



Whistleblowing Policy

Responsible person: **Nicola Lovell**

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Burlington House School is owned and operated by Cavendish Education.

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.

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 employs the services of the following consulting companies to ensure regulatory compliance and the implementation of best practice:

- Peninsula BrightHR
- Peninsula BusinessSafe (Health and Safety)
- Atlantic Data (DBS)
- Educare (online CPD)
- SchoolPro (data protection)
- Marsh Commercial (insurance)

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

Burlington House 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 occasions a significant revision, although promulgated in school separately, may have to take effect between the re-publication 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.

1 Guidance for Employees - introduction

This guidance should be read in conjunction with:

- the relevant local Safeguarding Children Partnership Board Procedures
- [Keeping Children Safe in Education \(Sept 2024\)](#)
- [Working Together to Safeguard Children \(2023\)](#)
- the school’s Safeguarding and Child Protection Policy (including Prevent) where it is cross-referenced
- the school’s staff behaviour / code of conduct policy where it is cross-referenced

This Policy seeks to reflect the principles in Sir Robert Francis' [Freedom to Speak Up Review](#), and is suitably referenced in the School's staff training.

2 Aims

This policy aims to:

- encourage staff members to feel confident and safe in raising serious concerns and to question and act upon concerns about practice
- provide an avenue for staff members to raise these concerns and receive feedback on any action taken
- ensure that staff members receive a response to their concerns and that they are aware of how to pursue them if not satisfied
- reassure staff members that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith

3 Scope

This policy applies to all staff members, volunteers and contractors, paid and unpaid, working in the school including governance colleagues who wish to raise issues about individual colleagues and / or about the school and Cavendish Education as organisations.

It does not apply to staff members raising issues about a parent or a pupil, or about something or someone beyond your colleagues, the school and Cavendish Education, nor does it apply to parents or pupils raising issues.

4 What is "whistleblowing"?

Whistleblowing is when a worker reports suspected wrongdoing at work.

Wrong-doing covered by the disclosure of information in a school may include:

- someone's health and safety is in danger
- damage to the environment
- a criminal offence
- not obeying the law
- covering up wrongdoing
- misusing public funds

- actions that negatively affect the welfare of children

Concerns or allegations that raise issues routinely covered by other school policies / procedures will normally be addressed under those procedures, e.g. disciplinary, health and safety, grievance, child protection procedures etc.

5 General remarks

The school is committed to delivering services of the highest possible standard, having a culture of safety and of raising concerns where staff are valued and reflective practice is promoted.

Therefore, staff members are welcomed and encouraged to come forward and voice any concerns that they have about any aspect of the school's work, including about poor or unsafe practice and potential failures in the school's safeguarding regime, so that they can be dealt with effectively.

The school wants staff members to feel able to raise concerns following this procedure without fear of reprisals rather than overlooking a problem. Provision for mediation and conflict resolution are provided where necessary. The school seeks to promote a culture of transparency and accountability in relation to how concerns are raised and handled.

Staff members are expected to acknowledge their individual responsibilities to bring matters of concern to the attention of the Senior Leadership Team and / or relevant agencies; although this can be difficult, this is particularly important where the welfare of children may be at risk.

A staff member may be the first to realise that there may be something wrong within the school. However, they may not feel able to express their concerns because they feel that speaking up could be disloyal to their colleagues or to the school. They may also fear the possibility of harassment or victimisation. In these circumstances, they may feel it could be easier for them to ignore the concern rather than report it. These feelings, however natural, should not result in a child or young person continuing to be unnecessarily at risk. Staff members should not think "what if I'm wrong?" - rather, "what if I'm right?"

6 Approaching whistleblowing

The school identifies the following as possible reasons for whistleblowing:

- each individual has a responsibility for raising concerns about unacceptable practice or behaviour
- to prevent a problem worsening or widening
- to protect or reduce risks to others
- to prevent becoming implicated yourself

and the following as what can stop people from whistleblowing:

- starting a chain of events that spirals
- fear of being disloyal to your colleagues
- disrupting the work or project
- fear of getting it wrong
- fear of repercussions or damaging careers
- fear of harassment or victimisation
- fear of not being believed

7 What concerns should staff members raise?

As identified in Section 4 above, concerns that fall within the scope of the Whistleblowing Policy may be about something that:

- has an adverse impact on the welfare and safety of the pupils
- is potentially or actually unlawful and / or involves a significant miscarriage of justice
- might cause significant environmental damage
- is against the school's policies
- might endanger someone's health and safety
- falls below established standard or practice
- amounts to improper conduct
- inappropriately conceals such actions

In the context of this Policy, staff members should be actively alert to the requirements of the guidance [Keeping Children Safe in Education 2024](#) including the section on low-level concerns (paragraph 430): *It is crucial that all low-level concerns are shared responsibly with the right person and recorded and dealt with appropriately.*

Staff members have the right to raise concerns about the actions of other employees or private contractors. Under the school's Health & Safety Policy, they are expected to raise concerns about actual or potential health and safety risks.

If staff members are concerned about something to do with their own terms and conditions of employment, they should raise this under the school's Grievance Procedure.

8 Self-reporting

Any staff member must report immediately to the Headteacher any criminal conviction (including e.g. a suspended sentence, restorative arrangement, formal warning etc) they receive.

There may be occasions when a staff member has a personal difficulty, eg a physical or mental health problem, which they know to be impinging (or potentially impinging) on their professional competence. They have a responsibility to discuss such a situation with their line manager without delay, so that professional and personal support can be offered to the member of staff concerned. Confidentiality cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

9 Whistleblowing

Before whistleblowing, staff members should consider the following:

- the responsibility for expressing concerns about unacceptable practice or behaviour rests with all staff members
- the use of appropriate internal opportunities in school to raise questions and seek clarification on issues that concern them
- whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, they must act to prevent the problem getting worse, to reduce potential risks to the health and safety of others, and to prevent themselves potentially being implicated

When whistleblowing, staff members must:

- act in good faith
- not commit a criminal offence, or interfere with any judicial or pre-judicial process in doing so
- not disclose any confidential information to any person outside the school
- not bring the school into disrepute
- not expect or accept any personal gain from doing so

10 How should you raise a whistleblowing concern?

The earlier a whistleblowing concern is expressed, the easier and sooner it is possible to take action.

As a first step, staff members should normally raise concerns with their immediate line manager who may seek advice from the Designated Safeguarding Lead / Senior Leadership Team depending on what it is.

For more serious concerns, staff members should approach the Designated Safeguarding Lead / Senior Leadership Team.

If they believe that any of those colleagues are implicated in their concerns, they should contact the Directors of Cavendish Education on info@cavendisheducation.com who will ensure an appropriate person takes alternative appropriate action.

Staff members should put their concerns in writing, stating clearly:

- that they are raising concerns via the whistleblowing policy
- the background and history of the concerns
- names, dates and places where possible
- the reasons why they are particularly concerned about the situation
- their name and post title

Staff members are strongly encouraged to share their identity when they make their disclosure and are assured of appropriate support and protection in doing so. Disclosures made anonymously are less likely to allow leaders and managers to gain a full understanding of the concern. Anonymous whistleblowing concerns will be considered at the discretion of the school and / or Cavendish Education.

If they do not feel able to put their concern in writing, they can telephone or meet the appropriate person.

Although they will not be expected to prove the truth of any allegation, they will need to demonstrate to the person whom they contact that there are sufficient grounds for their concern.

Staff members should note that where a concern relates to a safeguarding matter, they must ensure that they have followed guidance from the school's safeguarding and child protection policies, including where appropriate, referring the matter in line with these policies within the required timescales.

The safeguarding and child protection policies have advice to be followed regarding reporting safeguarding concerns where the person due to be reported to could be implicated. Gary Balcombe is the nominated group Safeguarding Lead for Cavendish Education and can be contacted if a staff member is unsure in this regard.

11 What happens next?

Once staff members have raised a concern, a nominated investigating manager will be appointed who will:

- where appropriate, give them outline information on the nature and progress of any enquiries
- if necessary, take action with the aim of protecting them from harassment or victimisation
- provide mediation and dispute resolution if appropriate
- do its best to protect their identity if they do not want their name disclosed (although this might not be possible in all cases, especially if a signed statement is needed from them in order to address the concern via another procedure, e.g. the disciplinary procedure)
- take no action against them if they raise a concern in good faith that is later confirmed to be unfounded

The nominated investigating manager will make initial enquiries (usually involving a meeting with them), to decide whether an investigation is required and what form it should take.

For example, the matter raised may:

- be resolved simply without the need for further investigation;
- be investigated internally by an appropriate manager eg the Bursar
- be referred to a relevant external agency or equivalent for advice
- be referred to the Police
- form the subject of an independent inquiry

Within ten working school days of their concern being received as Whistleblowing under this Policy, the nominated investigating manager will send them a written response:

- acknowledging that the concern has been received
- indicating how they propose to deal with the matter
- giving an estimate of how long it will take to provide a final response; and/or
- indicating whether any initial enquiries have been made, and whether further investigations will take place
or
- explaining the reasons for not investigating further if that is the decision and/or
- indicating when they can expect to receive further details, if the situation is not yet resolved

If their whistleblowing concern, once investigated, is confirmed as unfounded, the school / Cavendish Education will deem the matter to be concluded and will not reconsider the matter via this or other procedure unless new evidence becomes available. If the whistleblower feels that there have been errors of fact or procedure, they may re-approach the same investigating manager to raise these errors which will be reviewed.

Whilst genuine Whistleblowing is acknowledged and welcomed as helpful and contributes towards high levels of quality, staff members should note that, if there is clear evidence that they have deliberately made a malicious or false statement, disciplinary action may be taken against them.

12 Whistleblowing support and context

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 provided by HealthAssured either

- by phone on 0800 0474096 or
- online at <https://healthassured.eap.co.uk/> using User Name *Peninsula* and Password *EAP*.

If they are not happy with the response that they receive from the school, they may wish to raise the matter externally to the school or Cavendish Education:

- 'Protect' online [via this webpage](#)
- the NSPCC whistleblowing helpline is available for staff members who do not feel their concerns regarding child protection failures have been actioned appropriately
- general guidance on whistleblowing can be found via: Advice on Whistleblowing - the NSPCC's [what you can do to report abuse dedicated helpline](#) is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally, or have concerns about the way a concern is being handled by their school or by Cavendish Education. Staff can call 0800 028 0285 – the line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk. Staff members can call 0800 028 0285 from 8am to 8pm Monday to Friday; alternatively, email help@nspcc.org.uk
- relevant professional bodies or regulatory organisations, eg the Health & Safety Executive

A staff member may contact their inspecting body via: the [Department for Education concern webpage](#).

If a staff member raises a concern externally, it is their responsibility to ensure that confidential information is not disclosed – that is, they must not hand over confidential information, in whatever format, to a third party.

Contextually, this Policy seeks to be in line with the guidance [Keeping Children Safe in Education 2024](#), in particular:

74. All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school's or college's safeguarding regime and know that such concerns will be taken seriously by the senior leadership team.

75. Appropriate whistleblowing procedures should be put in place for such concerns to be raised with the school's or college's senior leadership team.

76. Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other whistleblowing channels are open to them:

- general guidance on whistleblowing can be found via: [Advice on Whistleblowing](#)
- the [NSPCC's what you can do to report abuse dedicated helpline](#) is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally, or have concerns about the way a concern is being handled by their school or college. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk

Annex A 22. Appropriate whistleblowing procedures should be in place for concerns to be raised with the school or college's senior leadership team. 23. Where staff feel unable to raise an issue with their employer or feel that their genuine safeguarding concerns are not being addressed, the NSPCC whistleblowing advice line is available. Staff can call 0800028 0285 – 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk. Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.

* [Protect](#) is a registered charity that you can contact for advice on how to raise a concern at work about poor practice. The charity may also provide the School with advice as to the best possible ways to address your concern(s).

13 Training

Training is provided on Whistleblowing as part of the safeguarding and child protection training regularly provided by the school and as part of the induction of new staff members. At least annual reminders of good practice are given to staff as well as updates when any changes occur. This may be digitally or as part of a staff meeting or training session.

14 Review of implementation
<p>The implementation of this Policy is reviewed annually by the school's Senior Leadership Team in consultation with staff and a report is made to the Governance Body.</p> <p>The school may submit to Cavendish Education proposals for amendments to this Policy.</p>