



ABINGDON

Purley

Whistleblowing Policy

Responsible Person: Jonathan Mansell - Headteacher

Last Review Date: March 2023

Next Review Date: March 2025

In all AHSC Policies, unless the specific context requires otherwise, the word “parent” imports the meaning parent, guardian, carer or any other person in whom is vested the legal duties and responsibilities of a child’s primary caregiver.

If you require a copy of this document in large print, braille or audio format, please contact the AHSC School Office.

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Introduction

Abingdon House School, Purley is owned and operated by Cavendish Education; the Proprietary Body also known as the Governing Body. Any reference to Governors means any Director of Cavendish Education.

This Policy document is one of a series of AHSP Policies that, taken together, are designed to form a comprehensive, formal Statement of AHSP's aspiration to provide an outstanding education for each and every one of its students and of the mechanisms and procedures being put into place to achieve this. Accordingly, this Policy needs to be read alongside all of these Policies in order to get the full picture and should be read in conjunction with the **Equality Policy**, the **Health and Safety Policy**, the **Promoting British Values Policy** and the **Safeguarding Children & Child Protection Policy** in particular. All of these Policies have been written, not simply to meet statutory and other requirements, but to evidence the work that the whole School is undertaking to ensure the implementation of its Core Principles:

Self-belief/confidence

Respect

Perseverance

Kindness/empathy

Independence

Resilience

The Cavendish Group, including Abingdon House School, Purley ("the School"), is committed to the highest standards of openness, probity and accountability. The schools make clear their whistleblowing procedures which are suitably referenced in staff training and codes of conduct.

1. 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)

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.

2. Legislation

The requirement to have clear whistle-blowing procedures in place is set out in the [Academies Financial Handbook](#).

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](#).

3. Definition of whistle-blowing

Whistle-blowing covers concerns made that report wrongdoing that is “in the public interest”. Examples of whistle-blowing include (but aren’t limited to):

- Criminal offences, such as fraud or corruption
- Pupils’ or staffs’ health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- 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 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.

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](#)

4. Safeguarding

If a member of staff is concerned about the inappropriate behaviour of another member of staff they should use this policy to whistle blow.

If staff have a concern about actions, or lack of action, by the DSL or a Deputy in terms of the safeguarding of a child they must use this policy to whistle blow.

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

5.1 When to raise a concern

Staff should consider the examples in sections 3 and 4 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

5.2 Who to report to

Staff should report their concern to the Headteacher. 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 Cavendish Education Operations Director, Managing Director or Chair of Governors.

5.3 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.

6. Procedure for responding to a whistle-blowing concern

6.1 Investigating the concern

When a concern is received by the Headteacher - 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
- 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 6 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 Cavendish Education, if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In others cases, they may need to report the matter to the police or other external agency
 - 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

6.2 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.

Beyond the immediate actions, the Headteacher, Cavendish Education and other staff 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.

7. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an 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 school and the board will consider whether any disciplinary action is appropriate against the person making the allegation.

8. Escalating concerns beyond Cavendish Education

Cavendish Education encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included [here](#). Note that AHSP is inspected by ISI, not Ofsted.

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.