



Whistleblowing, Raising Concerns and Freedom to Speak Up Policy

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Version History

| Version No. | Author/Editor | Approved by | Date Issued | Next Review Date | Brief Summary of Changes |
|-------------|------------------|--------------|-------------|------------------|--------------------------|
| 1 | Lorraine Miranda | Rhea Marwaha | 15.04.2026 | 14.04.2027 | New Policy |
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Executive Summary

The policy has been to allow members of staff and others to raise concerns about their work in a way that still ensures their interests are protected and as such it complies with the Public Interest Disclosures Act 1998 and the National Guidelines on Freedom to Speak UP.

Where concerns are raised, those raising them do not have to investigate the matter themselves or prove the wrongdoing; however, any disclosure raised must be reasonably believed to be in the public interest. In children's residential settings, staff have a statutory duty under Regulation 34 (Duty to Safeguard and Promote the Welfare of Children) of The Children's Homes (England) Regulations 2015 to report any matter which may compromise the welfare, safety, or protection of a child. This policy should therefore be read alongside the home's Safeguarding and Child Protection Policy and Code of Conduct.

Concerns should initially be raised with the immediate line manager. If it is not thought this is appropriate, then the concern may be raised with a member of the HR team.

When a concern has been reported, it will be investigated and, if required, an Investigating Officer appointed. Where appropriate, feedback will be provided to the person initially raising the concern. Individuals can choose to raise their concern anonymously, without giving anyone their name, but it may make it more difficult for the Company to investigate thoroughly and give feedback on the outcome.

It is expected that concerns are raised, following the procedure outlined within the policy, before involving any external agencies

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Statement of Intent

Nova Newcastle Ltd is committed to open and honest communication and ensuring the highest possible standards in integrity – we will always treat whistleblowing as a serious matter.

In line with Nova Newcastle Ltd 's commitment to openness, probity and accountability, team members are encouraged to report concerns. This policy will work to ensure that, if an employee sees or suspects that something is wrong, they will raise this with Nova Newcastle Ltd. This is known as “blowing the whistle” – a phrase that is used throughout this policy and should be viewed as a positive action of speaking up.

This policy seeks to ensure that any member of the team who suspects malpractice knows how to raise concerns and what procedures are in place to deal with the concern.

Where this policy necessitates personal or special category data to be processed, it will be done so in accordance with Nova Newcastle Ltd 's Data Protection Policy. This policy will not be confused with the procedure on dealing with harassment at work or Nova Newcastle Ltd 's Grievance Policy and Disciplinary Policy and Procedure.

This policy will:

Give confidence to members of team when raising concerns about conduct or practice that is potentially illegal, corrupt, improper, unsafe or unethical, or which amounts to malpractice or is inconsistent with school standards and policies.

Provide members of the team with avenues to raise concerns.

Ensure that members of team receive a response to the concerns they have raised and feedback on any action taken.

Offer assurance that members of team are protected from reprisals or victimisation for whistleblowing action undertaken in good faith and within the meaning of the

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PIDA. (Public Interest Disclosure Act 1998) Under this policy, any of the following can raise a concern:

- Employees of Nova Newcastle Ltd Alternative Provision
- Voluntary workers working with Nova Newcastle Ltd Alternative Provision
- Trainees, such as students/work experience and apprentices
- Agency Staff
- Peripatetic Tutors
- Contractors
- LA Commissioned Professionals

This also applies to visiting professionals, agency staff, commissioned tutors, contractors, and partner organisations working with learners.

Nova Newcastle Ltd recognises that whistleblowing is a vital safeguarding mechanism. All staff have a professional duty to raise concerns where practice may place a child or young person at risk, including concerns about staff conduct, poor safeguarding culture, or failures to act on disclosures

Scope – Who This Policy Applies to

This policy applies to all staff working at or on behalf of Nova Newcastle Ltd, including permanent, temporary, agency staff, contractors, volunteers, commissioned professionals, trainees and partner organisations.

This policy also applies equally to safeguarding-related concerns, where a child or young person may be at risk of harm.

1. Legal Framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Public Interest Disclosure Act 1998

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- Employment Rights Act 1996
- DfE (2023) 'Keeping children safe in education 2025
- GOV.UK (2012) 'Whistleblowing for employees'
- Sir Robert Francis (2015) 'Freedom to speak up report'
- Public Interest Disclosure Act 1998
- Employment Rights Act 1996
- Education Act 2002 (Safeguarding duties)
- Ofsted Inspection Framework for AP
- Working Together to Safeguarding Children 2023

This policy operates in conjunction with the following school policies:

- Disciplinary Policy and Procedure
- Complaints Procedures Policy
- Data Protection Policy
- Grievance Policy

This policy also has regard to Alternative Provision statutory guidance and Ofsted expectations regarding safeguarding culture and professional accountability.

2. Legal Framework

The Public Interest Disclosure Act 1998 (PIDA) protects employees who “blow the whistle” where the employee reasonably believes that the disclosure falls within the remit of the prescribed person or body, and that the information and any allegations are substantially true. Disclosures made under this procedure will be monitored for statistical purposes as required under the PIDA. The details of any disclosure will remain confidential.

The Head of Provision is the first point of contact for whistleblowing queries. If the allegation is related to the Head of Provision, the concern will be raised with the chair of the Proprietor/Management Committee.

Staff may raise concerns with the DSL, Responsible Individual, senior leadership, HR, or an identified Speak Up Guardian/advocate where they feel unable to approach line management.

Any member of Nova Newcastle Ltd community or the general public is able to “blow the whistle”; however, the PIDA only protects employees. The

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'Nonemployees' section of this policy includes further details on how whistleblowing affects non-employees.

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3. Definitions

“Whistleblowing” is when an employee report suspected wrongdoing, or ‘qualifying disclosures’, at work to their employer.

As outlined by the PIDA, “qualifying disclosures” pertain to when any of the following takes place:

- A criminal offence has been committed, is likely to be committed or is being committed.
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
- A miscarriage of justice has occurred, is occurring or is likely to occur.
- The health or safety of any individual has been, is being or is likely to be endangered.
- The environment has been, is being or is likely to be damaged.
- Information tending to show any matter falling within any of the preceding points has been, is being or is likely to be deliberately concealed.

“In the public interest” means that an individual acted outside of their own personal interest – they acted for more than personal gain. It is not necessary for the disclosure to be of interest to the entire public. The following considerations are often used as a test to establish whether something is within the scope of public interest:

- The number of people in the group whose interests the disclosure served.
- The nature of the interests and the extent by which individuals are affected by the wrongdoing disclosed.
- The nature of the wrongdoing disclosed.
- The identity of the alleged wrongdoer

“Blacklisting” refers to an individual who is being refused work because they are viewed as a whistleblower.

“Grievances” involve someone filing a complaint because they personally have been mistreated in some way – the person making the complaint will have a direct interest in the outcome. It is important to understand the difference between raising a grievance and blowing the whistle.

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4. Examples of Concerns That Must Be Reported

Include (but are not limited to):

- failure to follow safeguarding procedures
- inappropriate staff conduct or boundary breaches
- unsafe restraint or restrictive practice
- exploitation, radicalisation, missing episodes
- falsifying child records
- breaches of Ofsted/Independent School Standards
- criminal offences or fraud

5. Roles and Responsibilities

As an Alternative Provision, Nova Newcastle Ltd is overseen by the Proprietor/Management Committee, who fulfil the governance responsibilities outlined in this policy by

- Establishing and agreeing the whistleblowing procedure.
- Monitoring the effectiveness of this policy and undertaking necessary reviews.
- Ensuring all members of Nova Newcastle Ltd community have access to this policy.
- Investigating, in liaison with the manager and leadership team, any concerns that are raised.
- Ensuring this policy provides an open and transparent framework where employees can raise their concerns.
- Taking necessary action against members of the team following an investigation into any alleged malpractice.
- Ensuring that the minutes of the governing board include a record of Nova Newcastle Ltd's whistleblowing arrangements and who, both internally and externally, the team should report concerns to.
- Appointing one governor and one member of the team to act as points of contact for team members when reporting concerns.

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The manager will be responsible for:

- Ensuring all members of team have read and understood this policy.
- Receiving, investigating and responding to any concerns that have been raised by team members.
- Being the first point of contact regarding whistleblowing.

The chair of the Proprietor/Management Committee will be responsible for receiving any concerns raised about the Head of Provision.

All members of the team will be responsible for:

- Raising any concerns that meet the definitions in the 'Definitions' section of this policy.
- Being truthful and reasonable with any concerns that they have.
- Not raising malicious or unfounded concerns.

6. Harassment and Victimization of Team Members

Nova Newcastle Ltd recognises that the decision to report a concern can be a difficult one to take, not least because of the fear of reprisal from those responsible for the malpractice or from Nova Newcastle Ltd as a whole; however, Nova Newcastle Ltd will not tolerate any such harassment or victimisation and will take appropriate action to protect the team member who raise a concern in good faith.

Nova Newcastle Ltd recognises that the decision to report a concern can be a difficult one to take, not least because of the fear of reprisal from those responsible for the malpractice or from Nova Newcastle Ltd as a whole; however, Nova Newcastle Ltd will not tolerate any such harassment or victimisation and will take appropriate action to protect the team member who raises a concern in good faith

Team members are protected in law by the PIDA, which gives employees protection from detriment and dismissal where they have made a protected disclosure, providing the legal requirements of the Act are satisfied, e.g. the disclosure was in the public interest.

Any member of the team who victimises or harasses a team member as a result of their having raised a concern in accordance with this policy will be dealt with under Nova Newcastle Ltd 's Disciplinary Policy and Procedure.

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7. Non-Employees

The PIDA and the Employment Rights Act 1996 do not protect non-employees as far as whistleblowing is concerned. Irrespective of this, Nova Newcastle Ltd will not allow harassment, dismissal or exclusion for any non-employee who raises a genuine concern.

Where an individual feels that they have been unfairly treated following blowing the whistle, they should make a complaint under Nova Newcastle Ltd 's Complaints Procedures Policy.

management oversight body are not employees and, while they are responsible for ensuring there is a whistleblowing procedure in place, they are not protected under the PIDA.

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8. Good Practice Principles

Nova Newcastle Ltd will implement the core whistleblowing principles, as outlined in the 'Freedom to speak up report', to ensure that whistleblowing procedures are fair, clear and consistent.

Nova Newcastle Ltd will implement a culture of change by ensuring the following principles are reflected in our ethos and values – there will be a culture:

- Of safety in Nova Newcastle Ltd.
- Where people feel confident with raising concerns.
- Free from bullying.
- Of visible leadership.
- Of valuing staff.
- Of reflective practice.

By providing a clear procedure for mediating and resolving cases, as outlined in the 'Procedure' section of this policy, Nova Newcastle Ltd will ensure that all cases are efficiently handled. This procedure includes:

- How to raise and report concerns.
- How investigations will be conducted.
- How Nova Newcastle Ltd will mediate and resolve disputes.

Nova Newcastle Ltd will implement measures to support good practice by ensuring adherence to the following principles:

- Offering relevant training to staff
- Providing the necessary support to staff
- Providing support to team members who are seeking alternative employment.
- Being transparent
- Being accountable

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- Conducting an external review of any concerns raised, where necessary
- Undertaking regulatory action as required
- Informing team members what protection is available to them if they report someone.
- Ensuring that alternative whistleblowing channels are in place for members of team member who feel unable to raise an issue with their employer.

Nova Newcastle Ltd will ensure there are particular support measures in place for vulnerable groups by adhering to the following principles:

- Ensuring non-permanent team members are taught, and receive training on, the same principles as permanent staff.
- Ensuring trainees are subject to all the safeguarding and whistleblowing principles.
- Ensuring team members from ethnic minorities are supported, as they may feel particularly vulnerable when raising concerns.
- Ensuring team members are empowered and protected, enabling them to raise concerns freely.

9. Speaking up Culture

Nova Newcastle Ltd promotes a 'speak up' culture where staff feel psychologically safe to challenge poor practice

Alternative Provision learners are often vulnerable:

Concerns relating to exploitation, radicalisation, missing episodes or unsafe restraint practices must always be escalated immediately.

10. Procedure

When an individual is raising a concern about the Head of Provision, they should express their concerns in writing to the chair of Proprietor/Management Committee. Where this is the case, the chair of the Proprietor/Management Committee will take on the Head of Provision's duties outlined in the 'Interview and investigation' section of this policy.

When individuals raise their concern, they will include the following information as far as possible:

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- The background and history of the concern
- Any relevant names, dates, and places
- The reasons for the concern
- Nova Newcastle Ltd encourages individuals to let their identity be known when they raise concerns, as anonymous concerns can be challenging to investigate. However, Anonymous disclosures will still be considered, particularly where safeguarding concerns are raised, although investigation may be limited by the information provided.

Concerns may be raised openly, confidentially or anonymously.

Anonymous disclosures will be considered, particularly where safeguarding concerns are raised, although this may limit the ability to investigate fully or provide feedback.

Individuals who would like to seek professional and confidential advice should contact Protect, a registered charity that advises on whistleblowing queries. The Protect website can be accessed here (www.protectadvice.org.uk), or they can be contacted on 020 31172520

Once an individual has raised a concern, Nova Newcastle Ltd, will be responsible for investigating it.

In certain instances, it may be appropriate for the individual to raise the concern with an outside agency, e.g. the police, depending on the severity of the concern. Equally, it may be appropriate for the individual to request that their trade union raises the matter.

Appropriate whistleblowing procedures will be put in place for concerns about poor or unsafe practice and potential failures in Nova Newcastle Ltd 's safeguarding system to be raised with the leadership team.

Where a concern relates to the safety or welfare of a child or young person, it must be treated as a safeguarding concern and reported immediately to the DSL or Head of Provision.

No internal investigation must delay referral to the Local Authority Designated Officer (LADO), children's social care or the Police where statutory thresholds are met.

If a member of the team feels like they are unable to raise a safeguarding-related concern with Nova Newcastle Ltd or feels that their genuine concerns are not being addressed, they are able to contact the NSPCC Whistleblowing Helpline on 0800 028 0285 or the Newcastle Local Authority Designated Officer (LADO) via Newcastle Children's Safeguarding Partnership procedures .

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Nova Newcastle Ltd, or the appropriate external agency, will acknowledge receipt of a disclosure but, unless additional information is required, will not contact or engage in dialogue with the whistleblower, as this may undermine the legitimacy of the investigation outcome.

Staff may also raise concerns directly with Ofsted, the Department for Education, the Local Authority, or the Police where appropriate, particularly where safeguarding thresholds are met or internal reporting has not resulted in action.

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11. Interview and Investigation

The manager will write to the individual within 10 working days of the initial meeting to confirm that the concern has been received, as well as to indicate proposals for dealing with the matter.

The whistleblower will be treated with respect, thanked for raising the concern, and kept informed of progress within the limits of confidentiality and GDPR.

The initial stage will be an interview with the whistleblower, and then an assessment of further action will be discussed. During this initial stage, the Head of Provision will establish if:

- There are grounds for a concern and that it is genuine.
- The concern was raised in accordance with this policy.

During the initial interview, the Head of Provision will request the individual puts their concern in writing, if they have not already done so. The Head of Provision will write a summary of the concern if the individual is unable to put it in writing.

The Alternative Provision Manager will explain the following to anybody raising a concern:

- How they will communicate with the complainant throughout the process. It should be noted, the need for confidentiality may prevent Nova Newcastle Ltd giving the complainant specific details of any necessary investigation or any necessary disciplinary action taken as a result of the concern.
- That the complainant's identity will be kept confidential from the alleged wrongdoer.
- That the governing board will do everything in its power to protect the complainant from discrimination.
- That if the concern is genuine, even if the concern is not confirmed, no disciplinary action will be taken against the complainant.

If clear evidence is uncovered that the complainant's concern is malicious or unfounded, disciplinary action may be brought against them.

If an investigation is carried out, the whistleblower will be informed of the final outcome.

A record will be kept of the seriousness of the issues raised and the credibility of the concern. All records will be kept confidential and will be stored in line with Nova Newcastle Ltd's Records Management Policy.

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It may be possible for the concern to be resolved by simply agreeing the necessary action or explaining procedures to the alleged wrongdoer; however, depending on the severity and nature of the concern, it may:

- Be investigated by management, an internal audit or through the disciplinary process.
- Be referred to the police or an external auditor.
- Form the subject of an independent inquiry.

If the investigating officer needs to talk to the whistleblower, they are permitted to be accompanied by a trade union representative, a professional association representative, a friend or a fellow member of team member not involved in the area of work that the concern relates to. This person will provide support only and will not be allowed to become involved in the proceedings.

A record will be made of the nature and outcome of the concern. The purpose of this is to ensure that a central record is kept which can be cross-referenced with other complaints to monitor any patterns of concern across Nova Newcastle Ltd and to assist in monitoring the procedure.

The whistleblower will be informed of the results of the investigation, and any action that is proposed will be subject to third party rights. Where action is not taken, the individual will be given an explanation.

12. What Nova Newcastle Ltd Asks of Whistleblowers

The purpose of this policy is to enable individuals to raise concerns in confidence, without any fear of reprisal. It is important that whistleblowers:

- Do not talk about the concern outside Nova Newcastle Ltd Alternative Provision unless it is to report the concern through the proper external channels, e.g. the LA.
- Declare any personal interest in the matter, as the policy is designed to be used in the interest of the public and not for individual matters.

13. Learning and Service Improvement

Nova Newcastle Ltd will use concerns raised to strengthen safeguarding culture, improve practice, and ensure lessons learned are shared appropriately across the provision.

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14. Appeal Process

If no action is to be taken and/or the individual is not satisfied with the way the matter has been handled, they can make a complaint under Nova Newcastle Ltd 's Complaints Procedure Policy.

15. Unfair Treatment

An individual can take a case to an employment tribunal if they feel that they have been treated unfairly as a result of whistleblowing. Further information can be sought from the Citizen's Advice Bureau, the whistleblowing charity Protect, or from an individual's trade union.

Any claims of unfair dismissal needs be made within three months of the investigation ending.

16. Training and Awareness

All staff will receive whistleblowing and safeguarding speak-up training as part of induction and ongoing CPD, including how to raise concerns about poor practice or unsafe culture.

The management team reserve the right to support staff by requesting individuals to undertake additional refresher training in Whistleblowing as and when it is deemed as necessary'

17. Monitoring and Review

The Proprietor/Management Committee will review this policy annually, ensuring that all procedures are up to date.

Any changes made to this policy will be communicated to all members of the team.

18. Linked Policies

- Records Management Policy
- Safeguarding and Child Protection Policy
- Staff Code of Conduct

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APPENDIX 1: Raising Concerns Form

Section 1 – Expressed Preferences

Do you wish your identity to be kept confidential (bearing in mind that, depending on the nature of the concern / investigation, it may become necessary to disclose your identity)?
YES/ NO

If you wish to remain anonymous, please go straight to Section 3. However please note that whilst such concerns will be given due consideration, this may make it more difficult to investigate and provide assurance on.

Section 2 – Details of the Person Raising the Concern

Name

Address

.....
.....

Contact Number

.....

Department

.....

Work Contact No

.....

Do you wish correspondence / contact to be made to Home / Work (delete as appropriate)

Date disclosure form submitted

.....

Section 3 – Details of the Disclosure (please tick)

- Unsafe Patient care / clinical practice

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- Unsafe working conditions o Danger to Health and Safety
- Suspicions of Fraud and corruption (can be reported to the Local Counter Fraud Specialist)
- Negligence
- Other (please state)

.....
.....

This form does not cover personal complaints regarding an individual’s employment situation. This would constitute an individual grievance and should be dealt with under Nova Newcastle Ltd Grievance Policy

What is the concern about? (Please give full details – it would help if you could supply dates/times/ witnesses)

Please describe what has happened / what you think will happen. Please provide as much detail as you can (use additional sheets as needed):

Have you raised / attempted to raise this concern with anyone before YES / NO

If yes to above, who did you raise it with?
.....

Section 4 – Personal involvement / personal interest

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Please declare any personal interest you may have in this concern (i.e. does the outcome have the potential to affect you personally in any way?)

Have you personally been involved in this matter previously? YES / NO

If yes, please outline your involvement

On completion, please send to the most appropriate place:

- Your line manager
- Your manager's manager
- HR Department
- CEO
- COO

Date Received Ref No

Date Resolved

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APPENDIX 2: EQUALITY IMPACT ASSESSMENT

The organisation aims to design and implement policies and procedures that meet the diverse needs of our service and workforce, ensuring that none are placed at a disadvantage over others, in accordance with the Equality Act 2010. Consideration has been given to the impact this policy might have with regard to the individual protected characteristics of those to whom it applies.

In an Alternative Provision setting, consideration must also be given to the impact of policies and practice on **children and young people**, many of whom may be vulnerable learners, have SEND, experience trauma, or be at increased risk of exclusion or discrimination.

Consideration has been given to the impact this policy might have with regard to the individual protected characteristics of those to whom it applies, including both **staff and pupils/learners**, parents/carers, and wider stakeholders.

| Ref # | Question | Yes | Comments |
|-------|----------------------------------------------------------------------------------------------------------|-----|----------|
| | | No | |
| | | N/A | |
| 1 | Does the document/guidance affect one group less or more favourably than another on the basis of: | No | |
| | Age | No | |
| | Race/Ethnic origins (including Gypsy, Roma and Traveller) | No | |
| | Sex (man or woman) | No | |
| | Gender Reassignment | No | |

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|----|-----------------------------------------------------------------------------------------------------------------------------------------|------------|--|
| | Pregnancy/Maternity | No | |
| | Religion or Belief | No | |
| | Sexual orientation including lesbian, gay and bisexual people | No | |
| | Marriage/Civil Partnership | No | |
| | Disability - learning disabilities, physical disability, sensory impairment and mental health problems | No | |
| | Carers | No | |
| 2 | Is there any evidence that some groups are affected differently? | No | |
| 3 | If you have identified potential discrimination, are there any exceptions valid, legal and/or justifiable? | No | |
| 4 | Is the impact of the document/guidance likely to be negative? | No | |
| 5 | If so, can the impact be avoided? | N/A | |
| 6 | What alternative is there to achieving the document/guidance without the impact? | N/A | |
| 7 | Can we reduce the impact by taking different action? | N/A | |
| 8 | Does this policy impact pupils with SEND, SEMH needs or Education, Health and Care Plans (EHCPs)? | No | |
| 9 | Could this policy lead to disproportionate behaviour sanctions, exclusions or barriers to reintegration for any protected group? | No | |
| 10 | Does this policy ensure reasonable adjustments are made so disabled pupils and | Yes | |

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| | staff can access education, support and services fairly? | | |
| 11 | Does this policy promote inclusion and belonging for pupils who may experience discrimination, bullying or peer-on-peer abuse linked to protected characteristics? | Yes | |
| 12 | Does this policy support safeguarding duties, including protection from discriminatory bullying, online harassment and peer-on-peer abuse? | Yes | |
| 13 | Are there any barriers for parents/carers from diverse backgrounds (e.g., language, culture, disability) in accessing information or engaging with the organisation? | No | |
| 14 | Does this policy promote equality of opportunity in curriculum access, support planning and learner voice? | Yes | |
| 15 | Have pupils' individual vulnerabilities been considered, including those who are Looked After, Previously Looked After, or known to social care? | Yes | |
| For advice in respect of answering the above questions, or if a potential discriminatory impact has been identified, please contact the Designated Safeguarding Lead (DSL) or Equality and Diversity Lead. | | | |
| Names and Organisation of Individuals who carried out the Assessment: Please give contact details. | | | Date of the Assessment |
| Name & Job Title: Rhea Marwaha, Director | | | 15.04.2026 |

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