



Kensington Park
S C H O O L

Part of the



WHISTLEBLOWING POLICY

The aim of this policy is to provide an internal mechanism for staff to report any concerns.

Whistleblowing law is located in the *Employment Rights Act 1996* (as amended by the *Public Interest Disclosure Act 1998*) and in the *Enterprise and Regulatory Reform Act 2013*.

This policy is also governed by the latest guidance for schools published in *Keeping Children Safe in Education* (September 2021).

1. ABOUT THIS POLICY

- 1.1 KPS is committed to conducting our business with honesty and integrity and we expect all staff to maintain high standards. Any suspected wrongdoing should be reported as soon as possible.
- 1.2 This policy covers all employees, officers, consultants, contractors, casual workers and agency workers who work directly for KPS or with the Astrum group of companies.
- 1.3 This policy does not form part of any employee's contract of employment and we may amend it at any time.

2. WHAT IS WHISTLEBLOWING?

- 2.1 Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to our activities. This includes bribery, financial fraud or mismanagement, other criminal activity, miscarriages of justice, dangers to health and safety, damage to the environment, safeguarding concerns, any failure to comply with any legal or professional obligations or regulatory requirements, any other unlawful or unethical conduct in the workplace and the deliberate concealment of any of the preceding matters.
- 2.2 A whistleblower is a person who raises a genuine concern relating to any of the above and who believes they are acting in the best interest of the School, Astrum group or in public concern. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy. This is known as making a Protected Disclosure.
- 2.3 Your disclosure is protected if the following rules apply:
 - you must disclose the information in good faith
 - you must believe it to be substantially true
 - you must not seek any personal gain.
- 2.4 This procedure should not be used where you have a complaint relating to your personal circumstances in the workplace. The grievance procedure contained in the Staff Handbook should be used in such cases.
- 2.5 Provided that this procedure is used appropriately and correctly, you will not suffer any detriment as a result of reporting a suspected wrongdoing. A failure to follow this procedure may however make the disclosure unreasonable and the protection given to you by this procedure may be lost.
- 2.6 If you are uncertain whether something is within the scope of this policy you should seek advice from a Head, Designated Safeguarding Lead, HR, Chair of Astrum Advisory Board, Public Concern at Work or the NSPCC whistleblowing helpline.

3. SAFEGUARDING

- 3.1 Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with the latest *Keeping Children Safe in Education*. In particular:
 - **Safeguarding/ child protection policy:** You should raise any initial safeguarding concerns about a child with the Designated Safeguarding Lead

in accordance with the child protection and safeguarding policy and procedures.

- **Safeguarding – member of staff:** You should raise any concerns about another staff member with the Head, or if the concern is about the Head, with the Chair of Astrum Advisory Board (without first notifying the Head) in accordance with the procedures in the child protection and safeguarding policy and procedures.
- **Whistleblowing policy:** You should follow this procedure to raise concerns about poor or unsafe safeguarding practices or potential failures by schools, colleges or staff to properly safeguard the welfare of pupils if you are concerned that the child protection and safeguarding policy and procedures are not being followed correctly.
- **Referral:** If a child is in immediate danger or is at risk of harm a referral should be made to Children's Social Care and/or the Police immediately. Anyone can make a referral.

4. HOW TO RAISE A CONCERN

This procedure applies to any of the concerns referred to in section 2 of this policy

Stage one

- 4.1 We hope that in many cases you will be able to raise any concerns with your manager. In the event that your manager is involved in the suspected wrongdoing, you should proceed directly to stage two of this procedure.
- 4.2 You can expect a response detailing to whom the disclosure has been notified or any action taken within seven working days of your manager becoming aware of the disclosure.
- 4.3 If an investigation is necessary, the School will endeavour to complete this and report back to the whistleblower within a further seven working days.

Stage two

- 4.3 If no response is forthcoming within the timeframe (see 4.2), if you are not satisfied with the way in which your concern has been handled or if your manager is involved in the suspected wrongdoing you should notify the Head as appropriate.
- 4.4 You can expect a response detailing to whom the disclosure has been notified or any action taken within seven working days of the Head becoming aware of the disclosure.
- 4.5 If an investigation is necessary, the School will endeavour to complete this and report back to the whistleblower within a further seven working days.

Stage three

- 4.6 If no such response is forthcoming after seven working days from the Head, if you are not satisfied with the way in which your concern has been handled or if the Head is involved in the suspected wrongdoing you should inform the Chair of Astrum Advisory Board of the disclosure.

- 4.7 Wherever possible concerns raised under this policy should be set out in writing.

5. CONFIDENTIALITY

- 5.1 The company will make every effort to maintain the confidentiality of any person raising concerns under this policy unless required by law to disclose it. Staff should be aware that completely anonymous disclosures are difficult to investigate. The ability of the company to ask follow up questions or provide feedback will be limited if whistleblower cannot be contacted. If you want to raise your concern confidentially, we will make every effort to keep your identity secret and only reveal it where necessary to those involved in investigating your concern and following discussion with you.

6. EXTERNAL DISCLOSURES

- 6.1 This policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as but not limited to;

- a regulator including the local authority's Designated Officer (LADO);
- Children's Social Care;
- the NSPCC;
- the Health and Safety Executive;
- the Environment Agency;
- the Information Commissioner;
- the Department for Education;
- the Department for Business, Energy and Industrial Strategy;
- the Police;
- the Independent Schools Inspectorate; or
- the Channel Police Practitioner.

- 6.2 We strongly encourage you to seek advice before reporting a concern to anyone external. In most cases you should not find it necessary to alert anyone external but before you do, as well as considering the internal help and support available which is identified above, please seek external advice from:

- **NSPCC:** The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 (8.00 am to 8.00 pm Monday to Friday) or email help@nspcc.org.uk.
- **Public Concern at Work:** If you have any concerns about disclosing a suspected wrongdoing, the independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. Staff can call 020 7404 6609 for or email whistle@protect-advice.org.uk for advice.

6.3 If you approach a commercial body or the media with details of the suspected wrongdoing or where your concern is disclosed in a malicious manner or for personal gain this may make the disclosure “unreasonable” and the protection given to you by this procedure may be lost. Additionally, we may consider this to be gross misconduct and disciplinary action may be taken against you.

7. PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

7.1 We encourage openness and will support whistleblowers who raise genuine concerns under this policy, even if they turn out to be mistaken.

7.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a genuine concern. If you believe that you have suffered any such treatment, you should inform the Chair of Astrum Advisory Board immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

7.3 Staff must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action.

7.4 However, if the School or the Astrum group conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower may be subject to disciplinary action.

8. CONTACTS

Headmaster, Kensington Park School

Peter Middleton

 p.middleton@kps.co.uk

Designated Safeguarding Lead

Elizabeth Emerton


 e.emerton@kps.co.uk


Interim Chair of Astrum Advisory Board

Stephanie Wicks


 hr@kps.co.uk

NSPCC Whistleblowing Advice Line

 0800 028 0285

 help@nspcc.org.uk

Public Concern at Work
(Independent Whistleblowing Charity)


 020 3117 2520

 whistle@prectect-advice.org.uk

Approved by Headmaster

09 September 2021

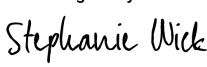
DocuSigned by:


ADD3243C45B6424...

Approved on behalf of
Astrum Advisory Board

09 September 2021

DocuSigned by:


1CE0A5ADF8EB41A...