



Whistleblowing Policy and Procedure

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1. Introduction

1.1 The School is committed to the highest standards of openness, integrity and accountability. This policy provides a clear framework for employees and workers to raise concerns about wrongdoing or malpractice in a safe and confidential manner.

1.2 The School will ensure that individuals who raise genuine concerns in the public interest are protected from victimisation, harassment, detriment or dismissal.

1.3 This policy is written in accordance with the Public Interest Disclosure Act 1998 (PIDA), the Employment Rights Act 1996, the Equality Act 2010, the Data Protection Act 2018 (UK GDPR), and statutory safeguarding guidance including *Keeping Children Safe in Education*.

1.4 This policy applies to all employees, agency workers, contractors, consultants and volunteers. While volunteers are not covered by statutory whistleblowing protections, the School will apply the principles of this policy to them.

1.5 This policy does not form part of any employee's contract of employment.

2. Definitions

2.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work.

2.2 A "protected disclosure" is a disclosure made in the public interest where the individual reasonably believes that one or more of the following has occurred, is occurring, or is likely to occur:

- A criminal offence
- Breach of a legal obligation
- Miscarriage of justice
- Danger to health and safety
- Damage to the environment
- Deliberate concealment of any of the above

2.3 A "Relevant Person" is:

- The Headteacher
- A member of the Senior Leadership Team
- The Chair of Trustees (for concerns about the Headteacher)

3. Scope

3.1 This policy is intended for concerns that are in the public interest. It is not intended for:

- Personal employment grievances (use the Grievance Policy)
- Issues relating to performance or capability
- Complaints already covered by other procedures unless they involve wider wrongdoing

3.2 Safeguarding concerns must always be reported in line with the School's Safeguarding and Child Protection Policy. However, such concerns may also be raised under this policy where appropriate.

3.3 Individuals are encouraged to raise concerns internally in the first instance. However, they have the right to make disclosures to prescribed external bodies and, in certain circumstances, wider disclosures may be protected by law.

4. Protection for Whistleblowers

4.1 The School will not tolerate any form of detriment, victimisation or harassment against an individual who makes a protected disclosure.

4.2 Any employee who subjects a whistleblower to detriment may be subject to disciplinary action up to and including dismissal.

4.3 No individual will be dismissed or suffer any detriment for making a protected disclosure, even if the concern is not substantiated, provided it was made in good faith and with reasonable belief.

5. Confidentiality and Data Protection

5.1 The School will treat all disclosures confidentially and will seek to protect the identity of the whistleblower wherever possible.

5.2 However, there may be circumstances where the School is required to disclose the identity of the individual (e.g. legal proceedings).

5.3 Personal data will be processed in accordance with the Data Protection Act 2018 and UK GDPR. Information will only be shared where necessary and proportionate.

5.4 Records of disclosures will be securely retained in line with the School's data retention policy.

6. How to Raise a Concern

6.1 Concerns should normally be raised with:

- Line Manager
- Headteacher
- Senior Leadership Team

6.2 If the concern involves the Headteacher, it should be raised with the Chair of Governors.

6.3 If the concern involves both the Headteacher and Chair of Governors, it should be raised with the Local Authority or an appropriate external body.

6.4 Concerns may be raised:

- In writing
- Verbally (a written record will be made)

6.5 The following information should be provided where possible:

- Nature of the concern
- Background and context
- Any supporting evidence
- Names of individuals involved

6.6 Anonymous disclosures will be considered, but may limit the ability to investigate.

7. How the School Will Respond

7.1 The School will acknowledge receipt of the concern within 10 working days.

7.2 The acknowledgement will include:

- How the concern will be handled
- Who is investigating
- Expected timescales
- Confidentiality arrangements

7.3 Initial enquiries will determine whether:

- An investigation is required
- The matter should be handled under another procedure

8. Investigation Process

8.1 Investigations will be conducted:

- Promptly
- Fairly
- Independently
- Confidentially

8.2 An Investigating Officer will be appointed with no prior involvement in the matter.

8.3 The investigation may include:

- Interviews with the whistleblower
- Witness statements
- Review of documents

8.4 The whistleblower may be accompanied by a trade union representative or colleague.

8.5 Investigations will normally be completed within 30 working days, though this may vary depending on complexity.

8.6 Where appropriate, external agencies (e.g. Local Authority, auditors, safeguarding authorities) may be involved.

9. Safeguarding Concerns

9.1 All staff have a duty to safeguard children.

9.2 Concerns about:

- Abuse or neglect
- Inappropriate staff behaviour
- Unsafe practices

must be reported immediately to the Designated Safeguarding Lead (DSL).

9.3 Allegations against staff may be referred to the Local Authority Designated Officer (LADO).

9.4 Staff may also contact external safeguarding bodies directly if necessary.

10. Outcome of Investigation

10.1 Following investigation, the School may:

- Take no action
- Provide management guidance
- Implement training or procedural changes
- Initiate disciplinary action

10.2 The whistleblower will be informed of the outcome, subject to legal constraints.

11. Recording and Monitoring

11.1 A confidential record of all concerns will be maintained.

11.2 Records will include:

- Nature of the concern
- Actions taken
- Outcomes

11.3 Records will be retained:

- 5 years (general cases)

- 7 years (financial irregularities)

12. False or Malicious Allegations

12.1 If a concern is raised in good faith but is not upheld, no action will be taken.

12.2 Deliberately false or malicious allegations may result in disciplinary action.

13. Raising Concerns Externally

13.1 Individuals may raise concerns with external bodies including:

- Ofsted
- Local Authority
- Health and Safety Executive
- NSPCC
- Secretary of State for Education

13.2 Independent advice can be obtained from:

- Trade unions
- Legal advisors
- Protect (formerly Public Concern at Work)

13.3 Individuals must not disclose confidential information unnecessarily when raising concerns externally.

14. Roles and Responsibilities

All Staff

- Act with integrity
- Raise concerns promptly
- Support investigations

Headteacher

- Promote a culture of openness
- Ensure effective implementation
- Protect whistleblowers

Governing Body

- Ensure legal compliance
- Review policy regularly
- Oversee effectiveness

15. Monitoring and Review

15.1 This policy will be reviewed annually or in response to legislative or organisational changes.

15.2 The Governing Body will monitor its effectiveness.

16. Equality Statement

The School will ensure this policy is applied fairly and consistently in accordance with the Equality Act 2010 and the Public Sector Equality Duty.

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.