

1 Introduction

- 1.1 Bright Heart Education Ltd (“**Bright Heart**” or the “**Company**”) employees may, in properly carrying out their duties, have access to, or come into contact with, information of a confidential nature. Their terms and conditions provide that except in the proper performance of their duties, employees are forbidden from disclosing, or making use of in any form whatsoever, such confidential information.
- 1.2 However, the law allows employees to make a ‘protected disclosure’ of certain information. In order to be ‘protected’, a disclosure must relate to a specific subject matter (Clause 2) and the disclosure must also be made in an appropriate way (Clause 3). Whistleblowing protection is confined to a disclosure which, in the reasonable belief of the employee making the disclosure, is made in the public interest.
- 1.3 Bright Heart is committed to compliance with the Bribery Act 2010. The Company actively encourages a culture of honesty and openness, and therefore, all employees are required to bring up any issue that, in the employee’s opinion, might constitute bribery or corruption to their line manager or other designated person.

2 Specific Subject Matter

- 2.1 If, in the course of employment, an employee becomes aware of information which they reasonably believe tends to show one or more of the following:
 - 2.1.1 That a criminal offence has been committed, is being committed or is likely to be committed;
 - 2.1.2 That a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject, including with respect to safeguarding;
 - 2.1.3 That a miscarriage of justice that has occurred, is occurring, or is likely to occur;

- 2.1.4 That the health or safety of any individual has been, is being, or is likely to be, endangered;
- 2.1.5 That the environment, has been, is being, or is likely to be, damaged;
- 2.1.6 That information tending to show any of the above, is being, or is likely to be, deliberately concealed;
- 2.1.7 That the business or any associated person has been, is being, or is likely to be receiving or offering bribes;
- 2.1.8 That any foreign official has been, is being, or is likely to be bribed or offered facilitation payment by the company or any associated person;

they must use the Company’s disclosure procedure as set out below.

3 Disclosure Procedure

- 3.1 Information that an employee reasonably believes tends to show one or more of the above should promptly be disclosed to Simon McQueen (Co-founder & Director) so that any appropriate action can be taken.
- 3.2 If it is inappropriate to make such a disclosure to Simon McQueen, the employee should speak to Ryan Stevenson (Co-founder & Director).
- 3.3 Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure.
- 3.4 However, failure to follow this procedure may result in the disclosure of information losing its ‘protected status.’
- 3.5 For further guidance in relation to this matter or concerning the use of the disclosure procedure generally, employees should speak in confidence to Simon McQueen.

4 Managing Safeguarding Allegations

- 4.1 Should an allegation concerning student safeguarding be made against a member of Bright Heart staff, an initial investigation will be carried out by the Designated Safeguarding Lead (“**DSL**”), as outlined in Bright Heart’s Safeguarding and Child Protection Policy.
- 4.2 The student’s parents /carers will be informed by the DSL.
- 4.3 If the allegation is serious, the DSL will refer the incident to the Local Authority. If the allegations concern a person who works with children and young people and they have:
 - 4.3.1 Behaved in a way that has harmed, or may have harmed a child;
 - 4.3.2 Possibly committed a criminal offence against or related to a child;
 - 4.3.3 Behaved towards a child or children in a way that indicates they may pose a risk of harm to children; or
 - 4.3.4 Behaved or may have behaved in a way that indicates they may not be suitable to work with children;then the Local Authority must be contacted within 24 hours.
- 4.4 If the allegation is made against the DSL, then Simon McQueen and / or Ryan Stevenson will conduct the initial investigation and inform the Local Authority. An independent investigator may need to be brought in, again in consultation with the Local Authority
- 4.5 The Local Authority would help to ensure that the student is adequately safeguarded, and that the case is dealt with quickly and escalated to the appropriate authorities where required.
- 4.6 Bright Heart will maintain fairness to all parties during the investigation, including to the person who made the allegation and the person against whom the allegation was made.

5 Tutor concerns

- 5.1 Although this policy is specifically aimed at Bright Heart employees, we strongly encourage tutors to raise any concerns they have with respect to a matter described in Clause 2, by following the disclosure procedures outlined in Clause 3.
- 5.2 Should a tutor have a concern about a student, please follow the procedures outlined in Bright Heart’s Safeguarding and Child Protection Policy, Clause 7.
- 5.3 If in any doubt, please contact Carol Minkoulou, the Designated Safeguarding Lead (“**DSL**”), or in her absence, Ryan Stevenson or Rosie Ingold, the Deputy DSLs.
- 5.4 In an emergency where immediate action is necessary to ensure a student’s safety, please call the police on 999.