



Whistleblowing Policy

This policy applies to:

Ardingly College Family of Schools Staff (Ardingly College, Great Walstead School, Ardingly Projects Limited and Ardingly Activity Centre)

Person responsible for the policy:

HR Director

Review dates:

Last review July 2025

Next review Sept 2026

Introduction

1. As a values-driven and people-centred employer we commit to developing and maintaining a culture of care and inclusion; ensuring that this culture is embedded in all our activities, policies, and decisions.
2. This policy applies to anyone who wishes to raise concerns about suspected wrongdoing at Ardingly College Family of Schools.
3. The Public Interest Disclosure Act 1998 (PIDA), the law that protects whistleblowers from negative treatment or dismissal for raising their concerns, applies to both employees and workers, including permanent and temporary employees, casual staff, apprentices, agency staff, consultants, contractors, sub-contractors or a partner organisation who are engaged in work for Ardingly College Family of Schools.
4. Whistleblowing is the popular term used when someone who works for an organisation raises a concern about a possible fraud, bribery, corruption, safeguarding concerns, danger or other serious unlawful or unethical conduct in the workplace.
5. This procedure is available to all individuals who discover something they feel they should pass on in the interest of the public. All types of wrongdoing are included whether they are acts committed by fellow employees, fault in Ardingly College Family of Schools procedures or oversights which should be rectified. The procedure should be used even if the act or omission has finished or has not yet started.
6. Ardingly College Family of Schools is committed to ensuring that all allegations of malpractice are taken seriously. Individuals are asked to bring any such allegations to Ardingly College Family of Schools' immediate attention. This is in the interest of Ardingly College Family of Schools, its pupils, its staff, and the public.
7. This policy sets out the ways in which individuals should bring any concerns to the attention of Ardingly College Family of Schools and explains how and in what circumstances individuals can raise concerns to appropriate external bodies.

Grievances

8. This procedure should not be used where an employee has concerns regarding their personal circumstances or employment. These issues should be raised via the **Grievance Procedure** or the **Dignity at Work Policy**.

Detriment

9. Individuals have the right to raise whistleblowing concerns in confidence. Provided that this procedure is used correctly and in good faith, the individual who makes a disclosure will not suffer any detriment as a result of reporting the wrongdoing. Failure to follow this procedure may, however, make the disclosure unreasonable, and the protection given by this procedure may be lost.

10. In exceptional circumstances allegations can be made anonymously, although this may hinder a full and effective investigation.

Qualifying disclosures

11. Certain kinds of disclosure qualify for protection. These are disclosures of information which the individual reasonably believes are made in the public interest and tend to show one or more of the following relevant failures is either currently happening, took place in the past, or is likely to happen in the future:
- a criminal offence, including offences such as theft, fraud, facilitation of tax evasion or acts of bribery
 - the breach of a legal obligation
 - a miscarriage of justice
 - a danger to the health and safety of any individual
 - damage to the environment
 - the deliberate concealment of information tending to show any of the above five matters.
12. Only disclosures of information that fall within one or more of these six categories qualify for protection under the Act.
13. The individuals' belief must be reasonable, but it need not be correct. It might be discovered subsequently that they were, in fact, wrong or mistaken in their belief, but they must be able to show that they held the belief and that it was a reasonable belief to hold in the circumstances at the time of disclosure. Note that it is not the individual's responsibility to investigate the matter. That is Ardingly College Family of Schools' responsibility.
14. The individual must also reasonably believe that their disclosure is made in the public interest. It will therefore not include disclosures which can properly be characterised as being of an entirely personal rather than a wider public interest, for example a disclosure about a breach of the terms of their own contract of employment which does not affect anyone else. In assessing the reasonableness of their belief in this regard, it is important to be aware that the following factors will be relevant:
- the number of individuals whose interests your disclosure served
 - the nature of the alleged wrongdoing
 - the nature of the interests affected and the extent to which they are affected by the alleged wrongdoing disclosed
 - the identity of the wrongdoer.
15. If the individual is uncertain whether their proposed disclosure is within the scope of this policy, they should seek advice from their line manager or from HR.

Protected disclosures

16. For a qualifying disclosure to then be a protected disclosure, the individual needs to make it to the right person and in the right way. There are a number of methods by which a protected disclosure can be made, but Ardingly College Family of Schools always encourages all employees, workers, agency workers, consultants, and contractors to raise any disclosure internally in the first instance.

17. The individual is protected if they make a qualifying disclosure to either:

- Ardingly College Family of Schools or
- where they reasonably believe that the relevant failure relates solely or mainly to the conduct of a third party or any other matter for which a third party other than Ardingly College Family of Schools has legal responsibility, to that third party – for example, this might be a customer, client, or supplier.

18. Individuals are encouraged to raise any qualifying disclosures that they may have by following the disclosure procedure set out below, and this also includes qualifying disclosures relating to the conduct of a third party such as a customer, client, or supplier.

The disclosure procedure

19. This procedure applies to all permanent and temporary employees and workers. In addition, third parties such as agency workers, consultants and contractors and any others who perform functions in relation to Ardingly College Family of Schools should use it.

The procedure is as follows:

20. If an individual wishes to make a qualifying disclosure, they should, in the first instance, report the situation in writing to their line manager (or to their designated Company contact if they are an agency worker, consultant or contractor), setting out in detail the nature of their disclosure. If they do not wish to contact their line manager (or their designated Company contact), they can instead contact an alternative manager.

1. Such disclosures should be made promptly so that an investigation may proceed, and any action may be taken, expeditiously.
2. All qualifying disclosures will be treated seriously. The disclosure will be promptly, thoroughly, and impartially investigated as appropriate. As part of the investigatory process, a meeting will be arranged with the individual so that they can set out the nature and full details of their qualifying disclosure and the basis for it and they will then be asked to provide a written witness statement (or the notes of the meeting will be used to produce a written record of their qualifying disclosure for them to sign after the meeting). The individual has the right to be accompanied by a trade union official, trade union representative or a fellow employee of their choice at this meeting, but they must respect the confidentiality of the disclosure and the investigation. The investigator may arrange further meetings with the individual as appropriate throughout the investigation.
3. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances, so individuals not involved in the disclosure or investigation should not be told about it. However, in order to effectively investigate a disclosure, Ardingly College Family of Schools must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the

disclosure. For example, it may be necessary to interview witnesses to any “incidents” mentioned in the qualifying disclosure. The importance of respecting the confidentiality of the investigation will be emphasised to all those involved and a failure to maintain confidentiality may lead to disciplinary action being taken under the disciplinary procedure. Serious breaches of confidentiality will be treated as potential gross misconduct and could render the relevant employee liable to summary dismissal.

4. Ardingly College Family of Schools reserves the right to arrange for another manager (or a team of investigators) to conduct the investigation other than the manager with whom the individual raised the matter. It is important that the investigation is conducted by a person or persons with appropriate experience of investigations or specialist knowledge of the subject matter of the qualifying disclosure.
5. Once the investigation has been completed, the investigator(s) will prepare a report and the individual will then usually be informed in writing of the outcome as soon as possible, including what action, if any, is to be taken. Ardingly College Family of Schools is committed to taking appropriate and prompt action with respect to all qualifying disclosures which are upheld. If no action is to be taken, or if for some reason we cannot give the individual details of the outcome of the investigation, the reasons for this will be explained to them
6. The individual 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.
7. Once Ardingly College Family of Schools’ conclusions have been finalised, any necessary action will be taken. This could include either reporting the matter to an appropriate external government department or regulatory agency and/or taking internal disciplinary action against relevant members of staff. The investigator(s) may also make recommendations for changes to policies, processes, or procedures to minimise the risk of future wrongdoing.
9. Ardingly College Family of School always encourages all employees, workers, agency workers, consultants, and contractors to raise their concerns directly in the first instance, rather than externally. This enables issues to be dealt with, and any wrongdoing remedied, promptly and speedily. In most cases, it should not be necessary to raise concerns externally. However, if, on conclusion of the above stages, the individual does reasonably believe that appropriate action has not been taken, they may then report the matter externally to the proper authority in accordance with the provisions of the Act. The Act sets out a number of prescribed external bodies or persons to which qualifying disclosures may be made: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>.
10. We strongly encourage individuals to seek advice before reporting the matter to anyone external. The independent whistleblowing charity, Protect, operates a free, confidential advice line for whistleblowers <https://protect-advice.org.uk/>
11. Ardingly College Family of Schools encourages individuals to make qualifying disclosures openly under this policy. We do not encourage staff to make qualifying disclosures anonymously, although we will investigate anonymous disclosures where we are able to do

so. Completely anonymous disclosure can make proper investigation more difficult, if not impossible in some cases.

General principles

- be aware of the importance of eliminating fraud, misconduct, the facilitation of tax evasion, bribery, or other wrongdoing at work. Report anything that you become aware of that is illegal or unlawful
- Ardingly College Family of Schools will support you if you raise a genuine concern under this policy, even if you turn out to be mistaken, and you will not be victimised, subjected to a detriment, or dismissed for raising a protected disclosure
- victimisation of an employee, worker, agency worker, consultant or contractor, or subjecting them to any form of detrimental treatment, threats or retaliation (including bullying and harassment), for raising a protected disclosure under this policy will not be tolerated by Ardingly College Family of Schools is a disciplinary offence and will be dealt with under the disciplinary procedure. Depending on the seriousness of the offence, it may amount to potential gross misconduct and could result in your summary dismissal
- be aware that you can also be held personally liable for any act of victimisation or detrimental treatment of an employee or worker on the ground that they made a protected disclosure
- you should immediately draw the attention of your line manager to suspected cases of victimisation or detrimental treatment related to either yourself or another employee, worker, agency worker, consultant or contractor having made a protected disclosure - if you believe that you have been victimised or subjected to detrimental treatment for having made a protected disclosure and the matter is not then remedied, you should raise it formally using the grievance procedure
- covering up someone else's wrongdoing is also a disciplinary offence. Never agree to remain silent about a wrongdoing, even if told to do so by a person in authority, such as your line manager
- your right to make a protected disclosure under this procedure overrides any confidentiality provisions in your contract of employment
- maliciously making a false allegation is a disciplinary offence and will be dealt with under the disciplinary procedure. If you are a third party, such as an agency worker, consultant, or contractor, it could result in your engagement being terminated.

The Media

21. Even where extreme circumstances are thought to exist, employees should under no circumstances approach a commercial body or the media with details of the suspected wrongdoing. Where such a body is approached by an employee or concerns are disclosed for personal gain, Ardingly College Family of Schools may consider this gross misconduct, and immediate disciplinary action may be taken.

22. Related policies:

23. This policy should be read in conjunction with the following additional policies and Government guidance:

- Safeguarding
- Health and Safety
- Code of Conduct for Staff
- Grievance Resolution Procedure
- Dignity at Work
- Anti-Corruption and Bribery
- Government Guidance on Whistleblowing for employees:
<https://www.gov.uk/whistleblowing>
- Government Guidance on Whistleblowing for employers [Whistleblowing: guidance and code of practice for employers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/whistleblowing-guidance-and-code-of-practice-for-employers)
- Government Guidance on Reporting wrongdoing at a charity as a worker or volunteer:
[Report serious wrongdoing at a charity as a worker or volunteer - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/report-serious-wrongdoing-at-a-charity-as-a-worker-or-volunteer)