Whistleblowing Policy and Procedures

Policy owner	Executive Headteacher / Head of School
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Related documents	Child Protection and Safeguarding Policy; Staff Code of Conduct; Equality Policy; Data Protection and Retention arrangements

This model policy and procedure has been produced by One Education's HR and People service. The HR and People team provides management and HR support and advice to schools and academies purchasing their services under an agreed Service Agreement. For further information please contact the HR and People team via the Helpline: 0161 276 0153 or Email: hrpeople@oneeducation.co.uk Website: www.oneeducation.co.uk

This policy is recommended for adoption by all maintained schools including community, voluntary controlled, community special, maintained nursery, foundation, foundation special and voluntary aided schools. It is also recommended for adoption by academies and free schools (modified as appropriate and taking into account the particular circumstances of the relevant academy or free school). Some school or academy specific provisions are included. This policy should therefore be adapted as necessary and inappropriate provisions deleted. The HR and People team can assist in adapting this policy to fully reflect a school's status including their academy or multi academy trust (MAT) status.

References in this policy to schools include a reference to academies and free schools unless otherwise stated. References in this policy to the Headteacher include a reference to an academy or free school Principal and references to the governing body include references to governing boards and/or trust boards as applicable.

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Amendments	*Updated in relation to amendments to the Employment Rights Act (2025 updates), which came into effect on 6 April 2026, adding sexual harassment to the list of protected disclosures.*
Related Policies/Guidance	*Government guidance on whistle-blowing, Public Interest Disclosure Act 1998, Staff grievance policy, Staff Sexual Harassment Policy, Complaints procedure, Child protection policy. ACAS Whistleblowing at work guidance.*
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Author	*HR and People, One Education Ltd*
Date consultation completed	
Date adopted by Governing Body	

***Equality Statement**: - Under the public sector equality duty (PSED), all schools/academies must have due regard to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010; to advance equality of opportunity between those who share a relevant protected characteristic and those who do not share it and to foster good relations across all protected characteristics. This means schools/academies must take into account equality considerations when policies are being developed, adopted and implemented.*

The One Education HR and People team regularly reviews all policies and procedures which are recommended to schools/academies to ensure compliance with education and employment legislation including the Equality Act 2010. Consultation with schools/academies is an important part of this review process. Headteachers, Principals and Governing Bodies are asked to contact the HR and People team via the Helpline if they believe there are any negative equality impacts in their school/academy in relation to the application of this policy/procedure.

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1. INTRODUCTION

1.1 This whistleblowing policy is designed to allow individuals to report genuine and legitimate concerns about something that may be seriously wrong within the school. This policy makes it clear that any employee reporting a genuine and legitimate concern can do so without fear of reprisals, victimisation or suffering a detriment.

1.2 The school expects the highest standards of conduct from all employees and will treat any concern raised about illegal or improper conduct seriously, in confidence and will carry out a proper investigation.

1.3 This policy is recommended for adoption by all maintained schools (including community, voluntary controlled, community special, maintained nursery and pupil referral units).

1.4 This policy is also recommended for adoption by the governing body in Foundation and Voluntary Aided Schools.

1.5 This policy is also recommended for adoption by Academies and Free Schools modified as appropriate.

1.6 This policy accords with current education and employment law.

2. DEFINITIONS

2.1 The law does not define the term "**whistleblowing**". Whistleblowing can be described as the action of an individual disclosing concerns relating to a perceived wrongdoing by employers or third parties in the context of the workplace, that affects others. "Whistleblowing" is the term which has been adopted to describe arrangements which allow employees to express concerns (otherwise known as "blowing the whistle") about malpractice, impropriety or wrongdoing which may be occurring in the workplace.

The correct legal definition for "whistleblowing" is when an employee makes a **"qualifying disclosure"**. A qualifying disclosure is one made in the **public interest** by an employee who has a **reasonable belief** that something is, or may be: -

- A criminal offence;
- Failure to comply with a legal duty;
- A miscarriage of justice;
- A danger to the health and safety of any individual;
- Damaging the environment;
- Sexual Harassment
- A deliberate attempt to conceal any of the above.

2.2 It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be committed. A reasonable belief is sufficient.

2.3 References to "Relevant Person" meaning; the Headteacher or a member of the School's Senior Management Team, or the Chair of Governors where a disclosure relates to the Headteacher.

2.4 References to "School" is used to describe any school to which the policy applies (including all academies, community schools, voluntary aided schools, voluntary controlled schools and free schools who adopt the policy).

2.5 References to the "Governing Body" or to "the Governors" refer to the governing body or governors of the school. In respect of Academies, references to the "Governing Body" should be read as the Board of Directors or the Directors of the Academy Trust Company.

2.6 References to the "Headteacher" refer to the headteacher of the school or the Principal of the Academy.

2.7 References in this policy to the Chair of Governors will include a reference to the vice chair of governors in cases where the decision-making responsibilities of the chair of governors have been delegated to the vice chair of governors.

2.8 References to "employees" means the Headteacher, members of the Senior Leadership Team, employees, consultants, part-time and fixed term workers, temporary and agency staff and any other individuals who undertake to do or perform personally any work or service for the school including contractors, sub-contractors, volunteers and ex-employees.

3. SCOPE

3.1 This policy sets out the way in which employees may raise any genuine and legitimate concerns that they have about incidents of misconduct or malpractice and how these concerns will be dealt with. Whilst protection under the legislation covers most types of workers, it is not extended to volunteers, the genuinely self-employed, a non-executive director, a member of the armed forces or a solicitor or barrister learning about an issue covered by professional privilege or the general public. However, the principles outlined in this policy, as far as they can be, will be applied to whistleblowing allegations received from sources other than employees.

3.2 This policy has specific sections to advise employees of the process to be followed when raising a concern and how the school will respond.

3.3 Concerns about a colleague's professional capability should **not** be dealt with using this policy.

3.4 This policy is not a substitute for normal line management processes but an addition to them. The aim of this policy is to allow for concerns to be expressed outside the normal line management structure, if necessary.

3.5 This policy is not to be used where other more appropriate internal reporting procedures are available. Concerns about an employee's own situation including a breach of contract, should be dealt with using the school's Grievance Procedure.

3.7 If any concerns are raised initially through a different route that raise serious concerns over wrongdoing and are in the public interest, the school will investigate under this whistleblowing policy.

3.8 Employees who do not follow the steps identified in this procedure and take their concerns to other outside sources (e.g. the press), may be subject to a formal disciplinary investigation in line with the School's disciplinary policy and procedure.

3.9 The timescales in this policy may be amended by mutual agreement.

3.10 Specific staff responsibilities under this policy are set out in Appendix 1.

3.11 This policy does not form part of an employee's contract of employment and is not intended to have contractual effect.

4. Protection for Whistleblowers

4.1 The school will ensure all legal protection for Whistleblowers are upheld. Protection starts from the beginning of employment. Whistleblowers are protected from:

- unfair dismissal
- detriment

4.2 Detriment means someone experiences one or both of the following because they made a disclosure:

- being treated worse than before
- having their situation made worse

4.3 Examples of detriment include, but are not limited to:

- experience of bullying
- experience of harassment
- turn down of training requests without good reason
- overlooked for promotions or development opportunities
- reduction of hours without good reason

5. HOW TO RAISE A CONCERN

5.1 The School hopes that in many cases, employees will be able to raise any concerns with their line manager. Together, they may be able to agree a way of resolving a concern quickly and effectively.

5.2 However, where the matter is more serious, or an employee feels that their Line Manager has not addressed the concern properly or their line manager is not the most appropriate person then employees should raise the concern directly with the Headteacher or a member of the Senior Leadership Team.

5.3 If the concern relates to the Headteacher the matter should be raised with the Chair of Governors.

5.4 In the event both the Headteacher and the Chair of Governors are the subject of the concern, the complaint must be made in writing to the HR Director, One Education / Director of Education at the Local Authority.

5.5 Employees who wish to raise concerns over practices in other schools should report directly to the school's Local Authority.

5.6 Any concerns should be expressed in writing, setting out the following information:

- Who the allegations are against;
- The background;
- Full details on the nature of the alleged wrongdoing and why the member of staff is particularly concerned about the allegation;
- Details of any evidence in support of the allegation;
- Name and contact details (unless they wish to remain anonymous); and
- Reasons why the concern should be taken forward.

5.7 If an employee does not feel able to put the concern in writing initially, he or she should be allowed to telephone or meet the Headteacher or a member of the Senior Leadership Team who will make a note of the concern and will explain the next steps in the process.

6. HOW THE SCHOOL WILL RESPOND

6.1 The member of staff expressing concern will receive a written acknowledgement within 10 working days of the concern being received. This acknowledgement will indicate: -

- how the School proposes to deal with the matter;
- the policy under which the matter will be investigated (i.e. whether it is the whistleblowing policy or a different school policy);
- contact details for the person handling the investigation (the "Investigating Officer");
- arrangements for confidentiality;
- an estimate of how long it will take to provide a response on the outcome;
- any initial enquiries which may have been made;
- whether further investigations will take place, and if not, why not.

6.2 Having acknowledged receipt of the concern raised, the Investigating Officer will consult with HR and People, One Education if assistance is required with the investigation.

6.3 Some concerns may be resolved by agreed action, without the need for investigation. In these cases, confirmation should be sought from the employee that they are satisfied that the matter has been resolved. This does not preclude matters being raised in the future if further concerns arise.

7. THE INVESTIGATION PROCESS

7.1 Allegations will be handled confidentially and discreetly by all who are directly involved in the investigation process.

7.2 Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take including who should undertake the investigation. In some cases, an investigation may be completed without the subject of the complaint being aware of the investigation.

7.3 If the concern relates to suspicions of fraud, theft or corruption within maintained schools, these concerns must be reported to the Local Authority's Head of Internal Audit and Risk Management.

7.4 If it is determined that the concerns or allegations fall within the scope of specific procedures (for example disciplinary procedures) it should normally be referred for consideration under those procedures. Before any further investigatory action is taken the Headteacher should consult with HR and People, One Education.

7.5 If urgent action is required in response to a concern this may be taken before a full investigation is conducted

7.6 It may be necessary for the Investigating Officer to arrange a meeting with the employee in order to obtain further information.

77 Witnesses may be interviewed as part of the investigation and asked to provide a written statement. Where witnesses have been identified by the employee, and particularly where witnesses are interviewed, it is important that the witnesses do not suffer any personal detriment as a result, providing that they have acted in good faith.

7.8 Investigation procedures into allegations of malpractice must be independent, skilled and objective. The Investigating Officer appointed must therefore not have had any previous involvement with the case and will be sensitive to the wishes of the employee wherever possible.

7.9 Where a complaint involves the Headteacher, then an Investigating Officer must be appointed who does not work at, or with the School. In any event, the Investigating Officer must be at an appropriate level of seniority and must have sufficient experience and/or training to allow a thorough investigation to take place. Depending upon the circumstances, external agencies may also be involved in the investigation.

7.10 During the investigation every effort will be made to protect the legitimate rights of all parties involved. In particular the following principles shall be adhered to:

- strict confidentiality must be maintained at all times. Any breach of confidentiality may lead to consideration of disciplinary action;

- throughout the investigation process, the employee, the alleged perpetrator and any witnesses interviewed are entitled to be accompanied at the meeting by either a companion or a trade union representative.

7.11 The investigation should normally be completed within 30 working days of the complaint being registered. Where cases prove to be more complicated and it may not be possible to complete within

the time scale, it will need to be extended to accommodate the particular circumstances. Where the timescale will probably exceed 30 working days, the Investigating Officer will advise the employee appropriately, setting out an updated timescale, in writing.

8. OUTCOME OF THE INVESTIGATION

8.1 The school will, subject to legal constraints, seek to advise the employee on the outcome of the investigation.

8.2 The investigation will conclude with a report by the Investigating Officer to the Headteacher, Chair of Governors or other relevant person. This will summarise the Investigating Officer's findings on the allegations and recommend further action which could include but is not limited to:

- a finding that the allegation was unfounded and therefore no action needs to be taken;
- a recommendation to take no further action on the complaint. This may be appropriate if the Investigating Officer decides that there is a lack of evidence relating to the complaint or that the complaint is untrue;
- a recommendation to take-action in order to deal with the matter on the basis that it is not sufficiently serious to warrant formal disciplinary action. Such action could include:
    - written management advice; and/or
    - an instruction to a member of staff to undertake appropriate guidance and/or training; and/or
    - appropriate changes in working arrangements which must not be to the disadvantage of the complainant;
    - a recommendation to initiate formal disciplinary action because there is objective evidence to support the allegation that malpractice has taken place.

8.3 Where permitted, the Headteacher or other Relevant Person will write to the employee detailing the findings of the investigation and the action to be taken. This letter will contain an undertaking that the employee and any witnesses will not be victimised or suffer any detriment as a result of having made the complaint.

8.4 Where a Headteacher or other Relevant Person determines to take no action irrespective of the recommendation made he/she shall give written reasons for this determination to the employee. Failure to give such information will be regarded as a breach of this procedure.

8.5 Where the Investigating Officer considers that a complaint is untrue and malicious, they will recommend a second investigation of the circumstances. This may lead to consideration of disciplinary action against the complainant. Suspension may be considered to ensure a full and fair investigation and advice should be sought from HR and People. If suspension is deemed appropriate, this does not imply that any pre-emptive judgement has been reached.

9. RECORDING WHISTLEBLOWING COMPLAINTS

9.1 The Headteacher (or Chair of Governors in the case of the Headteacher) should maintain a confidential central record for a period of five years (seven years for allegations of financial irregularities) of all Whistleblowing allegations which have been raised and the responses provided. If supported by One Education HR and People then a copy should be retained by them in line with their GDPR retention policy.

9.2 In respect of anonymous allegations, should a Headteacher or Chair of Governors consider that further action would be inappropriate, details of the allegation and reason for the decision must still be recorded. These central records will be used to analyse the impact and effectiveness of the arrangements put in place as part of the reporting process on the effectiveness and outcomes of the Policy and as a record of actions taken in the case of any matters raised under the Public Interest Disclosure Act.

10. ANONYMOUS CONCERNS

10.1 This policy encourages individuals to put their name to an allegation wherever possible as the school believes that open and confidential whistleblowing is the best means of addressing concerns, and protecting individuals. The effectiveness of any investigation may be limited where an individual chooses not to be identified.

10.2 All concerns expressed anonymously will be considered and may be investigated but the level of investigation will depend upon the nature of the allegations; the seriousness of the issues raised; the credibility of the concern; and the likelihood of confirming the allegations from attributable sources.

10.3 Concerns expressed anonymously are much less persuasive than when an employee is prepared to come forward formally. It will not of course be possible to report any findings back to the complainant in these circumstances.

10.4Anonymous concerns will be recorded in accordance with paragraph 9.2

11. FALSE AND MALICIOUS ALLEGATIONS

11.1 While encouraging employees to bring forward genuine matters of concern, the school must guard against claims which are untrue and are made to deliberately damage the reputation of staff at the school.

11.2 If an employee makes a protected disclosure with the reasonable belief it is in the public interest but it is not confirmed by the investigation, no action will be considered or taken against them. However, if an employee makes false, malicious or vexatious allegations this will be treated as a serious disciplinary matter and action will be taken in accordance with the School's disciplinary policy and procedure.

12. HARASSMENT AND VICTIMISATION

12.1 The Headteacher or Relevant Person will monitor how an employee is subsequently treated after raising a matter of concern and will ensure that if they find evidence of harassment or victimisation, this will be dealt with in accordance with the School's disciplinary policy and procedure.

12.2 The School will not tolerate harassment or victimisation against an employee who has raised a genuine concern under this policy. Any employee who victimises a whistle-blower will be subject to disciplinary action which could lead to dismissal.

12.3 Any employee who believes they have been harassed or victimised as a result of raising a genuine concern should contact the Headteacher or a Relevant Person.

13. CONCERNS ABOUT SAFEGUARDING

13.1 All employees have a duty to report concerns about the safety and welfare of pupils, staff, or any member of the school community, as outlined in the school's safeguarding policies and procedures.

Concerns about any of the following:

- Physical abuse of a pupil
- Sexual abuse of a pupil
- Emotional abuse of a pupil
- Neglect of a pupil
- An intimate or improper relationship between an adult and a pupil

must be reported immediately to the School's Designated Safeguarding Lead.

14. CONCERNS ABOUT SEXUAL HARASSMENT

14.1 All employees must be vigilant in preventing and addressing any form of sexual harassment or inappropriate conduct, regardless of the party involved.

14.2 Sexual harassment is any unwelcome conduct of a sexual nature that creates an intimidating and hostile environment.

This includes, but is not limited to:

- Verbal Harassment
- Non-verbal harassment
- Physical harassment
- Any form of retaliation for reporting harassment

14.3 Employees who experience or witness sexual harassment are encouraged to report it immediately through the following channels:

- Designated HR Contact
- Your manger or supervisor in the workplace
- Sexual Harassment Policy and Procedure
- Whistleblowing Policy and Procedure
- Grievance Policy

14.4 All reports will be treated with the utmost confidentiality, and retaliation against any individual for making a complaint or participating in an investigation is strictly prohibited. All employees must be vigilant in preventing and addressing any form of sexual harassment or inappropriate conduct, regardless of the party involved.

15. HOW THE MATTER CAN BE TAKEN FURTHER

15.1 It is the hope and intention of the school that any employee with a concern about the school's operation or its conduct, feels able to first raise those concerns internally with their line manager. However, in line with legislation, if an employee does not feel comfortable making a disclosure internally within school, they have the right to take their concerns outside the school as set out below.

15.2 If an employee would like independent advice about raising a concern, the employee can speak to:

- A Union Representative;
- An independent legal advisor; and/or
- The independent charity "Public Concern at Work" www.pcaw.org.uk

15.3 Under the terms of the Public Interest Disclosure Act 1998 (PIDA), an employee has the right to take their concerns to certain 'prescribed regulators'. The following are possible contact points and more information can be found at www.gov.uk/whistleblowing.

- Secretary of State for Education
- Office of Qualifications and Examinations Regulation
- Ofsted
- Local Authority
- Children's Commissioner
- NSPCC
- National Audit Office
- The Health and Safety Executive

- The Environment Agency

If a matter is taken outside the school, the employee must take all reasonable steps to ensure that confidential information is not disclosed.

APPENDIX 1

Staff Responsibilities

All Staff Responsibilities

It is the responsibility of all members of staff to ensure that their own behaviour is appropriate to the school as a workplace and does not contribute to an environment in which malpractice or wrong doing is either ignored, condoned or encouraged. All staff should challenge such behaviour if it occurs, or bring it to the attention of a Relevant Person

Headteacher Responsibilities

Headteachers have a duty which they share with others in leadership/managerial roles to establish and maintain a positive and accountable working environment. In particular, Headteachers are responsible for:

- communicating the policy to all staff in such a way as to promote its' understanding and making it easily accessible:
- managing staff in a professional and sensitive manner;
- ensuring that the school environment has a culture where malpractice and or wrong doing is unacceptable;
- ensuring that the policy is implemented effectively and efficiently at all levels throughout the school;
- taking all concerns raised seriously, ensuring the necessary action is taken to address the matter promptly, and as sensitively and confidentially as possible;
- ensuring that appropriate support is available to complainants during the investigation of their complaint; this may be via a colleague or trade union representative;
- making it clear that malicious and vexatious allegations are serious matters and will not be tolerated;
- ensuring that appropriate support is available to witnesses during the investigation of the complaint; this may be via a colleague or trade union representative.

Governing Body Responsibilities

The governing body has the responsibility to:

- meet its legal duties and responsibilities and act at all times within the legal framework;
- have an up-to-date and comprehensive Whistleblowing policy;
- receive reports from the Headteacher on the application of the procedure;

- agree that the Chair of Governors be the contact for complaints made against the Headteacher;
- Agree that in the event of a complaint against the Chair, the vice chair will be the contact.

Contact Details

Head of School: Sarah Dean sdean@stlukesbury.co.uk

Executive Headteacher: James Royal jroyal@stlukesbury.co.uk

Chair of the IEB: Ian Dryburgh idryburgh@stlukesbury.co.uk

One Education contact: hrpeople@oneeducation.co.uk

Director of HR: Jade Walwyn / One Education Jade.walwyn@oneeducation.co.uk

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