

## Whistleblowing Policy 2025-2028

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| <b>Date Reviewed:</b>                | January 2025 (Non-statutory policy)   |
| <b>Next Review:</b>                  | September 2028  |
| <b>Review Cycle:</b>                 | 3 years   |
| <b>Reviewers:</b>                    | Governing Body  |
| <b>Linked Policies:</b>              | <p>Equality Policy<br/> Staff Code of Conduct Policy<br/> Staff Absence Policy<br/> Staff Wellbeing Policy<br/> Health and Safety Policy<br/> <a href="#">Health and Safety at Work Act 1974</a>,<br/> <a href="#">Management of Health and Safety at Work Regulations 1999</a><br/> <a href="#">Equality Act 2010</a><br/> Performance management policy<br/> Flexible working policy<br/> Dignity at work policy<br/> Staff grievance policy<br/> Complaints procedure<br/> Child protection policy</p> |
| <b>Signed by Headteacher:</b>        |   |
| <b>Signed by Chair of Governors:</b> |   |

## 1. Aims

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all staff in know how to raise concerns about potential wrongdoing in or by the school
- Set clear procedures for how the school will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the school in any capacity, including self-employed consultants or contractors who provide services on a personal basis and agency workers.

## 2. Legislation

This policy has been written in line with the above document, as well as [government guidance on whistle-blowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

## 3. Definition of whistle-blowing

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest". Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment
- Conduct which is a criminal offence or a breach of the law
- Sexual or physical abuse of pupils or others
- Major health and safety risks – to staff or members of the public
- Fraud and/or corruption
- Other unethical conduct of a serious nature

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about individuals or the school counts as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance. Whistleblowing is designed to deal with major issues that fall outside of the scope of those procedures. Therefore, any matter which is more appropriately covered by those procedures is excluded from being considered under the "Whistle blowing" procedure

When staff have a concern they should consider whether it would be better to address this with their line manager in the first instance or follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has:

- [Further guidance](#) on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure
- A free and confidential [advice line](#)

## Principles

The Governing Body of the school will treat all matters of malpractice very seriously and responsible allegations about such matters will be dealt with quickly, seriously and with confidentiality.

In order to meet the requirements of the Act, in addition to staff in schools, the procedure is applicable to agency staff, students on placements, supply staff, volunteers, contractors and suppliers operating under contract to the school. The term “employees” in this procedure is intended to cover all of these categories of people.

The Act also covers issues relating to miscarriage of justice and environmental damage.

The procedure gives protection to people who, in good faith, make such a disclosure, from victimisation, discrimination or disadvantage. It also ensures employees receive an appropriate response to their disclosure and are aware of how they may pursue the matter outside of the County Council if this response is not satisfactory.

It is acknowledged that there are some circumstances in which there may be a statutory requirement to report information to an external agency, such as the police.

Disclosures made under this procedure are likely to be of a sensitive nature and all parties must preserve confidentiality at all times.

## Representation

Employees are entitled to representation by a professional association/trade union representative or a ‘friend’, who will normally be another employee, at any meetings or interviews that are held in relation to the disclosure made.

Employees should specify that they are making a disclosure under this procedure.

The individual manager hearing the disclosure is encouraged to take advice from Education Personnel Services who may involve other departments of the County Council where appropriate.

## Time limits

There are no time limits on raising concerns under this procedure, but they should be raised at the earliest practicable opportunity, since delays in making a disclosure may prevent a full investigation from taking place. Where time limits are included within this procedure, they are there to ensure that disclosures are dealt with as quickly as possible, and to ensure that there is a prompt initial response from management.

The investigation that takes place after a disclosure is made is not time limited, but will be conducted as quickly as possible within the circumstances of the disclosure.

## Untrue allegations

If an allegation is found to be untrue, but the employee has made the allegation in good faith, no action will be taken against the employee. However, employees who make allegations maliciously, frivolously or for personal gain may face disciplinary action.

## **4. Procedure for staff to raise a whistle-blowing concern**

### **4.1 When to raise a concern**

Staff should consider the examples in section 3 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

### **4.2 Who to report to**

School-based staff should report their concern to either the Deputy Headteacher or the Headteacher. If the concern is about the Deputy Headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Headteacher. If the concern is about the Headteacher, the staff member should report their concern to the Chair of Governors.

### **4.3 How to raise the concern**

Concerns should be discussed and must be followed up in writing by the person making the disclosure. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest or conflict of interest in the matter.

## **5. Procedure for responding to a whistle-blowing concern**

### **5.1 Investigating the concern**

When a concern is received by the the 'recipient' (either the Deputy headteacher, headteacher or Chair of Governors) – they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
  - The recipient should then arrange a further investigation into the matter, involving the Headteacher or Chair of Governors if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In others, they may need to report the matter to the police
  - The person who raised the concern should be informed of how the matter is being investigated, that they will be required to submit their concern in writing as evidence for the investigation
  - The recipient will provide an estimated timeframe for when the person making the disclosure will be informed of the next steps

### **5.2 Outcome of the investigation**

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will

prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred.

The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the Governing Body and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

## **6. Malicious or vexatious allegations**

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation.

## **7. Escalating concerns beyond the school**

In the event that person making the disclosure feels that their concerns have not been resolved through the above process, they may write to the Chair of the Governing Body, if they have not already been involved, outlining their concern, the action taken to date and the reasons for their dissatisfaction.

The Chair of Governors will investigate and respond to conclude the matter in writing within 10 working days.

The Chair of Governors will write to the person making the disclosure complaint, to acknowledge that the concern has been received and indicate what steps will be taken to deal with the matter and resolve it within 10 working days.

The Chair of Governors may decide to set up a small group of governors, where appropriate, to investigate the concerns.

The Chair of Governors will inform the Headteacher about the outcome of the investigation and inform the person making the disclosure complaint in person and in writing.

In the event that the matter cannot be satisfactorily resolved within the school, the person may raise their concerns, in writing, within the County Council's Children's Services Department, in the following order:

1. with the Area Director
2. with the Director of Children's Services
3. with the Chief Executive