WHISTLEBLOWING POLICY

2026-27

RESPONSIBILITY: Head Teacher	**TO BE REVIEWED: August 2027**
AUTHORISED BY: Annette Poulain (Head)	**SIGNATURE:** 

This policy applies to all activities undertaken by the school, inclusive of those outside of the normal school hours and away from the school site.

Availability: All who work, volunteer or supply services to our school have an equal responsibility to understand and implement this policy and its procedures both within and outside of normal school hours, including activities away from school.

Please also refer to the Safeguarding and Child Protection Policy and Online Safety Policy

What is Whistleblowing?

'Whistleblowing' means the reporting by employees of suspected misconduct, illegal acts or failure to act within St Andrew's College code of conduct. We are committed to the highest standards of openness, integrity and accountability and we encourage staff and others working with us who have any concerns about any aspect of our work, especially in relation to safeguarding pupils, to come forward and voice those concerns. In some instances, concerns may need to be expressed on a confidential basis. Staff must acknowledge their individual responsibility to bring matters of concern to the attention of the Leadership Team. This procedure encourages staff to raise serious concerns, without fear of reprisal or victimisation, internally within school rather than over-looking a problem or raising the matter outside.

Whistleblowing Policy

This policy should be read in conjunction with:

- The Child Protection and Safeguarding Policy
- Staff Code Of Conduct Policy
- Health and Safety Policy

Introduction

St Andrew's College is committed to the highest standards of openness, probity and accountability. It seeks to conduct its affairs in a responsible manner.

Normally any concern about a workplace situation should be raised with the employee's immediate Manager, Head of Department or Head of faculty unless the concern is of a safeguarding nature in which case Child Protection and Safeguarding procedures should be followed. For any concerns pertaining to radicalising behavior the procedures in the Prevent Policy should be followed. It is recognised that because of the seriousness and sensitivity of some issues, together with the knowledge of who the employee thinks may be involved in any wrongdoing or malpractice, this

may be difficult or even impossible and the matter should, therefore, be communicated through a different member of staff.

The Public Interest Disclosure Act gives legal protection to employees who raise legitimate concerns about specified matters from being dismissed or penalised by their employers or work colleagues as a result of publicly disclosing certain serious concerns, provided that they are disclosed under procedures identified in the Act. The Act makes provision about the kinds of disclosure which may be protected and the circumstances in which disclosures are protected. These provisions are therefore intended to comply with the Act by encouraging employees to make disclosures about fraud, misconduct, bribery, or other wrongdoing to St Andrew's College without fear of reprisal so that problems can be identified, dealt with and resolved quickly.

It is a fundamental term of every contract of employment that an employee will faithfully serve their employer and not disclose confidential information about the employer's affairs. However, where an individual discovers information which they believe shows malpractice or wrongdoing within the organisation, then there should be identified procedures to enable the individual to disclose the information without fear of reprisal and, where necessary, independently of line management.

This policy sets out arrangements for individuals to raise serious concerns about malpractice or serious wrongdoing in ways that will protect them from reprisal, provided that any disclosure is made in accordance with this policy.

Scope of Policy

This policy applies to all permanent and temporary employees, workers and volunteers. In addition, third parties such as agency workers, contractors, self-employed workers and any others who perform functions in relation to St Andrew's College, including commercial hirers and activity providers, should use it.

In accordance with the Public Interest Disclosure Act 1998, this Policy is intended to protect employees who raise legitimate concerns, in the public interest, about possible malpractice in St Andrew's College that falls within one or more of the following categories:

- Financial malpractice or impropriety or fraud
- Failure to comply with legal obligations
- Any activity likely to contravene St Andrew's College Anti-Corruption and Bribery Policy
- A danger to the health and safety of any individual
- Damage to the environment
- Criminal offences
- Miscarriage of justice
- Inappropriate behaviour or unethical conduct, including academic malpractice
- Poor or unsafe practice and potential failures in St Andrew's College safeguarding procedures
- Deliberate concealment of information tending to show any of the above matters.

Note: This policy extends the list of categories where a protected disclosure may be made beyond those identified in the Act.

The employee must have a reasonable belief that the wrongdoing or failure is either happening, took place in the past, or is likely to happen in the future. The belief must be reasonable, but need not be correct. It might be

discovered subsequently that the employee was wrong or mistaken. The employee must be able to show that the belief was held and that it was a reasonable belief to hold in the circumstances at the time of disclosure. The employee must also reasonably believe that the disclosure is made in the public interest. It will therefore not include disclosures which can properly be characterised as being of a personal, rather than a wider, public interest. For

example, a disclosure about a breach of terms of the employee's own contract of employment which does not affect anyone else. Matters which relate to the employee's own contract should be raised through St Andrew College Grievance Procedure.

Employees should not use this policy:

- To raise grievances about their personal employment situation
- Where the employee simply disagrees with the way St Andrew's College is run or wishes to question financial or business decisions taken by St Andrew's College.
- To reconsider any matters that have already been addressed under the complaint or disciplinary procedures unless the concern is of a safeguarding nature.

Individuals who make disclosures outside the arrangements set out in this policy will not be protected under this policy and may not be protected under the Act.

General Principles

In accordance with the Nolan principles (https://www.gov.uk/government/publications/the-7- principles-of-public-life), this policy is intended to demonstrate that St Andrews College:

- Will not tolerate malpractice;
- Encourages employees to raise concerns about malpractice without fear of reprisal, so that problems can be identified, dealt with and resolved quickly;
- Respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively;
- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff;
- Will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- Will not victimise staff, or subject them to a detriment, for raising a genuine or legitimate concern, providing that it is done so in good faith and in accordance with this procedure;
- Will not tolerate the victimisation or detrimental treatment (including bullying and harassment) of any employee, particularly for raising a concern under this policy. Such behaviour will be dealt with under St Andrew's College Disciplinary Procedure and, depending on the seriousness of the offence, it may amount to potential gross misconduct and could result in the offender's summary dismissal;
- Will invoke St Andrew's College Disciplinary Procedure in the case of false, malicious, vexatious or frivolous allegations.

1. The Procedure

1.1 Raising a concern

For a disclosure to be protected, it needs to be made to the right person and in the right way. St Andrews College encourages all employees, workers, agency workers, consultants, volunteers and contractors to raise any disclosure internally in the first instance.

How a member of staff will be at liberty to express their concern to:

- Concerns can be raised verbally, by e-mail or by letter to the Head or HR. The communication should outline the background and history, giving names, dates and places where you can. Try to pinpoint exactly what practice is concerning you and why. A member of staff is not expected to prove the truth of an allegation but you will need to demonstrate sufficient grounds for the concern.
- If your concern is about your immediate line manager, approach the Head. If your concern is about the Head, or you feel you need to take it to someone outside the school, contact managing director Jonathan.cuff@dukeseducation.com
- The Head/HR or the MD will arrange a meeting with you to discuss your concern.

Additional meetings may be necessary once any investigation is underway.

Please remember that if you have a concern about a member of staff behaving in an inappropriate way towards a pupil, you should go directly to the Head who will refer to the LADO if there is a potential allegation of abuse. If the Head is not available or the concern is about the Head, then you should contact the MD directly. If you cannot contact the MD, you should contact the Cambridge LADO yourself. See the Safeguarding and Child Protection Policy for more information.

Disclosures should be made promptly and in writing with the nature of the disclosure set out in detail, so that investigation may proceed and any action taken expeditiously.

St Andrews College views Child Protection and Safeguarding as of the highest importance, and in this context poor or unsafe practice and potential failures in St Andrew's College safeguarding procedures should be reported to a member of the Designated Safeguarding Lead (DSL) team. Should the concern relate to a member of the DSL Team, then the matter should be reported to the Head. If a member of staff has a concern about the management of a Child Protection issue, and have gone through the relevant escalation process in the school, they should contact the Local Authority Designated Officer (LADO)

Covering up someone else's wrongdoing is a disciplinary offence. Staff must never agree to remain silent about a wrongdoing, even if told to do by a person in authority.

Staff will not be penalised for raising a qualifying disclosure even if it is not upheld, unless the complaint was both untrue and made with malice.

1.2 Confidentiality

Employees who wish to raise a concern under this procedure are entitled to have the matter treated confidentially and their name will not be disclosed to the alleged perpetrator of malpractice without their prior approval. It may be appropriate to preserve confidentiality that concerns are raised orally rather than in writing, although members of staff are encouraged to express their concern in writing wherever possible. If there is evidence of criminal activity then the Police will in all cases be informed.

1.3 The Investigation

Any concern raised will be subject to a thorough investigation which will begin within a 24 hour time period Wherever possible, you will be given information on the nature and progress of any enquiries. You should treat any information about the investigation as confidential.

St Andrews College has a responsibility to protect you from harassment or victimisation as far as is reasonably possible.

No action will be taken against you if the concern proves to be unfounded and was raised in good faith. Malicious allegations may be considered as a serious disciplinary offence.

This policy is intended to provide employees and other persons with an avenue to raise concerns within St Andrews College. The School hopes that this will be sufficient. However, if it is felt necessary to take the matter outside the School, then advice will be sought from a relevant professional body.

The employee has no responsibility for investigating the matter; it St Andrew's College responsibility to ensure that an investigation takes place.

A member of staff who is not satisfied that their concern is being properly dealt with will have a right to raise it in confidence with the Chair of Governors.

1.4 External Procedures

Where all internal procedures have been exhausted, and the employee reasonably believes that appropriate action has not been taken, they may then report the matter externally to the proper authority in accordance with the Act, which may include (depending on the subject matter of the disclosure) HMRC, the Charity Commission for England and Wales, the Health and Safety Executive and/or where the disclosure relates to a child protection issue, the Local Authority Designated Officer (LADO) . A full list of the prescribed external bodies or persons to which qualifying disclosures may be made as set out under The Public Interest Disclosure Act 1998 (as amended) can be accessed at:

https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2.

The circumstances whereby a member of staff may be entitled to raise a concern directly with an external body are where the employee reasonably believes: -

1.4.1 That exceptionally serious circumstances justify it;

1.4.2 St Andrews College would conceal or destroy the relevant evidence;

1.4.3 Where they believe they would be victimised by St Andrew's College;

Note: A protected disclosure made under this procedure overrides any confidentiality provisions in the employee's contract of employment.

1.5 Malicious Accusations

False, malicious, vexatious or frivolous accusations will be dealt with under St Andrew's College Disciplinary Procedure. If the concern is raised by a third party, such as an agency worker, consultant or contractor, commercial hirer or activity provider, then it could result in the engagement being terminated.

1.6 Protection from Reprisal or Victimisation

No member of staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and following this Whistleblower Procedure.

Next review: August 2027