Whistleblowing Policy

Prepared by: The Central Team

Localised by: Burlington House School

Date: September 2026

Review Date: September 2027

Version: V1.3

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1. Introduction

Burlington House School is owned and operated by Cavendish Education.

In all Burlington House School policies, the words "Burlington House School" refer to both Burlington House School - Bishops Avenue Campus and Burlington House School - Sixth Form Campus unless stated otherwise.

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school's aspiration to provide an outstanding education for each of its students and of the mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside these policies. In particular, it should be read in conjunction with the policies covering equality and diversity, Health and Safety, safeguarding and child protection.

All of these policies have been written, not simply to meet statutory and other requirements, but to enable and evidence the work that the whole school is undertaking to ensure the implementation of its core values: *that all children can achieve.*

While this current policy document may be referred to elsewhere in Burlington House School documentation, including particulars of employment, it is non-contractual.

In the school's policies, unless the specific context requires otherwise, the word "parent" is used in terms of Section 576 of the Education Act 1996, which states that a 'parent', in relation to a child or young person, includes any person who is not a biological parent but who has parental responsibility, or who has care of the child. Department for Education guidance, Understanding and dealing with issues relating to parental responsibility, updated August 2023, considers a 'parent' to include:

- all biological parents, whether they are married or not
- any person who, although not a biological parent, has parental responsibility for a child or young person - this could be an adoptive parent, a step-parent, guardian or other relative
- any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person

A person typically has care of a child or young person if they are the person with whom the child lives, either full or part-time, and who looks after the child, irrespective of what their biological or legal relationship is with the child.

The school contracts the services of third-party organisations to ensure regulatory compliance and implement best practices for:

- HR and Employment Law
- Health & Safety Guidance
- DBS Check processing
- Mandatory Safeguarding, Health & Safety, and other relevant training
- Data protection and GDPR guidance
- Specialist insurance cover

Where this policy refers to 'employees', the term refers to any individual who is classified as an employee or a worker, working with and on behalf of the school (including volunteers and contractors).

The school is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers, pupils and visitors to share this commitment.

All outcomes generated by this document must take account of and seek to contribute to safeguarding and promoting the welfare of children and young people at Burlington House School.

The policy documents of Burlington House School are revised and published periodically in good faith. They are inevitably subject to revision. On occasion, a significant revision, although promulgated in school separately, may have to take effect between the republication of a set of policy documents. Care should

therefore be taken to ensure, by consultation with the Senior Leadership Team, that the details of any policy document are still effectively current at a particular moment.

2. Aims

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all staff in the trust know how to raise concerns about potential wrongdoing in or by the trust
- Set clear procedures for how the trust will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)
- Ensure staff know that they are protected by law and that a non-disclosure agreement, confidentiality clause or 'gagging clause' in a settlement agreement or employment contract cannot stop them from making a protected disclosure in the public interest
- Ensure all staff understand their duty to raise concerns about safeguarding practices within the Group and its School/s, including concerns about the behaviour of adults working with children, in line with statutory safeguarding guidance. Staff should also understand that safeguarding information may be subject to the statutory information sharing duty under section 16LA of the Children Act 2004. Staff should also understand that safeguarding information may be subject to the statutory information sharing duty under section 16LA of the Children Act 2004.

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the trust in any capacity, including self-employed consultants or contractors who provide services on a personal basis and agency workers.

3. Legislation

This policy has been written in line with the above document, as well as government guidance on whistle-blowing. We also take into account the Public Interest Disclosure Act 1998.

4. Links with other policies

This policy links with our policies on:

- Staff grievance policy
- Staff Code of Conduct
- Disciplinary
- Complaints procedure
- Grievance
- Child Protection Policy and Safeguarding policy
- Disciplinary policy

5. Definition of Whistle Blowing

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest". Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption

- Pupils' or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement. This includes a failure to comply with an applicable statutory safeguarding information sharing duty.
- Breaches of financial management procedures
- Sexual harassment (in effect from 6 April 2026)
- Attempts to cover up the above, or any other wrongdoing, in the public interest
- Damage to the environment

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about Cavendish Education, or individual schools in the group, count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual or relates to an individual employment contract, this is likely a grievance.
If a complaint involves personal circumstances alongside wider concerns (e.g. pupil health and safety), the staff member must consult with DSL or Headteacher to decide the most appropriate reporting procedure.

When staff have a concern, they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has:

- Further guidance on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure
- A free and confidential advice line

6. Procedure for staff to raise a whistle-blowing concern

When to raise a concern
Staff should consider the examples in section 5 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) were illegal, breached statutory or school/group procedures, put people in danger or were an attempt to cover any such activity up.

Who to report to
School-based staff should report their concern to the Headteacher/DSL. If the concern is about the headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the chair of governors.

How to raise the concern
Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

Staff are encouraged to give their name when reporting an allegation, to help the school take the investigation further. The school hopes that staff will feel able to voice whistle-blowing concerns openly under this policy. However, if the staff member wants to raise their concern confidentially, the school will make every effort to keep their identity secret. If it is necessary for anyone investigating their concern to know their identity, the school will discuss this with the staff member.

Cavendish Education does not encourage staff to make disclosures anonymously, although it will make every effort to investigate anonymous disclosures. The staff member should be aware that a proper investigation may be more difficult or impossible if further information cannot be obtained from the staff member. This will also make it more difficult to establish whether any allegations are credible.

Staff who are concerned about possible reprisals if their identity is revealed should consult with the HR Manager or 1 of the contact points listed in section 5, and appropriate measures can be taken to protect confidentiality where possible. If the staff member is in any doubt, advice can be sought from the Employee Assistance Programme (Worknest) or Protect, who offer a confidential helpline.

Where a concern relates to the immediate safety or welfare of a child, staff should follow the school's child protection policy and speak to the relevant designated safeguarding lead (DSL) without delay, in addition to using this whistle-blowing procedure. Staff must not wait for an immediate-risk or significant-harm threshold before relevant information is shared where section 16LA of the Children Act 2004 applies.

7. Group procedure for responding to a whistle-blowing concern

When a concern is received by the Headteacher/DSL – referred to from here as the 'recipient' – they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- If it becomes apparent that the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy and/or procedure and inform the staff member accordingly
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 8 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
    - The recipient should then arrange a further investigation into the matter, involving the chair of governors, if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In others, they may need to report the matter to the police
    - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps
- Within 7 working days – excluding periods of group/school closure – of a concern being referred to the chair of governors, they will write to the complainant to:
    - Acknowledge that the concern has been received
    - Indicate how the matter is to be dealt with
    - Give an estimate of how long it will take to provide a final response, informing the complainant as to whether any initial enquiries have been made
    - Tell the staff member whether further investigations will take place and if not, why not

Throughout any investigation, the group will provide wellbeing check-ins for both the complainant and the subject(s) of a concern. Where appropriate, support and signposting to manage expectations, protect emotional wellbeing and maintain professional confidence will be offered.

Where a concern relates to safeguarding, the relevant DSL will be informed and involved in decision-making where suitable, and appropriate referrals to external agencies (such as children's social care or the police) will be considered. Where the section 16LA of the Children Act 2004 criteria are met, relevant information must be shared with another relevant person where it may facilitate their safeguarding or welfare functions, including in response to a request. Consent is not required for sharing under that duty, subject to applicable data protection requirements and the limited detriment exception.

Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality. Any restriction on feedback or disclosure for confidentiality reasons must be distinguished from safeguarding information that is required to be shared under section 16LA of the Children Act 2004.

Beyond the immediate actions, the chair of governors/CEO/other board of directors member, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

If a staff member is not satisfied with the way in which their concern has been handled, they can raise their concerns with 1 of the contact points listed in section 5.

8. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there is a potential issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation.

9. Escalating concerns beyond the Group

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases, the staff member should not find it necessary to alert anyone externally. As such, the trust encourages staff to raise their concerns internally, in line with section 4 of this policy, but the trust and the law recognise that in some circumstances staff may feel the need to report concerns to an external body such as a regulator. A list of prescribed bodies to whom staff can raise concerns is included here.

It will very rarely, if ever, be appropriate to alert the media. It is strongly advised that staff seek advice before reporting a concern to an external body. The Protect advice line, linked to in section 3 of this policy, can help staff when deciding whether to raise the concern to an external party. They operate a confidential helpline, and they also have a list of prescribed regulators for reporting certain types of concern.

Whistle-blowing concerns usually relate to the conduct of trust staff but they may sometimes relate to the action of a third party. In some circumstances the law will protect the staff member raising the concern if they raise the matter with the third party directly. However, the trust encourages staff members to report such concerns internally first, in line with this policy.

Where concerns relate to safeguarding practice in the trust or any or its schools, staff may also consider contacting the local authority designated officer (LADO), children's social care directly, or the NSPCC whistle-blowing advice line on 0800 028 0285 or via email help@NSPCC.org.uk.
Nothing in this whistle-blowing procedure prevents or delays the school or an individual practitioner from making safeguarding disclosures required by law or from using established multi-agency information-sharing pathways.

The Protect advice line, linked to in section 3 of this policy, can also help staff when deciding whether to raise the concern to an external party.

10. Contact Information

For any questions or concerns regarding this policy, please contact the Headteacher:
headteacher@burlingtonhouseschool.com

The School recognises that Whistleblowing can be difficult and stressful. Advice and support for stress is available from the school's Senior Leadership Team or the employee assistance helpline.

11. Approval & Policy Review

This Policy has been reviewed and approved by:

Policy Approver(s)	Cavendish Education Board of Directors/Senior Leadership Team of the school
Storage Location	Online
Effective Date	July 2025
Next Review Date	July 2027

12. Revision History

Version	Change	Author	Date of Change
1	First published	Cavendish Central Team	July 2025
1.1	Updates to sections 2, 5, 6 & 7	Cavendish Central Team	July 2026
1.2	Updates to sections 2,5,6,7 & 9 and new section 10	Cavendish Central Team	September 2026
1.3	Updated to align with the Information Sharing Duty September 2026	Cavendish Central Team	2nd October 2026