CLAREMONT
FAN COURT SCHOOL

POLICY AND PROCEDURE:

WHISTLEBLOWING POLICY

Claremont ("the school") has adopted this policy and procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about issues such as fraud, malpractice (including maladministration), health and safety, criminal offences, miscarriages of justice, failure to comply with legal obligations, inappropriate behaviour, unethical conduct or sexual harassment. Other individuals performing functions in relation to the school, such as agency workers, external invigilators and contractors, are also encouraged to use it. The policy also provides, if necessary, for such concerns to be raised outside the organisation.

The school is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards in accordance with the staff code of conduct policy. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

This policy does not form part of an employee's contract of employment and the school may amend it at any time.

Aims of the policy

The school's policy on whistleblowing is intended to demonstrate that the school:

- Will not tolerate malpractice, including malpractice or maladministration in public exams
- Encourages staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated, as appropriate
- 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 the opportunity to raise concerns outside of the normal line management structure where this is appropriate
- Will only invoke the school's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations. The policy seeks to reassure staff that they can raise genuine concerns without fear of reprisal, even if they turn out to be mistaken
- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

Scope of this policy

This procedure is separate from the school's adopted procedures regarding grievances. Individuals should not use the whistleblowing procedure to raise concerns relating to their own personal circumstances, such as the way they have been treated at work. In those cases, the school's grievance policy and procedure, anti-harassment and bullying policy or prevention of sexual harassment policy should be used, as appropriate. If an individual is uncertain whether something is within the scope of this procedure, they should first seek advice from the HR department.

This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the school.

What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing, malpractice or dangers at work. 'Malpractice' is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, that sexual harassment has occurred, is occurring or is likely to occur, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment (negligence), malpractice before, during or after any exams or assessments have taken place.

A whistle-blower is a person who raises a genuine concern relating to suspected malpractice within the school and is protected by the Public Interest Disclosure Act 1998, provided they are acting in the public interest. If an individual has any genuine concerns related to suspected malpractice affecting any of the school's activities (a whistleblowing concern) they should report it under this procedure.

If an individual feels unable to raise an issue with the school or feels that their genuine concerns are not being addressed, they may report their concerns to other whistleblowing channels, such as:

- Protect, an independent whistleblowing charity (helpline: 020 3117 2502, email: whistle@protect-advice.org.uk, website: https://protect-advice.org.uk/contact-protect-advice-line/).
- The NSPCC whistleblowing helpline (tel: 0800 028 0285 or email: help@nspcc.org.uk).

Confidentiality

The school hopes that staff will feel able to voice whistleblowing concerns openly under this procedure. However, if they wish to raise a concern confidentially, the school will make every effort to keep their identity secret. If it is necessary for anyone investigating the concern to know their identity, this will be discussed with them.

If there is evidence of criminal activity, then the police will in all cases be informed.

The school does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the school cannot obtain further information. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should discuss this with the head, director of operations or head of HR and appropriate measures can then be taken to preserve confidentiality. If an individual is in any doubt, they can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are set out above.

Safeguarding

Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with Keeping Children Safe in Education (DfE, September 2026). In particular:

- Safeguarding / Safeguarding Policy – individuals should raise any initial safeguarding concerns about a child with the Designated Safeguarding Lead in accordance with the school's safeguarding policy and procedures
- Safeguarding / member of staff - individuals should raise any concerns about another staff member with the head or head of junior school (hereinafter referred to as "the head"), or if the concern is about the head, with the chair of governors (without first notifying the head) in accordance with the procedures in section 11 of the school's safeguarding policy

- Whistleblowing policy - if an individual is concerned that the school's safeguarding policy is not being followed correctly, they should follow this procedure to raise concerns about poor or unsafe safeguarding practices at the school, or potential failures by the school or staff to properly safeguard the welfare of pupils
- Children's Social Services - in exceptional circumstances, or if at any point there is a risk of immediate serious harm to a child, a referral should be made directly to the children's social care (and if appropriate the police) immediately.

Further guidance can be found in the whole school policy for Safeguarding incorporating Child Protection. All staff have appropriate training, so they understand that they are expected and encouraged to raise any concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment, in accordance with this policy.

Exam malpractice

Examples of exams-related malpractice may include:

- Failure to comply with exam regulations as set out by the Joint Council for Qualifications (JCQ) and its awarding bodies
- A security breach of the exam paper
- Conduct of school staff which undermines the integrity of the exam
- Unfair treatment of candidates by either giving an advantage to a candidate/group of candidates (e.g. by permitting an access arrangement which is not supported by appropriate evidence) or disadvantaging candidates by not providing access to the appropriate conditions (providing a 'level playing field')
- Possible fraud and corruption (e.g. accessing the exam paper prior to the exam to aid teaching and learning or to give an unfair advantage to a relative or friend where there is a conflict of interest)
- Abuse of authority (e.g. the head of centre/members of the Senior Leadership Team overriding the JCQ and awarding body regulations).

Raising a whistleblowing concern

The whistleblowing procedure to follow depends on:

a) How serious the concern is
b) What or who the concern is about
c) To whom the whistleblower feels most comfortable talking.

The school hopes that in many cases individuals will be able to raise any concerns with their line manager or head of department. Concerns can be raised in person or in writing if preferred. In some cases, this may not be possible and the matter may need to be referred to the head, deputy or director of operations.

It is important that they set out clearly:

- The details of the suspected wrongdoing
- The names of any individuals involved
- What action (if any) they are seeking.

The line manager or head of department may be able to agree a way of resolving their concern quickly and effectively.

In the event that an individual's head of department or manager is involved in the suspected wrongdoing, or where the matter is more serious, or an individual feels that their line manager or head of department has not addressed their concern, or they prefer not to raise it with them for any reason, the individual can raise a whistleblowing concern to the head, deputy or the director of operations directly.

If an individual feels unable to approach the head, deputy or director of operations directly, the chair of governors should be the first point of contact.

How the school will handle the matter

Whichever route is taken, the school will initially assess what action will be taken. This may involve an internal inquiry (a brief informal fact-finding exercise) or a more formal investigation. The school will tell the individual who is handling the matter, how they can contact that person and the timescale for completion.

A meeting will be arranged with the individual as soon as possible to discuss and clarify the nature of their concern. They may bring a colleague or a trade union representative with them to the meeting. Where it is considered appropriate, a member of the HR department may also be present. The companion must respect the confidentiality of the disclosure and any subsequent investigation. They may be required to attend additional meetings in order to provide further information as the concerns raised are investigated.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The individual will be kept informed of the progress of the investigation and its likely timescale. The level of investigation and time this will take will vary depending on the nature of the suspected wrongdoing. Whenever possible and subject to third party rights, they will be informed of the resolution. However, in some cases this may not be possible, for example where data protection rules apply or there are sensitive issues that need to remain confidential. The individual should treat any information about the investigation as confidential.

If, following the investigation, it is clear that matters cannot be fully dealt with internally, external authorities, such as the Health and Safety Executive, the Local Authority Designated Officers (LADOs) or the police, may become involved.

Appeal

If an individual is not satisfied that their concern is being properly dealt with, they have the right to raise it in confidence with the Governing Body. Alternatively, they can follow the external procedure below.

The individual can raise their appeal orally, or in writing. It is important that they set out clearly the grounds of their appeal, i.e. the basis on which they consider that their original concern has not been satisfactorily dealt with.

In some cases, it may be necessary to ask them to attend a meeting to clarify the nature of their appeal. This will be arranged as soon as possible. They may, if they wish, bring a colleague or a trade union representative with them to the meeting. Where it is considered appropriate, a member of the HR department may also be present.

The relevant Governor will consider the grounds for appeal and review the manner in which the original whistleblowing concern was handled. The individual will be informed in writing of the outcome as quickly as possible.

External procedures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in school. In most cases an individual should not find it necessary to alert anyone externally.

However, where all internal procedures have been exhausted, an individual shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) HMRC, the Audit Commission, the Health and Safety Executive and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue).

In the case of suspected exam malpractice, if an individual does not feel safe raising the issue within the centre (the school), or they have done so and are concerned that no action has been taken, they could consider making their disclosure to a malpractice expert at the awarding body for the qualification where malpractice is suspected or to Ofqual. In order to investigate the concerns effectively, they should provide the awarding body with as much relevant information as possible, which may include:

- The qualifications and subjects involved
- The names of staff/candidates involved
- The regulations breached/specific nature of the suspected malpractice
- When and where the suspected malpractice occurred
- Whether multiple exam series are affected
- If the issue has been reported to the centre (the school) and what the outcome was
- How the issue became apparent.

It will very rarely, if ever, be appropriate for an individual to alert the media.

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where an individual may be entitled to raise a concern directly with an external body where the individual reasonably believes:

- That exceptionally serious circumstances justify it
- That the school would conceal or destroy the relevant evidence
- Where they believe they would be victimised by the school
- Where the Secretary of State has ordered it.

The school strongly encourages individuals to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Malicious accusations

All false, malicious, vexatious or frivolous accusations will be dealt with under the school's disciplinary procedure.

Protection from reprisal or victimisation

It is understandable that staff are sometimes worried about possible repercussions as a result of a raising a whistleblowing disclosure. The school aims to encourage openness and will support individuals if they raise genuine concerns under this policy, even if they turn out to be mistaken.

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 follow the whistleblowing procedures outlined in this policy. If a member of staff raises a whistleblowing concern in accordance with this policy, the school will ensure they are treated with respect and provided with adequate support and protection. If a member of staff believes that they have suffered detrimental treatment because they have raised a whistleblowing concern, they should report the matter to the head, director of operations or head of HR immediately. If the matter is not remedied, they may raise it formally using the school's grievance procedure.

No member of staff must threaten or retaliate against whistleblowers in any way; such conduct may be subject to disciplinary action.

Data protection

When an individual makes a disclosure, the school will process any personal data collected in accordance with its data protection policies. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.