



WHISTLEBLOWING POLICY AND PROCEDURES

Applies to:

- the whole School, including the Early Years, along with all activities provided by the School, outside of the normal School hours
- all staff, individuals on placement, the Proprietors and volunteers working in the School.

Legal Status:

The key piece of whistleblowing legislation is the Public Interest Disclosure Act 2013 (PIDA), which applies to almost all workers and employees who ordinarily work in Great Britain. The situations covered include criminal offences, risks to health and safety, failure to comply with a legal obligation, a miscarriage of justice and environmental damage. Employees and workers who make a 'protected disclosure' are protected from being treated badly or being dismissed. For a disclosure to be protected it must be made to an appropriate body. For example, disclosing a health and safety issue to the Health and Safety Executive is likely to be protected, but not if the concern was disclosed to the media.

Availability:

This policy is made available via the School website.

Monitoring and Review:

- This policy will be subject to continuous monitoring, refinement and audit by the Headmistress.
- The Proprietor undertakes a formal review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than one year from the date shown below, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require. The key priorities from the review are incorporated into the School Development Plan on an annual basis.

Reviewed by:



Michelle Jenkin (Headmistress)

Date: 1st September 2025



Kane Andrews (Proprietor)

Date: 1st September 2025

Related Documents:

- Safeguarding policies
- Anti-bullying Policy
- Behaviour, Discipline, and Sanctions Policy
- Low Level Safeguarding Concerns Policy
- Health, Safety and Welfare Policy
- Staff Code of Conduct and Employment Policies
- Equality and Diversity Policy and Implications.
- Prevention of Radicalisation and Extremism Policy

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1. INTRODUCTION

All Proprietors and employees have a responsibility to carry out their duties with honesty, integrity and accountability, and to come forward when they have serious concerns about malpractice or wrongdoing in the work of the School. We encourage an open culture in all our dealings with staff and others with whom we come into contact. We have adopted this policy and the accompanying procedure on whistleblowing to enable staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, a failure to comply with legal obligations, inappropriate behaviour or unethical conduct. The policy also provides, if necessary, for such concerns to be raised outside the School.

2. AIMS AND OBJECTIVES

Our policy on whistleblowing is intended to demonstrate that we:-

- will not tolerate malpractice
- encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that concerns will be taken seriously and investigated, as appropriate
- will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively
- will provide opportunity to raise concerns outside of the line management structure, where appropriate
- will only invoke the Disciplinary Procedure in the case of false, malicious, vexatious or frivolous allegations, allowing genuine concerns to be raised without fear of reprisal
- will provide a clear, simple and accessible procedure for raising concerns.

3. SCOPE OF THIS POLICY

This procedure has been implemented to enable you to express a legitimate concern regarding suspected malpractice within the School. This procedure is separate from our adopted procedures regarding grievances. You should not use the whistleblowing procedure to raise concerns relating to your own personal circumstances, such as the way you have been treated at work. In those cases, our Grievance Procedure and Bullying and Harassment Procedure should be used, as appropriate. If you are uncertain whether something is within the scope of this procedure, you should first seek advice from the Headmistress.

4. DEFINITIONS

Harassment: unwanted physical or verbal conduct which has the purpose or effect of violating a dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment

Bullying: offensive, intimidating, malicious or insulting behaviour which through the abuse or misuse of power causes feelings of vulnerability, upset, humiliation or threat. Such behaviour may include:

- a staff member shouting at, being sarcastic towards, ridiculing or demeaning a pupil or colleague
- making physical or psychological threats
- overbearing supervision
- making inappropriately derogatory remarks about a pupil or colleague
- persistent unfair assessment of a pupil or colleague's work
- unfairly excluding pupils from classes, projects or events

Bullying does not include reasonable and constructive criticism of a pupil or colleague's work or behaviour.

5. WHAT IS WHISTLEBLOWING?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing, malpractice or dangers at work. 'Malpractice' is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment (negligence).

A **whistleblower** is a person who raises a genuine concern relating to suspected malpractice within the School. If you have any genuine concerns related to suspected malpractice affecting any of the School's activities (a whistleblowing concern), you should report it under this procedure.

If you feel unable to raise an issue with us or feel that their genuine concerns are not being addressed, you may report your concerns to other whistleblowing channels, such as:

- **Protect**, an independent whistleblowing charity (tel: 020 3117 2502
email: whistle@protect-advice.org.uk , website: <https://protect-advice.org.uk/>).
- The **NSPCC** whistleblowing helpline (tel: 0800 028 0285)
email: help@nspcc.org.uk

5.1. Concerns about malpractice or wrongdoing

The examples below are not intended to form a comprehensive list but are intended to illustrate the range of issues, which might be raised under this policy. Concerns about malpractice or wrongdoing may include:

- any unlawful act, whether criminal or a breach of civil law, including corruption or fraud;
- miscarriage of justice has occurred, is occurring or is likely to occur;
- breach of any statutory code of practice;
- breach of, or failure to implement or comply with the School's policies or procedures;
- failure to comply with appropriate professional standards;
- any form of improper conduct;
- any concerns relating to safeguarding;
- actions likely to cause danger to the health or safety of any individual or to give rise to a risk of significant damage to property;
- failure to take reasonable steps to report and rectify any situation which is likely to give rise to significant avoidable cost, or loss of income, to the school or would have otherwise seriously prejudice the School;
- other unethical conduct.
- indecent or violent behaviour towards any person.
- harassment or bullying of a pupil or member of staff.
- serious neglect of duties (including unauthorised absence from work);
- any act which might give rise to a serious complaint against the School by any pupil, parent, employee, supplier, contractor or visitor.
- maladministration
- inappropriate use of the School assets or funds.
- decision-making for personal gain.
- abuse of position.
- abuse of power or the use of the School's powers and authority for any unauthorised or ulterior purpose.

The School provide guidance to employees on the standards expected from employees through the agreed policies and through the procedures for addressing poor standards which include the Disciplinary Procedure, Grievance Procedure and Capability Procedure.

The agreed policies include, but are not limited to:

- Health and Safety Policies
- Harassment and Bullying Policies
- Security Guidelines
- *Safeguarding Policies
- Equal Opportunities Policy
- No Smoking Policy
- Staff Code of conduct

5.2. When might the Whistleblowing Policy apply?

Individuals are encouraged to come forward in good faith with genuine concerns knowing they will be taken seriously. A whistle blower should ask a few questions before acting:

- Is it, or do you believe it to be, illegal?
- Is it, or do you believe it to be, against codes of practice issued by the School, regulatory authorities or a professional body?
- Does it contradict what the employee has been taught, or should have been taught?
- Is it about an individual's behaviour or is it about general working practices?
- Have you witnessed the incident?

If any individual raises malicious unfounded concerns or attempts to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

All allegations should be capable of being dealt with through the Disciplinary Procedure and will be considered appropriately. Where the alleged activity or behaviour cannot be dealt with under the scope of other procedures then consideration should be given to using this whistleblowing policy.

6. RAISING A CONCERN

We hope that in most cases employees will be able to raise any initial concerns with their line manager. It may be possible to agree a way of resolving the concern quickly and effectively. In some cases this may not be possible, and the matter may need to be referred to the Headmistress.

6.1. Confidentiality

The School will make every effort to protect an employee's identity when they raise a concern and do not want their name to be disclosed and will, as far as possible, protect them from reprisals. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence.

Whistleblowers who are concerned about possible reprisals if their identity is revealed should discuss this with the Headmistress or, if appropriate the Chair of Proprietors, and appropriate measures can then be discussed.

If there is evidence of criminal activity, the Police will be informed in all cases.

7. PROCEDURE FOR REFERRING A WHISTLEBLOWING CONCERN

As a first step an employee should normally raise concerns with the Headmistress directly. If an employee believes that the Headmistress is involved, the employee should approach the Proprietor. In some circumstances, confidential informal advice from the employee's trade union or professional association may help an employee who is unsure of how best to pursue a concern about malpractice.

When referring a concern, employees:

- are encouraged to set out in writing the background and history of the concern, giving names, dates and places where possible and the reason why they are particularly concerned about the situation.
- Should express their concerns at the earliest opportunity. The earlier a concern is raised, the easier it is normally to act
- must declare any personal interest they have in the matter
- although employees are not expected to prove the truth of an allegation, they will need to demonstrate that there are sufficient grounds for a concern
- should not attempt to investigate a concern or accuse individuals directly
- may invite their trade union or professional association to raise the matter on their behalf.

7.1. Preliminary enquiries

In order to protect individuals and the School, a meeting will be arranged with the whistle-blower as soon as possible to discuss the concern (additional meetings may be required in order to provide further information as the concerns raised are investigated). Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of School staff, the ISA, legal or personnel advisors, the police or regulatory bodies.

The action taken by the school will depend on the nature of the concern. The matters raised may:

- be investigated internally
- be referred to the Police
- be referred to an external agency
- form the subject of an independent enquiry.

Concerns or allegations which fall within the scope of specific procedures (e.g., pupil protection or discrimination issues or financial irregularities), will normally be referred for consideration under those procedures. Some concerns may be resolved by actions agreed without the need for investigation.

7.2. Investigation

Where investigation is indicated, this will be conducted thoroughly, in a timely manner, and appropriate corrective action will be pursued. The whistle-blower will be kept informed of the progress of the investigation and its likely timescale. Whenever possible and subject to third party rights, the whistle-blower will be informed of the resolution, accepting that, sometimes, the need for confidentiality may prevent us giving specific details of the investigation or any disciplinary action taken as a result. Any information about the investigation must be treated as confidential.

7.3. Recording and reporting

Records will be kept of any investigation and actions taken. The School will consider how best to report the findings and what corrective action needs to be considered. This may include some form of disciplinary action and/or third-party referral such as the Police.

7.4. Dissatisfaction with the process

If the whistle-blower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns may be raised with the Chair of Proprietors.

7.5. Right to be accompanied

A colleague or trade union representative may accompany the whistleblower at any meetings under this procedure. Any companion must respect the confidentiality of the disclosure and any subsequent investigation.

8. SELF-REPORTING

There may be occasions where a member of staff has a personal difficulty, perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with the Headmistress so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most instances, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children. It is recognised that whistleblowing can be difficult and stressful. Advice and support is available from the Headmistress.

9. PROTECTION OF WHISTLEBLOWERS

The School recognises that the decision to report a concern can be a difficult one to make. A member of staff who makes a disclosure in good faith pursuant to this policy will not be dismissed or subjected to any detriment as a result of such action. Detriment includes unwarranted disciplinary action and victimisation. If a whistle-blower believes that they are being subjected to a detriment as a result of making a disclosure under this policy, they should inform the Headmistress or the Chair of Proprietors immediately. Members of staff who victimise or retaliate against those who have made a disclosure under this policy will be subject to disciplinary action.

9.1. Harassment or Victimisation

The School will not tolerate harassment or victimisation and will take action to protect employees when they raise concerns in good faith. This does not mean that if an employee is already the subject of procedures such as discipline, capability or redundancy, that those procedures will be halted as a result of a concern being raised under the provisions of this policy.

Disciplinary action will be taken against an employee if they try to stop another employee from raising a concern or if an employee is responsible for any act of recrimination against an employee who raises a concern. Where an employee may have been party themselves to an

act of possible gross misconduct on which they are now “blowing the whistle” this could be considered in mitigation. They are not, however, exempt from disciplinary action.

10. MALICIOUS AND FALSE ALLEGATIONS

Where an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against the employee. If, however, an employee makes an allegation, which the investigation indicates may have been made frivolously, maliciously or for personal gain, disciplinary action will be considered and may be taken against the member of staff making the allegation.

11. CONFIDENTIALITY

All employees have a duty not to disclose or make public any professional or trade secret or confidential information they come across in their work. This Whistleblowing Policy does not affect the contract of employment or any confidentiality agreement.

Disciplinary action may be taken against employees if they contact the media (newspapers, TV, radio etc.) or post on social media channels in relation to conduct or concerns without first following the steps set out in this policy.

12. GRIEVANCES

A member of staff who feels they have been or are being unfairly treated by the School may bring a grievance under the School's grievance procedure.