



WHISTLEBLOWING POLICY

1. INTRODUCTION

The aim of this Policy is to guide employees, students, workers, and contractors in disclosing any concern about possible serious malpractice at ArtsEd, and to provide a transparent and confidential process for dealing with those concerns.

The [Public Interest Disclosure Act 1998](#) provides employees with legal protection against being dismissed or penalised by their employers / school having disclosed certain serious concerns. It also requires employees or students who wish to disclose such concerns and who wish to retain the protection offered by the Act to follow the relevant internal procedure provided by their employer in all but the most exceptional circumstances. The following procedure and associated guidance has been designed to assist employees or students who wish to make such disclosures, and to secure their proper investigation. Although the terms of the Act offer protection specifically to employees, this procedure and associated protections is available to student members, and other members of staff of ArtsEd including volunteers and contractors.

ArtsEd encourages staff and students to raise genuine concerns about malpractice or impropriety at the earliest possible stage.

Staff and students may use the [SpeakUp](#) link as per the [Safeguarding Policy](#).

This code is intended to assist individuals who believe that they have discovered malpractice or impropriety. It is not designed to:

- i. question financial or business decisions taken by ArtsEd;
- ii. reconsider any matters which have already been addressed under grievance or disciplinary procedures;
- iii. investigate an individual or collective personnel dispute for which there are established routes of complaint and remedies;
- iv. investigate an academic dispute between a student and the institution.

Once a disclosure is being dealt with under this Whistleblowing policy, it is reasonable to expect individuals to await the conclusion of any investigation or review instigated under its terms before seeking external review outside the institution.

As this policy assures protection for those declaring a genuine concern, anonymous disclosures are discouraged as this makes it harder to fully investigate and follow up on the issues raised. Nevertheless, where serious issues are raised, and where possible, anonymous disclosures may still be dealt with under this policy.

2. REMIT

This guidance is directed specifically at the disclosure of information which is in the public interest and which in the reasonable belief of the person making the disclosure tends to show malpractice involving one or more of the following:

- criminal activity, including fraud or financial irregularity, corruption, bribery, or blackmail;
- failure to comply with legal obligations;
- danger to health and safety;
- sexual impropriety
- damage to the environment;
- academic or professional malpractice;
- a miscarriage of justice;
- failure to comply with statutes and regulations;
- attempts to conceal any of the above.

Other procedures exist to deal with issues such as: grievances by staff connected with their employment; complaints by students about their programmes of study or services at ArtsEd; appeals against assessment decisions; appeals from disciplinary procedures for staff and students; and, harassment and bullying.

3. DISCLOSER PROTECTION

- I. ArtsEd aims to encourage openness and will support those covered by the policy who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.
- II. Those covered under the policy will not suffer any detrimental treatment as a result of raising a concern without malice, in good faith, reasonably believing it to be true (even if it is not confirmed by the investigation). Detrimental treatment includes suspension / removal from studies, dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If the discloser believes that they have suffered any such treatment, they should inform their Line Manager (staff) or Head of Year (student) as soon as possible (or the Deputy Principal should the treatment relate to either of these people). If the matter is not remedied the discloser should raise it formally using the relevant Grievance Procedure.
- III. Students and members of staff must not threaten or retaliate against Disclosers in any way. Anyone involved in such conduct will be subject to disciplinary action.
- IV. In the event of false, malicious, or vexatious allegations, disciplinary action may be taken against the individual concerned.

4. CONFIDENTIALITY

- I. ArtsEd will treat all disclosures under this Policy in a confidential and sensitive manner. The identity of the individual making the allegation, i.e. the Discloser, will be kept confidential insofar as this is compatible with making an effective investigation into the allegations which are the subject of the disclosure. The investigation process may however at some stage have to reveal the source of the information, and the individual making the disclosure may need to make a statement as part of the evidence required.
- II. With openness, transparency and all the necessary support that will be afforded, we hope that staff and students will feel able to voice whistleblowing concerns under this procedure; if you wish to raise a concern confidentially, we will make every effort to not disclose your identity, however the investigation may be more difficult or impossible if we cannot obtain further information from you and it can make it more difficult to establish whether any allegations are credible. Disclosers who are concerned about possible reprisals if their identity is revealed should discuss this with either the Head of HR (if staff related) or the Deputy Principal (if student related) and appropriate measures and advice can be given. If either the Head of HR or the Deputy Principal are named in the complaint, the matter can be referred to the Designated Safeguarding Lead.
- III. If there is evidence of criminal activity, then the Police will in all cases be informed.

5. PROCEDURE

- I. An individual who wishes to make a disclosure under this policy should do so by emailing whistleblowing@artsed.co.uk.
- II. Disclosures should, as far as possible, be **in writing** and should provide as much **supporting evidence** as possible about the grounds upon which the disclosure is being made and the reasons for believing that malpractice has occurred.
- III. Disclosures made to this address will be received by a team of staff comprising the Deputy Principal, the Head of HR, and the Head of the Day School and Sixth Form, who will form a Panel to assess the disclosure and agree the next steps, which may conclude a formal investigation and if so, a suitable person will be instructed with terms of reference to carry out an investigation.
- IV. The Panel will acknowledge receipt of the disclosure, and will aim to keep the Discloser informed of the progress of the investigation, its likely timescale and, where possible, any final action taken, noting that sometimes the need for confidentiality may prevent the Discloser receiving specific details of the investigation or any disciplinary action taken as a result. The Discloser should treat any information about the investigation as confidential.
- V. Disclosures will be investigated with a three-week timescale, however depending on the nature of the investigation, this may be extended to allow for a thorough and fair process.
- VI. If an investigation is undertaken, any person or persons identified as a subject of concern will be informed of each allegation against them and any evidence supporting it, and will be allowed to comment before the investigation is concluded unless there is an overriding reason for non-disclosure, for example, where disclosure could be likely to compromise the outcome of a criminal or regulatory investigation.
- VII. Upon the conclusion of an investigation, the Investigator will report to the Panel who will make a decision as to whether any further action is required, and the results of the investigation and any

action taken will be reported to the next meeting of the Board of Trustees. The Chair of the Board will be notified and regularly appraised of matters being investigated under the Whistleblowing Policy.

- VIII. In all cases where a concern is raised it will be acknowledged and a record of action taken will be stored confidentially in line with GDPR requirements.
- IX. If, on preliminary examination, the concern is judged by the Panel to be wholly without substance or merit or not of a public interest nature, no further action may be taken. In this case, the Panel will register the concern raised and their decision to take no further action.
- X. The Discloser will be informed of a final decision to take no further action.
- XI. Depending on the nature of the allegation, should further information be required, a meeting may be arranged with the Discloser to discuss their concern, and they may be required to attend further meetings to provide additional information, as the concerns raised are investigated.
- XII. Following the initial investigation, the Panel may decide that the concern is such that it should be addressed under other existing procedures. There are a number of policies and procedures which cover a wide range of issues including staff grievances, staff disciplinary, dignity at work, academic appeals, student discipline, sexual misconduct, and student complaints. If no suitable procedure is available, an *ad hoc* process may be needed. In some instances, it might be necessary for the matter to be referred to an external authority for further investigation.
- XIII. As appropriate, the matter and outcome may be reported to the Board and any disciplinary action that might arise from it. The Board of Trustees may recommend an external investigation to be undertaken at any point.
- XIV. The Panel shall convene to assess 'lessons learnt' following the end of all investigations and to put action plans in place in all circumstances.

6. FEEDBACK

The action taken, including, in broad outline, the outcome of any investigation, shall be reported to the person making the disclosure; if no action is taken that person shall be given an explanation.

7. EXTERNAL PROCEDURES

- I. Where all internal procedures have been exhausted, a member of staff or student shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) the HMRC, the Audit Commission, the Health and Safety Executive, the Local Authority Designated Officer, the Charity Commission, the Office for Students, or the Office of the Independent Adjudicator.
- II. It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a person may be entitled to raise a concern directly with an external body, this includes:
 - Where the individual believes that exceptionally serious circumstances justify it;
 - Where the individual believes that the School would conceal or destroy the relevant evidence;
 - Where the individual believes they would be victimised by the School; or,
 - Where the Secretary of State has ordered it.

- III. If a staff member or student 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: [Protect - Speak up stop harm \(protect-advice.org.uk\)](https://protect-advice.org.uk)

The **NSPCC Whistleblowing Helpline** (Tel: 0800 028 0285 or email: help@nspcc.org.uk).

8. TRAINING IN THE USE OF THE WHISTLEBLOWING POLICY

- I. All staff will receive training in relation to Whistleblowing and the existence and use of this policy upon joining ArtsEd.
- II. Students will be notified of their right to raise concerns under this policy during induction, advised where the policy is located and reminded regularly of this right throughout their time at ArtsEd by Student Services.

This policy is published at [Policies - ArtsEd](#)

- III. and is also available as a hard copy from hr@artsed.co.uk
- IV. All students will be informed of their right to make a disclosure under this policy.

Title of Policy	Whistleblowing Policy
Maintained By	Head of HR
Owned By	Head of HR
Approving Committee / Ratifying Body	Board of Trustees
Last Reviewed on	March 2022
Review on	March 2025
Current Version	Version 1
Location of master document	https://teams.microsoft.com/l/channel/19%3aw-ekhrkvUAYf-poCislpXAtITMpMervHPnfaS0ONC_Y1%40thread.tacv2/General?groupId=fe70d9e8-8216-4003-922e-b9bfe9e5fb9c&tenantId=02f4a62e-6e9d-4607-974c-7de2591c4698
Web location	