



TEENAGE KICKS

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RAISING CONCERNS AND WHISTLEBLOWING POLICY

Approved by:	James Docherty
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Teenage Kicks Limited

2A Partington Street, Failsworth, Manchester, M35 9RD

Tel: 0161 243 3868 Web: www.teenagekicks.uk Email: info@teenagekicks.uk

Headteacher: Mr C Valentine

1. Policy Statement

Teenage Kicks takes a very serious view of any fraudulent behaviour, serious malpractice and general abuse occurring in the workplace. Teenage Kicks encourages all employees to raise concerns. These will be treated seriously and addressed appropriately.

2. People Affected by this Policy

All employees and others who carry out work for or on behalf of Teenage Kicks, including agency workers, contractors and trainees. Volunteers are also encouraged to raise concerns under this policy, although statutory whistleblowing protection depends on the individual meeting the legal definition of a worker.

3. Procedure (that all staff MUST follow)

3.1 Principles

Every worker has a responsibility to raise serious concerns about wrongdoing. A disclosure may qualify for statutory whistleblowing protection where the worker reasonably believes that it is in the public interest and that it tends to show one or more of the following types of wrongdoing:

- A criminal offence or activity which has been, or is likely to be, committed. This could include neglect, abuse, theft, fraud, breach of data-protection law, etc.
- The breach of a legal obligation.
- A potential, or actual, danger to the health and safety of any individual. This can include medical negligence, dangerous working environments etc.
- Activities which present a serious risk to the environment.
- Sexual harassment.
- A miscarriage of justice.
- A deliberate attempt to conceal information tending to show any of the above.

Whistleblowing disclosures should be made where the worker has a reasonable belief that the information is genuine and in the public interest. Once a disclosure has been made, it will be treated seriously and investigated appropriately. The individual, or individuals, who raise the concern will be supported and protected from detriment in line with the law and this policy.

Concerns which do not constitute a whistleblowing disclosure should also be treated as serious, with appropriate action taken to address the concerns.

3.2 What is a Whistleblower?

A whistleblower is someone who makes a disclosure which is in the public interest and relates to one or more of the list of disclosures within section 3.1. To qualify as a disclosure the worker must raise their disclosure as highlighted within sections 3.5 and 3.7.

All other concerns will be viewed as employees fulfilling their duty of care and raising a concern, as opposed to whistleblowing.

In some instances, a worker may raise a whistleblowing disclosure under an alternative policy (e.g. grievance). Once it is apparent a protected disclosure has been made, even if the worker is

unaware that the disclosure is protected, this will be covered by the Whistleblowing Policy. This means the worker is eligible for the support and protection given to all whistleblowers. If the worker is unaware their disclosure is protected, they will be informed of this.

Whistleblowing will not be used when a worker is personally aggrieved or affected by an issue. This may include concerns regarding their terms and conditions or personal issues within their working life. These issues should be managed through either the Grievance Policy or complaints process, depending upon a worker's employment status.

A worker will not be penalised for raising a concern where they reasonably believe the information disclosed is genuine and in the public interest, even if the concern later proves unfounded. Deliberately false or malicious allegations may, however, be dealt with under the appropriate disciplinary or contractual procedure.

3.3 Raising a Concern

Concerns raised which do not fulfil the criteria listed in section 3.1 are not whistleblowing disclosures. However, it is important that any concerns are raised appropriately.

Where a matter is a routine practice concern and it is safe and appropriate to do so, a worker may raise it informally with the person involved or their line manager. Safeguarding concerns, suspected criminality, serious wrongdoing or concerns about a senior leader must not be delayed by an informal challenge and should be escalated immediately under the appropriate procedure.

On occasion the worker may not feel able to challenge a colleague or believe their concern warrants escalation to a manager. Employees can report these concerns to either their line manager or another more senior manager. Workers who are not employees may not have a line manager. These individuals should initially raise concerns to an appropriate contact they have within Teenage Kicks.

3.4 Investigating a Concern

Concerns which are not covered by whistleblowing should still be given consideration, as they can help improve the quality of service delivered by Teenage Kicks. Concerns raised will be dealt with as appropriate under the circumstances.

3.5 Raising a Whistleblowing Disclosure

Whistleblowing disclosures are serious and should always be reported. Employees should disclose these concerns to either their line manager or another more senior manager.

Once a disclosure is made the whistleblower should give as much detail as possible and, where possible, will be asked to provide their contact details. The disclosure will then be investigated.

3.6 Investigating a Whistleblowing Disclosure

All whistleblowing disclosures will be investigated. Once an investigation is completed, the investigating manager will recommend appropriate action.

A disclosure made under the Whistleblowing Policy does not give the worker a right to know the outcome of any action taken, however where reasonable, appropriate feedback will be given.

3.7 Escalating a Whistleblowing Disclosure

Should a worker make a disclosure and it is not appropriately addressed, the disclosure should be escalated to a more senior manager.

If the whistleblower reasonably believes the concern has not been adequately addressed internally, or it would be inappropriate to raise it internally, they may make a disclosure to an appropriate prescribed person or body, seek independent legal advice, or use an applicable safeguarding whistleblowing route. The current list of prescribed persons and bodies is published by the Department for Business and Trade on GOV.UK. Staff should obtain advice if unsure about the legal conditions for an external protected disclosure.

Where a concern relates to child safeguarding and the school's internal routes cannot be used or have failed to act, staff may contact the NSPCC Whistleblowing Advice Line on 0800 028 0285 or email help@nspcc.org.uk. Ofsted is also a prescribed body for certain matters within its remit and can be contacted through its published whistleblowing route.

3.8 Protection of Whistleblowers

The Employment Rights Act 1996, as amended by the Public Interest Disclosure Act 1998, protects qualifying workers from detriment for making protected disclosures. The school will protect confidentiality as far as reasonably possible, but cannot promise absolute anonymity because information may need to be shared to investigate the concern, meet safeguarding duties or comply with the law.

Action will be taken to protect workers who blow the whistle from any detriment, recrimination or victimisation as a result of blowing the whistle. Any harassment or vexatious conduct by an employee towards an individual who has blown the whistle constitutes gross misconduct and will be investigated in line with the Disciplinary Policy.