

The Community Schools Policy and Procedures on Whistleblowing, Maladministration and Malpractice

Reviewed 10th February 2025 by Claire Meadows-Smith - Principal

Policy Statement

This policy makes it clear that tutors can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. The policy seeks to make it possible for all tutors to raise serious concerns within The Community Schools rather than overlooking a concern or raising that concern outside the organisation.

This policy is in addition to The Community Schools complaints procedures and other relevant statutory reporting procedures.

This policy links with the following Community Schools policies and guidance:

- Complaints Policy
- Safeguarding Policy and Procedures
- Tutors' Code of Conduct and Online Safety Procedures

This policy aims to:

- make sure that tutors feel confident in raising serious concerns about issues relating to the Community Schools practices and procedures
- provide avenues for tutors to raise those concerns and receive feedback on any action taken
- make sure that tutors receive a response to concerns raised and that tutors are aware of how to pursue those concerns further if necessary
- reassure tutors that they will be protected from possible reprisal or victimisation if they have a reasonable belief that they have made any such disclosure in good faith

Concerns from a tutor about the handling of their own personal data by the Community Schools would be unlikely to form a whistleblowing concern unless it presented wider issues in the public interest. A tutor concerned about the use of their personal data should speak with the Data Protection Officer (DPO) Further information can also be found on the Information Commissioner's website.

The Community Schools CIC is a **not-for-profit cooperative** of qualified teachers dedicated to providing safe and affordable access to the highest quality tutoring according to needs that are not properly satisfied by the education system.



This policy is intended to cover major concerns that fall outside the scope of the grievance procedures. Such concerns include:

- conduct which breaches The Community Schools financial regulations
- conduct which is illegal
- disclosures relating to miscarriages of justice
- health and safety risks, include risks to the public as well as other tutors
- damage to the environment
- any safeguarding concerns as outlined in Keeping Children Safe in Education 2024.
- other unethical conduct

Thus, any serious concerns that tutors have about any aspect of service provision or the conduct of tutors acting on behalf of The Community Schools can be reported under this policy. This may be about something that:

- makes a tutor feel uncomfortable in terms of generally acceptable standards, their own experience or the standards they believe that The Community Schools subscribes to
- is contrary to the organisations standard operating policies and procedures
- falls below accepted standards of practice or amounts to improper conduct

This Policy and Procedure does not replace The Community Schools complaints policy, or any other policy and procedure.

Procedures

Safeguards

The Community Schools recognises that the decision to report a concern can be a difficult one to make. We will fully support any tutor who reports, in good faith, any concerns that they have.

The Community Schools will not tolerate any harassment or victimisation [including informal pressures] of tutors who report concerns and will take appropriate action to protect those who raise a concern in good faith.

Confidentiality

All concerns will be dealt with in confidence and every effort will be made not to reveal the identity of a member of the tutor who raises a concern. If, however a concern leads to disciplinary action against a tutor who is accused of improper conduct, it may be necessary for the tutor who raised the concern to give evidence as a witness in disciplinary proceedings, or to provide information to an out body i.e., the Police.

Anonymous Allegation

Concerns expressed anonymously may be considered at the discretion of the Community Schools. However, tutors are encouraged to put their name to any concerns raised to aid investigation of those concerns. In exercising discretion in relation to anonymous allegations the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the allegation
- the likelihood of confirming the allegation from attributable sources

Untrue Allegations

If a tutor makes an allegation in good faith, but it is not substantiated by the investigation, no action will be taken against that tutor. If, however, a tutor makes an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them

Procedure for Raising Concerns

Tutors should feel able to raise concerns about poor or unsafe practice and potential failures in the Community Schools safeguarding regime.

Tutors should normally raise concerns in writing with the Principal or Director of Online Learning.

Employees who wish to make a written report are encouraged to use the following format:

- the background and the nature of the concern [giving relevant dates]
- the reason why they are particularly concerned about the situation

Although tutors are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate that there are reasonable grounds for concern.

Where a staff member or tutor feels unable to raise the issue with the Principal or Director of Online Learning manager, or feels that their genuine concerns are not being addressed, other whistleblowing channels are open to them:

- general guidance on whistleblowing can be found via: **Advice on Whistleblowing the NSPCC's what you can do to report abuse dedicated helpline** is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by the Community Schools . Tutors can call 0800 028 0285 – the line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk

How The Community Schools will Respond

The Community Schools will respond to all concerns raised except those anonymous allegations where discretion is exercised not to do so as outlined in the **Anonymous Allegation** section of this policy.

The Community Schools will deal appropriately and promptly with all allegations or concerns and refer all safeguarding concerns or allegations about its directors, tutors immediately to the appropriate local authority designated officer (LADO).

It is a matter of policy that any director or tutor, against whom a substantial safeguarding allegation is made, will be suspended without prejudice immediately pending investigation.

This will be the case even if the allegation is not linked to their role or activity with the Community Schools. Such instances will be rare occasions and any decision to suspend will not be taken lightly. The decision will be taken after full discussions with the DSL.

When a concern is raised, initial enquiries will be made by the person(s) receiving the complaint, to decide whether an investigation is appropriate and, if so, what form it should take. Some concerns may be resolved by agreed action without the need for investigation.

The overriding principle is to act in the public interest.



Concerns or allegations which fall within the scope of specific procedures [for example, safeguarding and child protection)

If urgent action is required this will be taken before any investigation is conducted. If it is decided that an investigation is required, this may be undertaken using The Community Schools existing procedures and/or by involving the police.

Within ten working days of a concern being raised, the tutor will be contacted by the Principal

- to acknowledge that the concern has been received
- to indicate how The Community Schools proposes to deal with the matter
- supplying information on support mechanisms
- stating whether further investigation will take place and if not, why not

The level of contact between the persons investigating the concern and the tutor who raised the initial concern will depend on the nature of the concern, the potential difficulties involved and the complexity of the information provided. If necessary, further information will be sought from the tutor who raised the initial concerns.

Where any meeting is arranged, if they so wish, the tutor who raised the initial concerns can be accompanied by a union or professional association representative or a friend.

This policy seeks to minimise any problems which may arise as a result of raising a concern. For instance, if required to give evidence in criminal or disciplinary proceedings, the tutor will be given advice and guidance on the procedures.

The Community Schools accepts that tutors need to be assured that the matter has been properly addressed. Subject to legal constraints, any tutor who raises initial concerns will be informed of the outcome of any investigation.

Next Review Date September 2025