

Whistleblowing Policy Whole School & EYFS

Regulation ISSR: Part 3
Reviewed and updated by: MR
Approval: Full Governor Board
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1. Policy statement

We are committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards in accordance with our Staff code of Conduct Policy. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

2. About this policy

2.1 The purpose of this policy is:

- (a) To reassure staff we will not tolerate malpractice.
- (b) To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate.
- (c) To reassure staff we will respect your confidentiality so far as is consistent with progressing the issues effectively.
- (d) To provide staff with guidance as to how to raise those concerns.
- (e) To reassure staff we will only invoke the School's Disciplinary Procedure in the case of false, malicious, vexatious or frivolous allegations. The policy seeks to reassure staff that they can raise genuine concerns without fear of reprisal, even if they turn out to be mistake.

2.2 This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time

3. Scope of this Policy

This procedure is separate from our adopted procedures regarding grievances. Staff should not use the whistleblowing procedure to raise concerns relating to their own personal circumstances, such as the way you have been treated at work. In those cases, the School's Grievance Procedure, Anti-Harassment and Bullying Policy or Prevention of Sexual Harassment Policy 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 or the HR Manager.

4. Who does this policy apply to?

4.1 This policy applies to all employees, officers, consultants, self-employed contractors, casual workers, agency workers, volunteers and interns.

5. Who is responsible for this policy?

- 5.1 The Board of Governors has overall responsibility for the effective operation of this policy. The Board has delegated responsibility for overseeing its implementation to the Headmistress.
- 5.2 All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Headmistress.

6. What is whistleblowing?

6.1 **Whistleblowing** is the disclosure of information which relates to suspected wrongdoing, malpractice or dangers at work. This includes:

- (a) criminal activity;
- (b) failure to comply with any legal or professional obligation or regulatory requirements;
- (c) miscarriages of justice;
- (d) risk to health and safety;
- (e) damage to the environment;
- (f) bribery
- (g) facilitating tax evasion
- (h) financial fraud or mismanagement;
- (i) breach of our internal policies and procedures
- (j) conduct likely to damage our reputation or financial wellbeing;
- (k) unauthorised disclosure of confidential information;
- (l) negligence;
- (m) the deliberate concealment of any of the above matters.

6.2 A **whistle-blower** is a person who raises a genuine concern relating 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 policy and procedure.

6.3 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:

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

7. Raising a whistleblowing concern

7.1 We hope that in many cases you will be able to raise any concerns with your line manager. Concerns can be raised in person or in writing if preferred. They may be able to agree a way of resolving your concern quickly

and effectively. In some cases, this may not be possible and the matter may need to be referred to the Headmistress or HR Manager.

7.2 However, where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- (a) The Headmistress
- (b) The Chair of Governors (if the concern is about the Headmistress or another member of the SLT)

Contact details are set out at the end of this policy.

7.3 The Headmistress or Chair of Governors will treat the matter confidentially and will acknowledge receipt of the concern in writing within five working days, giving an indication of how and by whom the concern will be dealt with.

7.4 If the Headmistress or Chair of Governors believes the concern to be genuine, she will follow the Whistle Blowing Policy and Procedure.

7.5 A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a supportive colleague to any meetings under this policy. Any companion must respect the confidentiality of your disclosure and any subsequent investigation. You may be required to attend additional meetings to provide further information as the concerns raised are investigated.

7.6 Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. You will be kept informed of the progress of the investigation and its likely timescale. Whenever possible and subject to third party rights, you will be informed of the resolution. However, sometimes the need for confidentiality may prevent us giving specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

7.7 The school aims to investigate within ten working days and one of the following could be an outcome:

- (a) The matter is investigated internally by the School
- (b) The matter is investigated by financial auditors appointed by the School
- (c) The matter is reported to the DfE
- (d) The matter is reported to the Police
- (e) The route for the member of staff to pursue that matter if it does not fall within this procedure; or
- (f) That no further action is going to be taken by the School (because, for instance that there is no evidence that the malpractice has occurred or that the matter is already subject to the proceedings under one of the School's other policies or procedures.

7.8 If you are not satisfied that your concern is being properly dealt with, you will have a right to raise it in confidence with the Governing Body. Alternatively, you can follow the external procedure below.

8. External Procedures

- 8.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing within the School. In most cases you should not find it necessary to alert anyone externally.
- 8.2 However, if all internal procedures have been exhausted, you shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) HMRC, the Audit Commission, the Health and Safety Executive and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue).
- 8.3 It is not appropriate for you to alert the media under any circumstance.
- 8.4 It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where you may be entitled to raise a concern directly with an external body where you reasonably believe:
- (a) that exceptionally serious circumstances justify it;
 - (b) that we would conceal or destroy the relevant evidence;
 - (c) that you would be victimised by us; or
 - (d) where the Secretary of State has ordered it.
- 8.5 We strongly encourage you to seek advice before reporting a concern to anyone externally. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

9. Allegations Concerning Child Protection Issues

- 9.1 If a member of staff raises a concern related to a child protection issue, the Head or Chair of Governors (if the concern is about the Head) should urgently consult the LEA officer designated to lead on child protection (LADO). However, in relation to child protection issues, it is open to the member of staff to make a direct referral to the social services designated manager either before raising their concern with the Governing Body or where the Head or Chair of Governors fails to do so after raising their concern and the member of staff remains concerned about the situation.

10. Confidentiality

- 10.1 We hope that staff feel able to voice whistleblowing concerns openly under this procedure. However, if you wish to raise a concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating the concern to know your identity, this will be discussed with you.
- 10.2 If there is evidence of criminal activity, the Police will be informed in all cases.
- 10.3 We do not encourage that disclosures are made anonymously. However, proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistle Blowers who are concerned about possible reprisals if their identity is revealed should discuss this with the Headmistress or HR Manager and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt, you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are set out below.

11. Protection from Reprisal or Victimisation

- 11.1 It is understandable that whistle-blowers are sometimes worried about possible repercussions as a result of raising a whistleblowing disclosure. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 11.2 Whistle-blowers will not suffer a detriment or be disciplined for raising a genuine and legitimate concern, provided you do so in good faith and following the whistleblowing procedures. If you believe that you have suffered any such treatment, you should inform Headmistress or HR Manager immediately. If the matter is not remedied, you may raise it formally using our Grievance Procedure.
- 11.3 You must not threaten or retaliate against whistle-blowers in any way. If you are involved in such conduct, you may be subject to disciplinary action.

12. Wellbeing Support

All employees have access to the following:

Employee Assistance Programme – A 24 hour helpline from Health Assured to support you and your immediate family. Tel: 0800 030 5182 Website: www.healthassuredeap.com

DAS – 24 hour counselling helpline service. Policy Number: 202604 Tel: 0117 933 0687

13. If you are not satisfied

- 13.1 While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.
- 13.2 If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts in section 6.3.

14. Contacts

Headmistress	NAME: Caroline Wood TELEPHONE: 01625 583 028 E-MAIL: cwood@aesg.co.uk
HR Manager	NAME: Karl Elias TELEPHONE: 01625 583 028 E-MAIL: k Elias@aesg.co.uk
Chair of the Governors	NAME: Caroline Lowe TELEPHONE: 01625 583 028 E-MAIL cog@aesg.co.uk
Protect (Independent whistleblowing charity)	Helpline: 0203 117 2520 E-mail: info@protect-advice.org.uk Website: https://protect-advice.org.uk/contact-protect-advice-line/

