Hampton Court House

Whistleblowing Policy

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Reviewed by PGP

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Introduction

1. Hampton Court House, referred to as 'HCH' or 'the School', is committed to the highest standards of openness, probity and accountability.
2. An important aspect of accountability and transparency is a mechanism to enable staff and other members of the School to voice concerns in a responsible and effective manner. It is a fundamental term of every Contract of Employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which he/she believes shows serious malpractice or wrongdoing within the organisation then this information should be disclosed internally without fear of reprisal, or termination of employment, and there should be arrangements to enable this to be done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told).
3. The School is managed by Hampton Court House Ltd, which is a limited company owned and a subsidiary of Dukes Education Ltd. Dukes are clear in their acknowledgement not only of their statutory duties, but also in their desire to run an ethical and transparent business for the benefit of all stakeholders – pupils, parents, staff and members of the local community.
4.
5. The *Public Interest Disclosure Act*, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. This has been amended in the 2025 Employment Rights Act to include sexual harassment. The school has endorsed the provisions set out below so as to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.

Whistleblowing code

6. The School adheres to the Richmond-upon-Thames Local Authority whistleblowing policy and procedures that enable staff to raise concerns relating to:
    a. compliance with a legal obligation of statutes
    b. implementation of effective policies and practice for the safeguarding of children
    c. financial malpractice or impropriety or fraud
    d. criminal activity
    e. a miscarriage of justice
    f. health and safety issues
    g. environmental or property damage
    h. improper conduct or unethical behaviour
    i. concealing or attempting to cover up any of the above.
    j. sexual harassment that has occurred, is occurring, or is likely to occur.

7. This code provides additional information to help staff to understand the role of whistleblowing in the context of poor practice and unacceptable conduct and attitudes towards children.

When to use the code

8. The whistleblowing procedures and this code may be used by anyone employed by the school in a paid or voluntary capacity who believes they have reason to suspect that the conduct of an employee towards a child is inappropriate.
9. Inappropriate conduct includes, but is not confined to:
    a. bullying or humiliation.
    b. compromising pupils' welfare but in a way that does not meet the threshold for child protection intervention.
    c. professional practice that falls short of normally accepted standards.
    d. contravening health and safety guidelines.
    e. serious breaches of the school's ethos.
    f. serious breach of conduct or behaviour

Reasons for blowing the whistle, with specific reference to Safeguarding Children

10. Staff will naturally be reticent to report a concern about the conduct of a colleague. However, each individual must take responsibility for ensuring that children are fairly treated. If poor practice is allowed to continue unchecked, it could escalate with serious consequences.
11. Your action not only protects children, but also deters any suggestion that you have colluded with poor practice that you knew was occurring but chose to ignore.
12. Whistleblowing can also support the member of staff who is the subject of the concern. Their conduct may result from inexperience or lack of training that can be addressed by the school, or they may be under stress and be relieved when their conduct is questioned.
13. Staff who deliberately fail children and show no remorse or desire to improve are unlikely to welcome being exposed, but their conduct has to be confronted for the sake of the child and the reputation of the whole school.

Barriers to whistleblowing

14. You may worry that you have insufficient evidence to raise a concern that you will set in train an unstoppable chain of events, that there will be adverse repercussions for your career, that you may suffer harassment or victimisation, or that your suspicion or concern might be totally misplaced.
15. These concerns are entirely understandable but you can be reassured that whistleblowing procedures address these issues.
16. The *Public Interest Disclosure Act 1998* protects employees from reprisals for public interest whistle blowing. Your union, a solicitor or the local authority legal services can provide you with information about your legal position.

Confidentiality and anonymity

17. All concerns are treated in confidence and, as far as possible, your identity will not be revealed if that is your wish. However, absolute confidentiality cannot be guaranteed if, as a result of an investigation, you are required to provide a witness statement or attend a court hearing.
18. You can, if you prefer, raise your concern anonymously. The school would need to decide whether the levity and credibility of the concern warrants investigation if the source of the concern, and the key evidence, is not readily available.
19. The school will fully support you and do all it can to protect you from any harassment or adverse repercussions that may arise from whistleblowing. Allegations that prove to be deliberately fabricated and malicious will be dealt with through staff disciplinary procedures. However, no action will be taken against any member of staff who raises a genuine concern that proves to be unfounded.

Reporting procedure

20. It may help if you write down, for your own benefit, what you have observed or heard that is causing alarm. One useful way to decide whether your concern should be reported is to consider whether you would want the conduct of this member of staff to continue unchecked if your own child or another young family member was involved.
21. You may raise your concern verbally or in writing. You should report your concern directly to the Principal.
22. If the Principal is the subject of your concern, speak or write to the Human Resources Manager or the Chair of the governing body, or – if the concern relates to a safeguarding issue – speak or write to the nominated safeguarding governor (See the Safeguarding Policy for information).
23. A friend, colleague or union representative may accompany you to the meeting if you wish.
24. Ensure the Principal or governor informs you of their proposed action and sets a date for a second meeting.
25. Timescales will depend on the complexity of the initial inquiry but the case should not be allowed to stall and you should receive initial feedback within 10 working days. The timescale for subsequent feedback should then be agreed.

26. Ask for clarification about confidentiality and ensure you have your wishes regarding the protection of your identity recorded.

Process and outcome

27. The Principal or governor will make enquiries to establish the facts of the matter and whether poor practice or inappropriate conduct has occurred.
28. Members of the school community, including governors, may be asked to provide information or advice.
29. External advice, for example, from legal or Human Resources or children's services may be sought.
30. A written record of the conduct, established facts and outcome of the inquiry will be kept.
31. The whistleblower will be kept informed of the progress of the inquiry.
32. The outcome of the inquiry will be one of the following:
    a. No poor practice or wrongdoing is established and the case is closed.
    b. The concern has some substance and the subject of the concern will receive advice and support from the Principal to improve practice.
    c. Poor practice or wrongdoing is established and disciplinary proceedings are initiated.
    d. The concern is more serious and an investigation is initiated. This investigation may involve the local authority's legal team, children's social care or the police.
33. If, at any stage in the process, there is reason to believe that a child is at risk of significant harm, children's social care will be immediately involved.

Further action

34. If the School's investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, the School recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators), or, where justified, elsewhere.
35. Alternatively, you can seek advice from your union or professional association, a solicitor, the police, children's social care or Protect, a registered charity that offers free and confidential legal advice on workplace malpractice:

Protect
The Green House
244-254 Cambridge Heath Rd
E2 9DA
020 3117 2520
www.protect-advice.org.uk