# Whistleblowing Policy

## 1. Purpose

The purpose of our Whistleblowing Policy is to provide a safe, confidential, and effective mechanism for employees, pupils and learners and all stakeholders to report concerns about alleged wrongdoing, malpractice, or unethical behaviour within our organisation. This policy is designed to encourage a culture of transparency, accountability, and integrity, where individuals feel empowered to speak up without fear of reprisal. By establishing clear procedures for reporting and investigating concerns, we aim to identify and address issues promptly, prevent future misconduct, and uphold the highest standards of ethical conduct and compliance with laws and regulations. Our Whistleblowing Policy underscores our commitment to promoting a work and learning environment where everyone's voice is valued, concerns are taken seriously, and actions are taken to maintain a culture of trust and integrity.

## 2. The Statutory guidance

The following statutory guidance shall be followed by AaA and AaAST:

- Public Interest Disclosure Act 1998 Government guidance on whistle-blowing
- Employment Rights Act 1996 (as amended by PIDA 1998 Section 43 A-L)
- CQC Guidance on Whistleblowing
- Education Act 2002
- Education and Skills Act 2008
- Multi Academy Trust Handbook
- Health and Social Care Act 2008
- Care Act 2014
- Department for Education Whistleblowing Guidance

## 3. Policy statement

At Ambitious about Autism, we are committed to upholding the highest standards of integrity, transparency, and ethical conduct in all aspects of what we do. We believe that staff play a crucial role in maintaining a culture of accountability and ethics within the organisation. As such, we have established this Whistleblowing Policy to provide a framework for employees to report concerns about suspected wrongdoing, malpractice, or unethical behaviour in the workplace without fear of reprisal.

The objective of this policy is to encourage staff to report any concerns about suspected wrongdoing, malpractice, or unethical behaviour within the organisation. It aims to provide a confidential and secure mechanism for employees to raise such concerns and ensure that appropriate actions are taken to address them.

This policy applies to all staff and workers employed by us. Other individuals, including our contractors, subcontractors, suppliers and volunteers are also encouraged to follow the procedure set out in this policy. Learners and their families who may have concerns of wrongdoing can use the procedures set out within this policy.

## 4. Key principles

Whistleblowing is the act of reporting suspected wrongdoing or risk of wrongdoing relating to:

- a criminal offence
- a failure to comply with a legal obligation

- a miscarriage of justice
- a risk to the health and safety of an individual
- damage to the environment or
- an attempt to cover up any of the above.
- sexual harassment

It is not necessary for you to prove the suspected wrongdoing. However, to be protected by whistleblowing laws against detrimental treatment or dismissal, you must reasonably believe that the suspected wrongdoing (related to one of the categories listed above) is being, has been, or is likely to be committed and that your disclosure is in the public interest.

Whistleblowing is one of the most effective ways of preventing and eliminating wrongdoing at work.

We recognise that raising a whistleblowing concern can be daunting. However, we encourage you to report concerns internally as soon as possible where you suspect wrongdoing. We are here to listen and will take all concerns that you raise seriously.

**Please see Appendix 1 for the Whistleblowing procedure.**

If your concern relates to a personal grievance that is not in the public interest as outlined above (for example, an allegation of bullying or harassment, or an allegation of misconduct or gross misconduct), you should raise it under the grievance policy and procedures.

If you are unsure about whether your concerns are best dealt with under the whistleblowing policy or grievance procedure, please email peopleadvisory@ambitiousaboutautism.org.uk for further advice.

We strongly encourage staff to report any concerns of suspected wrongdoing, malpractice, or unethical behaviour they may have witnessed in good faith. However, it is important to note that any malicious or vexatious complaints will be handled as a disciplinary matter. Such behaviour is not acceptable and will be considered under the disciplinary policy and will be taken seriously.

Moreover, this includes if it is determined that an individual has knowingly made false allegations, this too will be treated as a disciplinary matter.

**External reporting**

This policy establishes an internal process for reporting, investigating, and addressing misconduct within the organisation. In most instances, there should be no need to escalate concerns to external parties.

However, it is acknowledged that under certain circumstances, it may be necessary to report concerns to an external entity, such as a regulatory body like Ofsted, CQC, Health and Safety Executive, Information Commissioner's Office or the Charity Commission as well as the Department for Education. Before making an external report, it is strongly advised to seek guidance. Please see Appendix 1 for the whistleblowing procedure.

**Whistleblowing procedure and key contact list**

Depending on the nature of the concern, legal, regulatory, or professional obligations may require us to inform external authorities, such as the Police, the relevant Local Authority, or Charity Commission. This is especially important in cases where there are suspicions or evidence of child abuse, neglect, exploitation, or any other form of harm.

It's essential to take any concerns about the welfare of children and young people seriously and to follow the appropriate safeguarding procedures. This includes reporting concerns to designated safeguarding officers within the organisation, who can then take the necessary steps

to escalate the issue to external authorities if required.

By prioritising, the safeguarding of children and young people and being proactive in addressing any concerns, we can help create a safer and more secure environment. For further details on **child protection and safeguarding** procedures please use the following policies: -

TreeHouse School
The Rise School
Ambitious College
Spring School St Johns
Central Team

For further details on **adult safeguarding and protection** procedures please use the following policies:-

TreeHouse School
The Rise School
Ambitious College
Spring School
St Johns

Central Team Concerns of wrongdoing, malpractice, or unethical behaviour may also arise through external complaints or internal grievances that managers and employees are handling. Care should be taken to address those concerns through the appropriate policies for Compliments and Complaints Policy and/or the Grievance Policy and Procedure.

## 5. Roles and Responsibilities

### 5.1 Staff:

Staff members play a crucial role in observing and reporting any concerns about suspected wrongdoing, malpractice, or unethical behaviour.

Staff members should familiarise themselves with the whistleblowing policy and procedure and are responsible for reporting any concerns they have about suspected wrongdoing to the designated contact, outlined in Appendix 1, or to their line manager or designated safeguarding lead if it is a safeguarding concern. Staff members should maintain confidentiality about any whistleblowing reports and not engage in any form of retaliation against whistleblowers.

### 5.2 Pupils/Learners:

Pupils and learners may also witness or become aware of suspected wrongdoing and have a role in reporting concerns. Some pupils or leaners may require alternative methods of communication. It's important to ensure that they can effectively communicate their concerns or that appropriate support is provided to help them do so. This may involve using visual aids, communication devices or other accommodations.

Pupils and learners may have varying levels of understanding about what constitutes suspected wrongdoing or may have difficulty recognising and articulating concerns. Support and information will be provided to help these learners understand what behaviours or situations should be reported and how to do so. Reporting mechanisms will be accessible and clearly laid out in each setting.

### 5.3 Governors/Trustees:

Governors or trustees provide oversight and governance and have a responsibility to ensure there is an effective whistleblowing policy in place, which is communicated to all stakeholders. They should monitor the policy's effectiveness and ensure that any reported concerns are promptly and appropriately investigated. Additionally, Governors/Trustees should promote a

culture of transparency and accountability.

### 5.4 Managers/ELT/SMT:

Managers, ELT, and SMT members are responsible for ensuring they act ethically and are compliant with this policy and the relevant legislation outlined within this policy.

They should lead by example and create a culture where staff and learners feel comfortable reporting concerns about suspected wrongdoing. Managers, ELT, and SMT members should ensure that whistleblowing policies and procedures are followed consistently and that reported concerns are addressed promptly.

They are responsible for investigating reported concerns, taking appropriate actions, and ensuring that whistleblowers are protected from retaliation.

It is essential for both ELT and SMT to understand that this policy and process, as well as the relevant legislation, must be carefully considered when handling complaints under the Compliments and Complaints Policy, safeguarding concerns and grievances as managed under the relevant policy. Being mindful of the legal implications and requirements surrounding public disclosure can help ensure that complaints are managed in a transparent and compliant manner, thereby upholding the rights of both the complainant and the organisation. It is essential to be familiar with the policies, procedures and guidance that govern complaints to effectively navigate these situations while maintaining accountability and integrity when complaints may also contain public interest disclosures.

## 6. Other Key Policies

This policy should be read alongside the following other policies, which can be found on the Ambitious about Autism One World, or requested:

a) Code of Conduct
b) Disciplinary Policy and Procedure
c) Grievance Policy and Procedure
d) Dignity at Work Policy and Procedure
e) Equity, Diversity and Inclusion Policy
f) Child protection TreeHouse School, The Rise School, Ambitious College, Spring School, St Johns and Central Team
g) Adult safeguarding TreeHouse School, The Rise School, Ambitious College, Spring School, St Johns and Central Team
h) Serious Incident Reporting Policy and Procedure
i) Data Protection and Data Security Policy
j) Compliments and Complaints Policy

## 7. Further details found in Appendix 1 and 2

Additional details can be found in Appendix 1 - The Whistleblowing Procedure and Key Contact List. Appendix 2 - The Whistleblowing Form.

## 8. Monitoring Arrangements

This policy shall be reviewed by the People Team and approved by the Board of Trustees on an annual basis.

**Appendix 1**

## 1. Whistleblowing Procedure

This procedure applies to all staff and workers employed by us. Other individuals, including our contractors, subcontractors, suppliers and volunteers are also encouraged to follow the procedure set out.

Whistleblowing concerns to which this procedure relates to acts of suspected wrongdoing or risk of wrongdoing relating to:

- a criminal offence;
- a failure to comply with a legal obligation;
- a miscarriage of justice;
- a risk to the health and safety of an individual;
- damage to the environment; or
- an attempt to cover up any of the above.
- sexual harassment

It is not necessary for you to prove the suspected wrongdoing. However, to be protected by whistleblowing laws against detrimental treatment or dismissal, you must reasonably believe that the suspected wrongdoing (related to one of the categories listed above) is being, has been, or is likely to be committed and that your disclosure is in the public interest. For a disclosure to qualify as whistleblowing, it must involve the reporting of specific types of wrongdoing and be made in the public interest rather than for personal gain. Whistleblowers are protected from retaliation or dismissal under the law, provided that they make their disclosure in good faith and following these prescribed procedures and the Whistleblowing Policy which underpins the key principles of Whistleblowing and the Public Interest Disclosure Act 1998. For further details on the Whistleblowing and the Public Interest Disclosure Act 1998 please click here.

**Stage 1 - Raising a whistleblowing concern**

If you have a genuine concern about any suspected wrongdoing covered under the Whistleblowing policy, you should raise it with your line manager. If your concern relates to your line manager, you should raise your concern with your line manager's manager. If it is about a senior manager, such as the Head, please contact their ELT member or the Director of People and Culture.

If your concern involves an ELT member, you must contact the Chief Executive Officer. If it relates to the Chief Executive Officer, contact the Vice Chair of the Trustees. Key contacts can be found at the end of this procedure in point number 6.

We ask you to raise your concern in writing by completing the form in Appendix 2. It is important that you set out clearly:

- the details of the suspected wrongdoing.
- the names of any individuals involved; and
- and what action (if any) you are seeking.

Sometimes, it may be necessary to ask you to attend a meeting to clarify the nature of your concern. This will be arranged as soon as possible. Where it is considered appropriate, a member of the People team may also be present.

**Stage 2 - Responding to your whistleblowing concern**

The manager you approach with your concern will escalate it to the Head of People or Director of People and Culture for necessary support. The manager, with the People Team assistance, will determine the need for an investigation and decide on the suitable person to lead it. Subsequently, the designated manager will notify you of the investigation process and outline who will conduct it and the anticipated timeline for its completion. Additionally, a support individual will be assigned to the whistleblower by the manager.

The level of investigation and time this will take will vary depending on the nature of the suspected wrongdoing.

Following the investigation, the relevant manager will inform you in writing, as soon as reasonably possible after completion of the investigation, of the outcome and any next steps or action that will be taken. While we aim to provide you with comprehensive feedback, 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.

**Stage 3 - Appeal**

If you are not satisfied with how your concern has been dealt with, you will be provided with an appropriate manager whom you can appeal to.

If you wish to appeal, please do this in writing within 5 working days of being told the outcome. It is important that you set out clearly the grounds of your appeal, i.e. the basis on which you consider that your original concern has not been satisfactorily dealt with.

In some cases, it may be necessary to ask you to attend a meeting to clarify the nature of your appeal. This will be arranged as soon as possible. Where it is considered appropriate, a member of the People team may also be present.

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

## 2. Confidentiality and anonymity

We want you to feel comfortable about raising a whistleblowing concern openly and actively encourage you to do so.

Where you raise a whistleblowing concern openly, we will maintain your confidentiality as far as possible. If we need to disclose your identity to anyone, we will notify you beforehand.

We encourage anonymous reporting over remaining silent. Although we will investigate any concern that is reported anonymously as best we can, an anonymous report is likely to be more difficult for us to investigate, and we will not be able to provide you with any feedback.

You can anonymously raise a whistleblowing concern by clicking on the staff feedback on the People portal on SharePoint. Please click here to be taken to the feedback page.

Whistleblowing concerns raised under this policy will be logged in a confidential, access-controlled register maintained by the organisation. The register is to support effective case management and oversight and is handled in accordance with data protection and regulatory requirements.

## 3. Our commitment to you

You have the right not to be subjected to any detrimental treatment (including being unfairly penalised, disciplined or dismissed) because you have raised a whistleblowing concern. If you raise a whistleblowing concern in accordance with this policy, we will ensure that you are treated with

respect and provided with adequate support and protection. You will also be allocated a support person. The support person assigned to the whistleblower will offer emotional support, guidance, and assistance throughout the investigation process.

If you are told not to raise or pursue a whistleblowing concern, or you believe that you have been subjected to detrimental treatment because you have raised a whistleblowing concern, you should report the matter to the Director of People and Culture. In the alternative, you can raise it under our Grievance procedure if it applies to you.

We strongly encourage staff to report any concerns of suspected wrongdoing they may have in good faith. However, it is important to note that any malicious or vexatious complaints will be handled as a disciplinary matter. Such behaviour is not acceptable and will be considered under the disciplinary policy and will be taken seriously.

Moreover, this includes if it is determined that an individual has knowingly made false allegations, this too will be treated as a disciplinary matter.

## 4. Raising your whistleblowing concerns externally

We encourage you to raise your whistleblowing concerns internally in the first instance. If you feel that appropriate action has not been taken, you should report the matter to the correct prescribed body or person (see list on GOV.UK). Please see point 6 at the end of this procedure for key contacts.

You should seek advice if you are thinking of raising your concern with the media, as you will not have protection under whistleblowing laws unless certain conditions are met.

## 5. Further guidance

If you need further guidance or support, you can contact the whistleblowing charity Protect or Citizens Advice for free confidential advice.

## 6. Contact List Internal

### Contacts

Jolanta Lasota Chief Executive
Email: jlasota@ambitiousaboutautism.org.uk

Paul Breckell
Deputy Chief Executive
Email: pbreckell@ambitiousaboutautism.org.uk

Michael Clark
Vice Chair of Trustees
Email: michael.clark@pxc.co.uk

Mark Ospedale
Director of People and Culture
Email: mospedale@ambitiousaboutautism.org.uk

If the person you are looking for is not listed, please contact Mark Ospedale, Director of People and Culture (mospedale@ambitiousaboutautism.org.uk) for assistance.

**External**

The Chief Inspector Ofsted
Piccadilly Gate Store
Street Manchester
M1 2WD
Tel: 0300 123 3155
Email: whistleblowing@ofsted.gov.uk

**Care Quality Commission**
Contact them about matters relating to the provision of health and social care. CQC
National Customer Service Centre
Citygate Gallowgate
Newcastle upon Tyne NE1 4PA
Tel: 03000 616161
Email: enquiries@cqc.org.uk Website:
www.cqc.org.uk

**The Information Commissioner**
Contact them about compliance with the requirement of legislation relating to data protection and to freedom of information.
The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
Tel: 0303 123 1113
Email: icocasework@ico.org.uk Website:
www.ico.org.uk

**The Health and Safety Executive**
Tel: 0300 003 1647
Online form: www.hse.gov.uk/contact/concerns.htm

**Protect** (independent whistleblowing charity) Helpline: 020 3117 2520 Email:
info@protect-advice.org.uk
Website: https://protect-advice.org.uk/

**The Charity Commission for England and Wales**
Contact them about the proper administration of charities in England and Wales and of funds given or held for charitable purposes in England and Wales.
See Report serious wrongdoing at a charity as a worker or volunteer.

**HM Treasury**
Office of Financial Sanctions Implementation HM
Treasury1 Horse Guards Road London
SW1A 2HQ
United Kingdom Tel: 020
7270 5454
Website: https://www.gov.uk/guidance/confidential-reporting-to-ofsi report@hmtreasury.gov.uk
ofsi@hmtreasury.gov.uk

For further external whistleblowing bodies please click here.

**Appendix 2**

| **Form for raising a whistleblowing concern** |
|---|
| This form is intended for use by any individual working for the organisation (including contractors, workers and volunteers) who wants to raise a concern as outlined in the Whistleblowing policy.<br><br>If your concern relates to a personal complaint that is not in the public interest (for example, an allegation of bullying or harassment, or misconduct or gross misconduct), you should raise it under our separate grievance or disciplinary procedure or other relevant procedure. If you are unsure about whether your concerns are best dealt with under the whistleblowing policy or grievance procedure, please email peopleadvisory@ambitiousaboutautism.org.uk for further advice.<br><br>This form should be completed and sent as an email attachment with "confidential" in the subject line. If your concern relates to your line manager, or for any reason you do not wish to approach your line manager, please see stage 1 of the procedure outlining alternatives you can contact.<br><br>Once you have submitted this form, we will invoke the procedure set out in our whistleblowing policy. We will respect your wish for confidentiality as far as this is possible. |

| **Formal whistleblowing concern** | |
|---|---|
| **Name:** | |
| **Job title:** | |
| **Setting or department:** | |
| **Date:** | |

| **Summary of your concern:** |
|---|
| Please set out your concern with as much detail as possible, including the date, time, location, the identities of those involved in the suspected wrongdoing and details of any witnesses. |

| |
|---|
| |
| **Nature of your concern:** |
| Please specify if your concern is about a potential: criminal offence; failure to comply with a legal obligation; miscarriage of justice; risk to the health and safety of an individual; damage to the environment; or attempt to cover up any of these. |
| **Outcome requested:** |
| Please set out how you would like to see the issue dealt with, and why and how you believe that this will resolve the issue. |
| **Declaration:** |
| I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that, if I knowingly make any false allegations, this may result in disciplinary action being taken against me by the organisation. |

| | |
|---|---|
| **Form completed by:** | |

| | |
|---|---|
| **Date sent:** | |
| **Signature:**<br>Or please confirm you have read and agreed to this declaration in your email. | |
| **For completion by the organisation:** | |
| Date form received by the organisation: | |
| Name of recipient and job role: | |
| Email confirmation sent: | |