be taken seriously, investigated and responded to appropriately and any request for confidentiality respected
- provide you with guidance on how to speak up
- reassure you that you are able to raise genuine concerns without fear, even if you turn out to be mistaken.

4 What concerns can I raise?

You can raise a concern about risk, malpractice or wrongdoing, which may include, but is not limited to:

- health and safety risks, including risks to pupils, staff, volunteers and our communities and our families as well as other people working with Kernow Learning
- any safeguarding concerns

- bribes or kickbacks
- information security breaches
- damage to the environment
- questionable accounting
- fraud and corruption
- serious breaches of Kernow Learning policies and/or procedures
- breaches of the law, regulation or a professional code
- actions or behaviour which could damage Kernow Learning's reputation
- miscarriage of justice
- breaches of modern slavery legislation
- behaviour or actions that you perceive to be outside of Kernow Learnings stated values.
- other unethical conduct
- actions which are intended to hide or cover up any of the above.

You don't need to wait for proof. We want you to raise the matter whilst it is still a concern. If you turn out to be mistaken you will not be at risk of reprisal, as long as it was a genuine concern and you are acting honestly.

There are some instances where there may be more appropriate procedures under which to raise a concern such as the Kernow Learning Complaints Policy or the Kernow Learning Grievance Policy. If you need help deciding which would be the most appropriate procedure for your concern you can discuss this with:

- your Line Manager
- your Speak Up Ambassador
- your Designated Safeguarding Lead or
- the Deputy CEO (Operations) who is our designated Speak Up/Whistleblowing Officer.

5 Who should you raise a concern with?

If you see an unsafe practice, risk or wrongdoing, decide whether you can tackle it yourself, there and then. A firm, polite challenge is sometimes all that is needed. If this is not an option we hope that in many cases, you will be able to raise any concerns with your Headteacher or Line Manager or, one of the people listed below. You may speak to them or write to/email them if you prefer.

Contact: concern@kernowlearning.co.uk	
Speak up Ambassadors for Kernow Learning We are training local Speak Up Ambassadors. If you are interested in this role contact concern@kernowlearning.co.uk	Clare Ridehalgh – cridehalgh@kernowlearning.co.uk Emma French – efrench@kernowlearning.co.uk Andrea Soltys – asoltys@kernowlearning.co.uk
HR Manager	Jane King – jking@kernowlearning.co.uk
Speak Up and Whistle blowing	Clare Ridehalgh – cridehalgh@kernowlearning.co.uk Trustee, Paul Wyatt – pw Wyatt@kernowlearning.co.uk

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.

If you prefer, we will keep your details confidential. However, if it becomes necessary for anyone to know your name (such as the police or another investigating body) we will discuss this with you prior to revealing your details to another person.

If you are concerned about being treated badly if someone finds out that you have raised a genuine concern, supported someone who has raised a concern or have taken part in the investigation or resolution of a concern, please be assured that you are protected against such treatment. Please report any worries you have about poor treatment to your manager or Speak Up Ambassador. You can also take advice on speaking up from someone who does not work at Kernow Learning. **Protect** are an independent charity which provides free confidential legal advice on raising concerns at work:

PROTECT

PHONE 0203 117 2520

EMAIL whistle@protect-advice.org.uk

WEBSITE <https://protect-advice.org.uk>

You may like to speak to someone independent about anxiety or other mental health issues and the following organisations can be supportive:

SAS (STAFF INSURANCE WELLBEING PACKAGE) FREE AND CONFIDENTIAL 01773 814 403

MIND www.mind.org.uk

WHISTLEBLOWING UK www.wbuk.org

6 The Investigation and the outcome of your concern

Kernow Learning is committed to the principles of Speaking Up as a route for raising concerns, and will respond in line with them. We are committed to listening to you, learning lessons and improving our Trust.

We will treat you with respect at all times and will thank you for raising your concerns. We will tell you how long we expect any investigation to take place and keep you up-to-date with its progress. Where possible we will share the full investigation report with you, while respecting the confidentiality of others.

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

Where you have been unable to resolve the matter quickly with your Line Manager (usually within a few days), we will carry out a proportionate investigation using someone suitably independent (usually from a different part of our Trust) who is appropriately trained. We will reach a conclusion within a reasonable timescale and notify you.

Wherever possible we will carry out a single investigation. For example, where a concern is raised about a Health and 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.

We will always try to deal with your concern fairly and in an appropriate way, and by using this Policy we hope that together we can achieve this. However, if you are not happy with the way your concern has been handled you can raise it with our Speak Up Trustee - Paul Wyatt (see contact details above)

In some cases, it may be appropriate for you to report your concerns to an external legal or professional body. We would encourage you to seek advice before contacting an external body, either independently from **Protect** (see contact details in 5) or from member of the Senior Leadership Team at Kernow Learning – Jennie Walker (CEO and Lead for Safeguarding), Clare Ridehalgh (DCEO (Operations) , Clare Crowle DCEO (Academic), or our Chair of Trustees, Kay Crosse.

Clare Ridehalgh – cridehalgh@kernowlearning.co.uk
Jennie Walker – CEO@kernowlearning.co.uk
Clare Crowle – ccrowle@kernowlearning.co.uk
Kay Crosse – kcrosse@kernowlearning.co.uk
Kernow Learning Auditors FRANCISCLARK LLP, LOWIN HOUSE, TREGOLLS ROAD, TRURO, CORNWALL TR1 2NA T +44 (0)1872 276477
LADO 01872 326536
Public Concern at Work (free independent advisory service) Helpline: (020) 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk
ESFA's Contact Us form: (ctl and click) https://form.education.gov.uk/fillform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

Or write to:

ESFA Complaints
Chief Executive's Office
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

ACAS 0300 123 1100

7 How we will learn from concerns raised

The focus of our learning from an investigation will be on improving our Trust in line with our values. Where an investigation identifies areas of weakness or improvements that can be made, lessons will be shared across the whole Trust and wider if appropriate.

Our Board of Trustees will be given high level information about all concerns raised by our staff, volunteers and community using this Policy and how we are responding to make the necessary changes to put things right or make improvements.

The Board of Trustees supports and encourages all stakeholders to speak up.

Annex A

Example process for raising and escalating a concern using the Speak Up Policy

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 Headteacher or Line Manager. This may be done verbally 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 a local Speak Up Ambassador, or Clare Ridehalgh, Deputy CEO Operations). These people have been given special responsibility and are trained in dealing with concerns raised via our Speak Up Policy.

They will:

- treat your concern confidentially unless otherwise agreed
- ensure you receive timely support to progress your concern
- escalate to the Board of Trustees any indications that you are being subjected to detriment for raising your concern

- remind those responsible of the need to give you timely feedback on how your concern is being dealt with
- ensure you have access to personal support because raising your concern may be stressful

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 as outlined above, please contact Paul Wyatt, Speak Up Trustee: pw Wyatt@kernowlearning.co.uk

Step four

You can raise concerns formally with external bodies (see section 6 in guidance)

Summary - for staff wishing to raise a concern under the Speak Up Policy:

DO

- make an immediate note of concerns
- keep calm
- note all relevant details, such as what was said, the date, time and names of the people involved
- Tell an appropriate person about your concerns (see section 6 above)
- remember you are a witness not a complainant
- deal with the matter quickly. Any delay may allow the problem to continue or worsen

DON'T

- do nothing
- forget there may be an innocent or good explanation
- use the Speak Up procedure to pursue a personal grievance
- be afraid of raising concerns
- try to investigate the matter yourself

SPEAK UP!

Annex B

The role of the Headteacher, Senior Leader, Line Manager

- It is a Senior Leader/Headteacher/Line Manager's responsibility to ensure that employees are made aware of the Speak Up Policy and they are given an opportunity to raise any questions about its operation. The Policy also applies to agency staff, others working for Kernow Learning and volunteers who must also be made aware that the Policy is also available to them.

- All concerns must be looked into (Headteachers, leaders and managers will be able to call on the assistance of Speak Up Ambassadors to help with this) and the employee(s) told the outcome. Concerns must be acknowledged within 5 working days and stakeholders must be given an indication of how long they can expect to wait before receiving a response.
- This Policy is based on the view that openness and accountability is the ideal. However, where the informant requests it, or in circumstances where it is considered necessary to obtain all the relevant information, the matter may need to be dealt with under terms of strict confidentiality. This could include not informing the subject of the complaint until (or if) it becomes necessary to do so.

What you should do

- make sure you are aware of the procedure to follow
- all concerns should be recorded, including the date the concern was raised, dates of interviews with relevant personnel, who was present at each interview and the action agreed
- records should be kept safely and securely; they may be required at a later date
- should any criminal activity or fraud be suspected, a Speak Up Ambassador must be informed in order to decide at what stage the police should be involved, and the Trustee responsible for the Speak Up Policy should also be alerted
- action must be taken to protect the employee raising the concern from acts of recrimination

DO

- be responsive to staff concerns
- note all details
- evaluate the allegation objectively
- advise a Speak Up Ambassador (as detailed in Contacts section of this Policy)
- deal with the matter promptly

DON'T

- ridicule suspicions raised by staff
- approach or accuse any individuals directly
- convey your suspicions to anyone other than those with the proper authority
- try to investigate the matter yourself.

Review of the Speak Up Policy

This Policy is reviewed annually by the Board of Trustees of Kernow Learning. We will monitor the application and outcomes of this Policy to ensure it is working effectively.