WHISTLEBLOWING POLICY

ORGANISATION	SKAPE North East Ltd	POLICY REFERENCE	P12
UPDATED	12 November 2026	NEXT SCHEDULED REVIEW	12 November 2027
POLICY OWNER	Centre Manager / Directors	RELATED POLICIES	Confidentiality; Safeguarding; Employee Code of Conduct

01 INTRODUCTION

The law on whistleblowing is contained in the Employment Rights Act 1996 (ERA 1996), as amended by the Public Interest Disclosure Act 1998 (PIDA) and subsequent legislation. The provisions protect workers who make certain disclosures about wrongdoing in the public interest where the statutory conditions for a protected disclosure are met.

SKAPE is committed to the highest possible standards of openness, honesty, accountability and safeguarding. Individuals should be able to raise genuine concerns without fear of reprisal. Workers who make a protected disclosure are protected by law from detriment, such as harassment or other unfair treatment. Employees are also protected from unfair dismissal because they have made a protected disclosure.

This Whistleblowing Policy is intended to encourage and enable those within the organisation to raise serious concerns within SKAPE rather than overlooking a problem. It should be read in conjunction with the Employee Code of Conduct, Safeguarding/Child Protection Policy, Allegations Against Staff procedures, Confidentiality Policy, GDPR Policy and relevant HR policies.

02 SCOPE OF POLICY

This policy covers employees, workers, agency workers including temporary workers, volunteers and contractors. It is designed to give those working within SKAPE a mechanism to draw attention to concerns about wrongdoing or unacceptable practice and to ensure that work is carried out honestly, safely and appropriately. SKAPE's commitment to fair treatment applies to everyone covered by this policy. Statutory whistleblowing protection depends on the person's working arrangements and the disclosure meeting the legal conditions; volunteers and contractors are not automatically covered by those protections.

03 AIMS AND RAISING CONCERNS

This policy aims to:

- provide a clear process to raise concerns and receive appropriate feedback on any action taken;
- allow anyone covered by this policy to take the matter further if they are dissatisfied with SKAPE's response;
- protect confidentiality so far as reasonably possible; and
- reassure workers that they will not be subjected to detriment for making a protected disclosure.

There are existing HR procedures to enable individuals to raise personal grievances relating to their own employment. This policy is intended primarily for concerns that fall outside the scope of those procedures. A personal grievance may amount to whistleblowing where the legal public-interest test is met.

Qualifying disclosures — a worker must reasonably believe that the disclosure is in the public interest and tends to show that one or more of the following has occurred, is occurring, or is likely to occur:

- a criminal offence, including fraud or corruption;
- a failure to comply with a legal obligation;
- a miscarriage of justice;
- danger to the health or safety of any individual;
- damage to the environment;
- sexual harassment; or
- the deliberate concealment of information tending to show any of the above.

Concerns may also involve safeguarding failures, breaches of SKAPE policy or professional standards, financial mismanagement, misuse of assets, abuse of position or authority, or other serious unethical conduct. Whether a disclosure attracts statutory whistleblowing protection depends on the circumstances and the legal tests above.

A person raising a concern does not need to prove that wrongdoing has occurred. They should have a reasonable belief that the information disclosed tends to show relevant wrongdoing and that the disclosure is in the public interest.

04 SAFEGUARDS

Harassment or victimisation — SKAPE recognises that the decision to report a concern can be a difficult one. SKAPE will not tolerate harassment, victimisation or other detriment because an individual has raised a genuine concern or made a protected disclosure.

The person raising the concern may not be directly or personally affected by the matter. Existing disciplinary, capability or redundancy procedures will not automatically be halted because a disclosure has been made.

Confidentiality — SKAPE will seek to protect the identity of a person raising a concern so far as reasonably possible. However, the investigation process may make it necessary to disclose information or obtain a statement, for example where required by law or to ensure a fair investigation. Information will be shared only with those who need it to respond lawfully and fairly. Records must be kept securely and handled under the Confidentiality and GDPR policies. Confidentiality requirements must not prevent a lawful protected disclosure, reporting a crime or obtaining legal or trade union advice.

Anonymous allegations — Anonymous concerns will be considered and, where appropriate, investigated. However, anonymity may make it more difficult to investigate the concern, seek further information or provide feedback. The seriousness and credibility of the concern and the likelihood of obtaining supporting evidence will be considered.

Workers may seek advice or support from their trade union, professional association or legal adviser.

Unsubstantiated or deliberately false allegations — No action will be taken against an individual merely because a concern they reasonably believed to be true is not subsequently substantiated. Deliberately making a knowingly false or malicious allegation may, however, be dealt with under the appropriate disciplinary procedure.

05 HOW TO RAISE A CONCERN

1. Concerns should normally be raised with the Centre Manager. The appropriate person will depend on the seriousness and sensitivity of the concern and whether the person receiving the concern may be involved.

2. If the Centre Manager may be involved in the matter, the concern should be raised with a Director who is not involved in the concern. If there is no appropriate uninvolved person internally, the external reporting routes in section 8 may be used.

3. Concerns may be raised verbally or in writing. Where raised verbally, the person receiving the concern will make a written record. Individuals are encouraged to provide the background and history of the concern, giving names, dates and places where possible, and the reasons for concern.

4. Individuals may seek advice from, or be supported by, their trade union/professional association or legal adviser.

5. The person receiving the concern will:

- acknowledge and record the concern;
- maintain confidentiality so far as reasonably possible;
- consider promptly what action or investigation is required;
- refer the concern to an appropriate person or external body where necessary; and
- provide appropriate feedback, subject to legal and confidentiality restrictions.

06 SAFEGUARDING WHISTLEBLOWING

All staff and others working within SKAPE should feel able to raise concerns about poor or unsafe safeguarding practice and potential failures in SKAPE's safeguarding arrangements.

Safeguarding concerns should normally be raised promptly through SKAPE's safeguarding procedures and with the Designated Safeguarding Lead (DSL), or another appropriate senior person where the concern relates to the DSL. Where a child may be at risk, staff must act immediately under the Safeguarding Policy and must not wait for the acknowledgement or investigation timescales in this policy. Call 999 if someone is in immediate danger.

Where appropriate and safe, the DSL or an uninvolved senior person will liaise with the commissioning school's DSL or the local authority's safeguarding contact. SKAPE will follow its own Safeguarding Policy alongside the commissioner's relevant procedures. Liaison must not delay protective action or necessary referrals.

Where a person feels unable to raise a safeguarding concern internally, believes that their concern is not being addressed appropriately, or needs independent advice, they may contact the NSPCC Whistleblowing Advice Line on 0800 028 0285.

SKAPE is a non-school alternative provision provider and is not Ofsted registered. This policy does not describe Ofsted as SKAPE's regulator. Where an external disclosure is appropriate, the person should identify the prescribed person or body whose statutory remit covers the particular concern.

07 HOW SKAPE WILL RESPOND

1. Initial enquiries will be made to decide what investigation or other response is appropriate. Matters that fall within another procedure, including safeguarding or allegations against staff, will normally be addressed under that procedure while preserving any applicable whistleblowing protections.

2. The action taken will depend on the nature of the concern. The matter may:

- be investigated internally;
- be referred through SKAPE's safeguarding procedures or to the DSL;
- be referred to the police or another statutory agency where appropriate;
- be referred to an auditor or relevant professional adviser; or
- be referred to an appropriate prescribed person or body whose remit covers the concern.

3. Some concerns may be resolved by agreed action without the need for a formal investigation.

4. Where practicable, within 10 working days of receiving a concern, SKAPE will acknowledge it in writing, indicate how it proposes to deal with the matter and, where possible, give an indication of timescales. This is an acknowledgement timescale; urgent safeguarding or safety action must be taken immediately.

5. If necessary, further information will be sought from the person raising the concern.

6. If a meeting is arranged, the person raising the concern may be accompanied by a trade union/professional association representative or a colleague who is not involved in the matter.

7. SKAPE will provide appropriate feedback when the matter has been dealt with, as far as possible without breaching legal duties, confidentiality or the rights of others.

08 TAKING A CONCERN FURTHER

SKAPE encourages concerns to be raised internally where appropriate, as this may enable them to be addressed promptly. However, a worker is not required to exhaust SKAPE's internal procedure before making a disclosure to an appropriate prescribed person or body where the statutory requirements for a protected disclosure are met.

A worker may also speak to a legal adviser for legal advice. Other external disclosures will only be protected where the requirements of whistleblowing law are met.

If making a disclosure to a prescribed person or body, the worker should reasonably believe that the matter falls within that body's remit and that the information disclosed, and any allegation contained in it, is substantially true.

The current government list of prescribed people and bodies should be checked to identify the organisation most appropriate for the concern. This may include, for example, the Health and Safety Executive or HM Revenue & Customs depending on the issue.

Raising a concern with the media or another third party will not automatically be protected under whistleblowing law. Anyone considering this should seek independent legal or trade union advice.

09 CONSULTATION

This policy was produced and reviewed by the SKAPE Senior Management Team.

10 MONITORING AND REVIEW

The Directors are responsible for overseeing this policy and monitoring its use. Any Director involved in a concern must not oversee the response to that concern.

SKAPE will monitor implementation of this policy and will review it annually or sooner if required by changes to legislation, statutory guidance or relevant national standards.

11 DOCUMENT REVISION HISTORY

DATE	CHANGE	APPROVAL	REV.
10/08/2023	Initial policy	K. Watson	01
31/08/2024	Annual Policy review	K. Watson	02
05/09/2025	Annual Policy review	K. Watson	03
21/09/2026	Annual Policy review	K. Watson	04
12/11/2026	SKAPE branding and layout standardised; reporting roles updated; confidentiality, urgent safeguarding action, commissioner liaison and legal protection wording aligned with related policies and current guidance.	L. James	05