Chilvers Coton Community School and Nursery

# Whistleblowing Policy

**Agreed by the full Governing Body on September 2026**

**Date for review**: September 2027

**Statement of intent**

Chilvers Coton Community School and Nursery is committed to having open and honest communications and ensuring the highest possible standards in integrity, and we will treat whistleblowing as a serious matter.

In line with the school's commitment to openness, probity and accountability, members of staff are encouraged to report any concerns. This policy will work to ensure that, if an employee sees or suspects that something is wrong, they will raise this with the school. This is termed as "blowing the whistle" – a phrase that is used throughout this policy and should be viewed as a positive action of speaking up.

This policy seeks to ensure that any person suspecting malpractice knows how to raise concerns and what procedures are in place to deal with the concern.

## 1. Legal framework

1.1. This policy has due regard to all relevant legislation including, but not limited to, the following:

- Public Interest Disclosure Act 1998
- Employment Rights Act 1996

1.2. This policy has been created with regard to the following guidance documents:

- GOV.UK (2015) 'Whistleblowing for employees'
- DfE (2014) 'Whistleblowing procedures for maintained schools'
- Sir Robert Francis (2015) 'Freedom to speak up report'

1.3. This policy operates in conjunction with the following school policies:

- Staff behaviour policy (code of conduct)
- Child protection and safeguarding policy
- Complaints Policy and Complaints Procedure

This policy also reflects key messages and content in 'Keeping Children Safe in Education' (2025).

## 2. Introduction

2.1. The Public Interest Disclosure Act 1998 (PIDA) protects employees who "blow the whistle".

2.2. Disclosures made under this procedure will be monitored for statistical purposes as required under the PIDA. The details of any disclosure remain confidential.

2.3. The headteacher is the first point of contact for whistleblowing queries. If the allegation is related to the headteacher, issues will be raised with the chair of governors.

2.4. Any member of the school community or general public is able to "blow the whistle"; however, the PIDA only protects employees. Section 7 includes further details on how whistleblowing affects non-employees.

## 3. Roles and responsibilities:

3.1. The governing body will be responsible for:

- The overall implementation of this policy.
- Monitoring the effectiveness of this policy and undertaking any necessary reviews e.g. in relation to good practice recommendations or changes in legislation.
- Ensuring all members of the school community have access to this policy.
- Investigating, in liaison with the headteacher, any concerns that are raised.
- Ensuring this policy provides an open and transparent framework where members of the school community can raise their concerns.
- Taking the necessary action against members of staff following an investigation into any alleged malpractice.

3.2. The headteacher will be responsible for:

- Ensuring all members of staff have read and understood this policy.
- Receiving, investigating and responding to any concerns that have been raised by the school community.
- Being the first point of contact regarding whistleblowing.

3.3. The chair of the governing body will be responsible for receiving any concerns about the headteacher.

3.4. All members of the school community will be responsible for:

- Raising any concerns that meet the definitions of 3.2 and 3.3 of this policy.
- Being truthful and reasonable with any concerns that they have.
- Not raising malicious or unfounded concerns.

## 4. Definitions

4.1. **Whistleblowing:** Whistleblowing is when an employee reports suspected wrongdoing, or 'qualifying disclosures', at work to their employer.

4.2. **Qualifying disclosures:** As outlined by (PIDA) 1998, qualifying disclosures pertain to when any of the following take place:

- A criminal offence has been committed, is likely to be committed or is being committed
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject
- A miscarriage of justice has occurred, is occurring or is likely to occur
- The health or safety of any individual has been, is being or is likely to be endangered
- The environment has been, is being or is likely to be damaged
- Information tending to show any matter falling within any of the preceding points has been, is being or is likely to be deliberately concealed

4.3. **In the public interests** means that an individual acted outside of their own personal interest – they acted for more than personal gain. It is not necessary for the disclosure to be of interest to the entire public. The following considerations are often used as a test to establish whether something is within the scope of public interest:

- The number of people in the group whose interests the disclosure served
- The nature of the interests and the extent by which individuals are affected by the wrongdoing disclosed
- The nature of the wrongdoing disclosed
- The identity of the alleged wrongdoer

4.4. **Blacklisting** refers to an individual who is being refused work as they are viewed as a whistleblower.

4.5. **Grievances** involve someone filing a complaint because they personally have been mistreated in some way – the person making the complaint will have a direct interest in the outcome. It is important to understand the difference between raising a grievance and blowing the whistle.

## 5. Scope

5.1. This policy will:

- Give confidence to members of the school community when raising concerns about conduct or practice that is potentially illegal, corrupt, improper, unsafe or unethical, or which amounts to malpractice or is inconsistent with school standards and policies.
- Provide members of the school community with avenues to raise concerns.

- Ensure that members of the school community receive a response to the concerns they have raised and feedback on any action taken.
- Offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith and within the meaning of the PIDA.

5.2. This policy will not be confused with the procedure on dealing with harassment at work or the school's Grievance and Disciplinary Procedures.

5.3. Under this policy, any of the following can raise a concern:

- Employees of the school
- Employees of contractors working for the school, for example, agency staff, builders and drivers
- Employees of suppliers
- Voluntary workers working with the school
- A trainee, such as a student teacher
- Pupils
- The wider community
- Governors

5.4. In reference to the above point, it is worth noting that the PIDA only protects the school's employees; however, the school will never harass or victimise a non-employee for raising concerns.

## 6. Harassment and victimisation of staff

6.1. The school recognises that the decision to report a concern can be a difficult one to take, not least because of the fear of reprisal from those responsible for the malpractice or from the school as a whole; however, the school will not tolerate any such harassment or victimisation and will take appropriate action to protect staff who raise a concern in good faith.

6.2. Staff are protected in law by the PIDA, which gives employees protection from detriment and dismissal where they have made a protected disclosure, providing the legal requirements of the Act are satisfied, e.g. the disclosure was in the public interest.

6.3. Any member of staff who victimises or harasses a member of staff as a result of their having raised a concern in accordance with this policy will be dealt with under the school's Disciplinary Policy and Procedure.

## 7. Non-employees

7.1. The PIDA and the Employment Rights Act 1996 do **not** protect non-employees as far as whistleblowing is concerned.

7.2. Irrespective of 7.1, the school will not allow harassment, dismissal or exclusion for any non-employee who raises a genuine concern.

7.3. Where an individual feels that they have been unfairly treated following blowing the whistle, they should use the school's Complaints Procedures Policy.

7.4. Governors are not employees and, while they are responsible for ensuring there is a whistleblowing procedure in place, they are not protected under the PIDA.

## 8. Good practice principles

8.1. The school will implement the core whistleblowing principles, as outlined in the 'Freedom to Speak Up Review', to ensure that whistleblowing procedures are fair, clear and consistent.

8.2. The school will implement a **culture of change** by ensuring the following principles are reflected in our ethos and values – there will be a culture:

- Of safety in the school.
- Where people feel confident with raising concerns.
- Free from bullying.
- Of visible leadership.
- Of valuing staff.
- Of reflective practice.

8.3. By providing a clear procedure for mediating and resolving cases, as outlined in section 9, the school will ensure that all cases are efficiently handled. This procedure includes:

- How to raise and report concerns
- How investigations will be conducted
- How the school will mediate and resolve disputes

8.4. The school will implement **measures to support good practice** by ensuring we adhere to the following principles:

- Offering relevant training to staff
- Providing the necessary support to staff
- Providing support to staff who are seeking alternative employment
- Being transparent
- Being accountable
- Conducting an external review of any concerns raised, where necessary
- Undertaking regulatory action as required

8.5. We will ensure there are **particular support measures in place for vulnerable groups** by adhering to the following principles:

- Ensuring non-permanent staff have access to and training on the same principles as permanent staff
- Ensuring students and trainees are subject to all the safeguarding and whistleblowing principles
- Ensuring staff from ethnic minorities are supported, as they may feel particularly vulnerable when raising concerns
- Ensuring staff are empowered and protected, enabling them to raise concerns freely

## 9. Procedure

9.1. When raising concerns, individuals will express them verbally to the Headteacher and then in writing. If raising a safeguarding concern, the whistleblower must inform the Headteacher immediately.

9.2. If an individual is raising a concern about the headteacher, they should express their concerns in email to the chair of governors. Where this is the case, the chair of governors will take on the headteacher's duties outlined in section 10.

9.3. When individuals raise their concern, they will include the following information as far as possible:

- The background and history of the concern
- Any relevant names, dates and places
- The reasons for the concern

9.4. The school encourages individuals to let their identity be known when they raise concerns, as anonymous concerns can be challenging to investigate.

9.5. Individuals who would like to seek professional and confidential advice should contact Protect, a registered charity that advises on whistleblowing queries. Access the Protect website here, or contact them on 020 31172520.

9.6. Once an individual has raised a concern, the school will be responsible for investigating it.

9.7. In certain instances, it may be appropriate for the individual to raise the concern with an outside agency, e.g. the police, depending on the severity of the concern. Equally, it may be appropriate for the individual to request that their trade union raises the matter.

## 10. Next steps

10.1. The headteacher will write to the individual within 10 working days of the initial meeting to confirm that the concern has been received, as well as to indicate proposals for dealing with the matter.

10.2. The initial stage will be an interview with the whistleblower, and then an assessment of further action will be discussed. During this initial stage, the headteacher will establish if:

- There are grounds for a concern and that it is genuine.
- The concern was raised in accordance with this policy.

10.3. During the initial interview, the headteacher will request the individual puts their concern in writing, if they have not already done so. The headteacher will write a summary of the concern if the individual is unable to put it in writing.

10.4. The headteacher will explain the following to anybody raising a concern:

- How they will communicate with the complainant throughout the process. It should be noted, the need for confidentiality may prevent the school giving the complainant specific details of any necessary investigation or any necessary disciplinary action taken as a result of the concern.
- That the complainant's identity will be kept confidential from the alleged wrongdoer.
- That the governing body will do everything in their power to protect the complainant from discrimination.
- That, if the concern is not confirmed, no disciplinary action will be taken against the complainant, if the concern is genuine.
- If clear evidence is uncovered that the complainant's concern is malicious or unfounded, disciplinary action may be brought against them.

10.5. If an investigation is carried out, the whistleblower will be informed of the final outcome.

10.6. A record will be kept of the seriousness of the issues raised and the credibility of the concern. All records will be kept confidential and will be stored in line with the school's Data Management policy.

10.7. It may be possible for the concern to be resolved simply, by agreeing the necessary action or explaining procedures to the alleged wrongdoer; however, depending on the severity and nature of the concern, it may:

- Be investigated by management, an internal audit or through the disciplinary process.
- Be referred to the police or an external auditor.
- Form the subject of an independent inquiry.

10.8. If the investigating officer needs to talk to the whistleblower, they are permitted to be accompanied by a trade union representative, a

professional association representative, a friend or a fellow member of staff not involved in the area of work that the concern relates to. This person will provide support only and will not be allowed to become involved in the proceedings.

10.9. A record will be made of the nature and outcome of the concern. The purpose of this is to ensure that a central record is kept, which can be cross-referenced with other complaints, to monitor any patterns of concern across the school and to assist in monitoring the procedure.

10.10. The whistleblower will be informed of the results of the investigation, and any action that is proposed will be subject to third party rights. Where action is not taken, the individual will be given an explanation.

## 11. What the school asks of you

11.1. The purpose of this policy is to enable individuals to raise concerns in confidence, without any fear of reprisal; therefore, it is imperative that whistleblowers:

- Do not take the concern outside the school, e.g. gossiping.
- Declare any personal interest in the matter, as the policy is designed to be used in the interest of the public and not for individual matters.

## 12. Appeal process

12.1. If no action is to be taken, and/or the individual is not satisfied with the way the matter has been handled, they can make a complaint under the school's Complaints Policy and Complaints Procedures.

## 13. Unfair treatment

13.1. An individual can take a case to an employment tribunal if they feel that they have been treated unfairly as a result of whistleblowing.

13.2. Further information can be sought from the Citizen's Advice Bureau, the whistleblowing charity Protect, or from an individual's trade union.

13.3. Any claims of unfair dismissal needs be made within three months of the investigation ending.

## 14. Monitoring and review

14.1. The governing board will review this policy annually, ensuring that all procedures are up-to-date.

14.2. Any changes made to this policy will be communicated to all members of staff.

**Appendix 1 Don't think what if I'm wrong – think what if I'm right Reasons for whistle blowing:**

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour.
- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent becoming implicated yourself.

**What stops people from whistle blowing:**

- Starting a chain of events which spirals.
- Disrupting the work or project.
- Fear of getting it wrong.
- Fear of repercussions or damaging careers.
- Fear of not being believed.

**How to raise a concern:**

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.
- Try to pinpoint exactly what practice is concerning you and why.
- Approach your Headteacher (and only the Headteacher) as soon as possible
- If your concern is about your Headteacher, contact the Chair of Governors as soon as possible
- Make sure you get a satisfactory response – don't let matters rest.
- You should then put your concerns in writing, outlining the background and history, giving names, dates and places where you can.
- A member of staff is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.
- Concerns about members of staff should be taken directly to the Headteacher, either verbally or using a yellow form, which are located in the staffroom and in the school office.