



# Whistleblowing Policy

## 1. Purpose

Bay Learning Academy CIC is committed to the highest standards of safeguarding, integrity, and accountability. This policy provides a clear, safe, and trusted route for individuals to raise concerns about wrongdoing, safeguarding failures, or serious risk in the public interest.

Whistleblowing is recognised as a **core safeguarding mechanism** and a key element of the safeguarding culture expected by Ofsted and required under statutory guidance.

This policy is written in line with:

- Public Interest Disclosure Act 1998
- UK employment law
- Safeguarding legislation
- *Keeping Children Safe in Education* (latest edition)
- Ofsted expectations regarding safeguarding culture and leadership accountability

## 2. Scope

This policy applies to:

- Employees (permanent, fixed-term, temporary)
- Workers and agency staff
- Contractors and consultants
- Volunteers
- Directors

Former workers may also raise concerns relating to their time at Bay Learning Academy CIC.

## 3. What Is Whistleblowing?

Whistleblowing is the disclosure of information that a worker reasonably believes shows wrongdoing or risk in the public interest.

This includes concerns about:

- Safeguarding failures or risks to children and young people
- Conduct or behaviour that places children at risk
- Criminal activity or suspected criminal behaviour
- Breaches of legal, regulatory, or safeguarding obligations
- Health and safety risks



- Financial malpractice, fraud, or misuse of public funds
- Abuse of power or serious misconduct
- Attempts to conceal wrongdoing

Concerns may relate to **any individual**, including senior leaders or directors.

## 4. What This Policy Does Not Cover

This policy does not apply to:

- Personal employment issues (these should be raised under the Grievance Policy)
- Disciplinary matters where no public interest concern exists

If there is uncertainty, advice should be sought before deciding which procedure applies.

## 5. Safeguarding and Statutory Alignment

In line with *Keeping Children Safe in Education*, Bay Learning Academy CIC:

- Promotes a **culture of vigilance, openness, and professional curiosity**
- Actively encourages staff to raise concerns where safeguarding systems, behaviours, or leadership may place children at risk
- Makes clear that **no concern is too small** and that safeguarding responsibilities override organisational hierarchy

Any whistleblowing concern involving **risk of harm to a child or young person** will be treated immediately as a **safeguarding concern** and managed in line with the Safeguarding Policy.

## 6. Legal Protection for Whistleblowers

Under the Public Interest Disclosure Act 1998:

- Workers are legally protected from dismissal or detriment for raising protected disclosures
- Protection applies where concerns are raised honestly and reasonably
- A whistleblower does not need proof, only a reasonable belief

Bay Learning Academy CIC will not tolerate retaliation, victimisation, or suppression of concerns. Any such behaviour will be treated as a disciplinary matter.

## 7. Low-Level Concerns About Adults

### 7.1 Purpose

Bay Learning Academy CIC recognises that **low-level concerns** about adults working with children are essential to maintaining a strong safeguarding culture.



A low-level concern is any concern about an adult's behaviour that:

- Is inconsistent with the staff code of conduct
- Causes unease or professional concern
- Does not meet the threshold for a safeguarding allegation or whistleblowing

## 7.2 Examples of Low-Level Concerns

Low-level concerns may include:

- Inappropriate language or tone
- Over-familiarity with learners
- Poor professional judgement
- Failure to follow safeguarding procedures consistently
- Conduct that undermines safeguarding culture

Staff do **not** need proof—only a reasonable concern.

## 7.3 Reporting Low-Level Concerns

Low-level concerns should be reported promptly to:

- The Principal
- A Director
- The Designated Safeguarding Lead

Concerns may be raised verbally or in writing and can be raised about **any adult**, including senior leaders.

## 7.4 Recording, Review, and Escalation

In line with KCSIE:

- Low-level concerns are recorded securely
- Records are reviewed to identify patterns, risk, or training needs
- Concerns are escalated where:
  - Patterns emerge
  - Risk increases
  - Safeguarding thresholds are met

Low-level concerns are not disciplinary findings unless thresholds are reached.

## 8. How to Raise a Whistleblowing Concern

### 8.1 Internal Reporting

Concerns should be raised as soon as possible to:

[admin@baylearning.academy](mailto:admin@baylearning.academy) | [www.baylearning.academy](http://www.baylearning.academy)

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- The Principal
- A Director
- The Designated Safeguarding Lead (where safeguarding is involved)

Concerns may be raised verbally or in writing. Anonymous disclosures will be considered, though anonymity may limit investigation.

## 8.2 Information to Provide

Where possible, the whistleblower should include:

- The nature of the concern
- Dates, times, and locations
- Individuals involved (if known)
- Any supporting information or evidence

## 9. Investigation and Response

Bay Learning Academy CIC will:

- Take all concerns seriously
- Assess concerns promptly
- Carry out proportionate investigations
- Refer matters to external agencies where required

The whistleblower will be informed that the concern has been received and, where appropriate, updated on progress, subject to confidentiality and data protection.

## 10. Confidentiality

All reasonable steps will be taken to protect the whistleblower's identity. Identity will only be disclosed where:

- Legally required, or
- Necessary to investigate or safeguard

Information will be handled in line with data protection law.

## 11. External Reporting

If internal reporting is not appropriate, or concerns have not been addressed, whistleblowers may raise concerns with external bodies, including:

- Local Authority / LADO
- Ofsted



- Police
- Health and Safety Executive

Staff are encouraged to seek advice before external disclosure but are not prevented from doing so.

## 12. False or Malicious Allegations

Concerns raised in good faith will never result in disciplinary action.

Deliberately false or malicious allegations may be addressed under the Disciplinary Policy.

## 13. Roles and Responsibilities

- **Directors and Senior Leaders**

Promote a speak-up culture, ensure concerns are acted upon, and oversee safeguarding systems.

- **Designated Safeguarding Lead**

Manage safeguarding-related disclosures and escalation.

- **All Staff and Workers**

Raise concerns where they believe wrongdoing or risk exists.

## 14. Commissioning Evidence Statement

Bay Learning Academy CIC can demonstrate that:

- Whistleblowing is embedded within safeguarding practice
- Staff understand how to raise:
  - Low-level concerns
  - Safeguarding concerns
  - Whistleblowing disclosures
- Concerns can be raised about **anyone**, including leadership
- Staff are protected from detriment
- Safeguarding culture is proactive, not reactive

This meets Ofsted expectations that safeguarding is effective, transparent, and continuously reviewed.

## 15. Monitoring and Review

This policy will be reviewed regularly to ensure continued compliance with:

- Employment law
- Safeguarding legislation
- *Keeping Children Safe in Education*
- Ofsted frameworks