Schools HR Policy & Procedure Handbook

KCSiE: Whistleblowing Procedure for Schools 2026

Updates to this policy are highlighted in BLUE. Please read/review and/or action before removing the BLUE highlighted sections and adopting the policy.

This procedure has been **shared with** the following professional associations and Trade Unions representing Teachers, Headteachers and Support Staff:

- Association of School and College Leaders
- GMB
- National Association of Head Teachers
- National Association of Schoolmasters Union of Women Teachers
- National Education Union
- Unison

This procedure has been adopted by the governing body of Trinity C of E Primary School

on 14th October, 2026

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The Governing Body made this procedure available to all staff who were notified that it could be viewed via [a named place/folder on the school's Shared Drive]		29th September, 2026

IF YOU HAVE SERIOUS CONCERNS, IT IS YOUR DUTY TO TELL US AND IT IS OUR DUTY TO PROTECT AND SUPPORT YOU

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1. Introduction

The school has robust policies in place to promote the health, safety and wellbeing of its workforce and the school is committed to open and honest communication with and between all members of the school community.

The school encourages employees, workers, agency workers, volunteers, governors, contractors, parents, job applicants and members of the public to raise concerns about suspected wrongdoing. Whilst statutory protection under the **Public Interest Disclosure Act 1998** and the **Employment Rights Act 2025** may not extend to all non-employees, the school will take all concerns seriously and will not tolerate victimisation of any individual who raises a concern honestly and in good faith.

Employees working in our school are bound by the **Code of Conduct for Staff Working in Schools** and all other employment policies, procedures and guidance documents adopted by the governing body. Professional bodies also set out Standards of Conduct which their members must adhere to. For example, teachers must adhere to the Teacher's Standards.

Whilst staff are encouraged to raise day-to-day issues with their line manager on an informal basis, and/or in accordance with an appropriate school policy or procedure, the **Whistleblowing Procedure** allows for certain serious 'qualifying disclosures' to be made to specific external bodies. This ensures that employees, and others who have serious concerns about perceived wrongdoing, feel able to raise and escalate them in confidence and without fear of reprisal.

The school's whistleblowing procedure aligns with the requirements of the **Public Interest Disclosure Act** (PIDA) which provides employees, and those undertaking duties and responsibilities on behalf of the school, with protection when raising genuine concerns about wrongdoing in the workplace that are in the public interest.

Details of disclosures made under the provisions of the school's agreed whistleblowing procedure remain confidential and are monitored by the school's governing body, as is required under the Public Interest Disclosure Act.

To maintain confidentiality, it is important that the whistleblower does not talk about the concern outside of the school, unless it is to report the concern through the appropriate proper external channels, e.g. the Local Authority.

2. Scope

The school's whistleblowing procedure is intended to cover concerns which fall outside the scope of other policies and procedures such as the:

- **Bullying & Harassment Policy** (where employees may raise concerns about the impact of the conduct or action of others in the workplace)
- **Grievance Procedure** (where employees may raise concerns about their treatment as an employee)
- **Safeguarding/Child Protection Policy & Procedure** (which specifically relates to matters concerning work with and/or around children and young people)
- **School Complaints Procedure** (where parents can make a complaint about the school and/or the actions of school staff)

There are also specific procedures for staff to report **Low-Level Concerns** and for **Dealing with Allegations of Abuse against Staff in Schools**.

The whistleblowing procedure is applicable to, and may be accessed by:

- employees
- workers
- agency workers
- apprentices

Non-employees

Whilst the provisions of PIDA and the Employment Rights Act 1996 do not provide the same level of legal protection to non-employees, the school positively encourages anyone to raise concerns about wrongdoing, safeguarding failures, fraud, health and safety risks, and other such matters in line with this procedure.

Non-employees include:

- Volunteers
- Governors
- Contractors
- Self-employed service providers
- Parents
- Members of the public

3. Qualifying disclosures

By law, there are several issues someone can ‘blow the whistle’ about. These are called 'qualifying disclosures'.

These include:

- a criminal offence – for example, an employer has been trying to bribe people
- the breach of a legal obligation by an organisation – for example, an employer has neglected their duty of care towards a child or children
- a miscarriage of justice – for example, a member of staff has been dismissed for something that turned out to be a computer error
- someone's health and safety being in danger – for example, an employer has forced staff to serve contaminated food
- ***sexual harassment** – for example, someone is sexually harassed by a colleague
- damage to the environment – for example, an employer has been regularly polluting local rivers

Staff can make a qualifying disclosure about an issue that has happened at any time. This includes if it's likely to happen in the future. Staff can also ‘blow the whistle’ about someone trying to cover up information about any of these issues.

One or more qualifying disclosures may be reported at the same time, and whistleblowing may also be the appropriate action to report an act which has taken/is taking place outside of the school and/or overseas.

***Making a disclosure about sexual harassment**

Sexual harassment is unwanted behaviour of a sexual nature.

To be considered ‘sexual harassment’, the unwanted behaviour must have either:

- violated someone's dignity, or
- created an intimidating, hostile, degrading, humiliating or offensive environment for someone

It can be sexual harassment if the behaviour:

- has one of these effects, even if it was not intended
- intended to have one of these effects, even if it did not have that effect

From 6 April 2026, sexual harassment became a 'qualifying disclosure' under whistleblowing legislation. This applies even if the sexual harassment or disclosure happened before 6 April 2026.

When might blowing the whistle on sexual harassment be "in the public interest"?

For schools, examples could include:

A pattern of behaviour affecting multiple members of staff
- Several employees report similar conduct by the same colleague or manager.
- There appears to be a wider cultural issue.

A senior leader abusing their position
- A headteacher, governor or senior manager is alleged to be sexually harassing staff.
- There is a concern that power imbalance is preventing reporting.

The school's reporting arrangements are ineffective
- Complaints are routinely ignored, minimised or not investigated.
- Staff are discouraged from raising concerns.

Retaliation against complainants or witnesses
- Staff who raise concerns are treated unfavourably.
- Witnesses are pressured not to cooperate.

A risk to others
- The conduct suggests a continuing risk to employees, volunteers, trainees, agency staff or others.

Alternatives to whistleblowing

A qualifying disclosure does not have to affect the whole public, but it should have a wider impact than solely the individual making the complaint. “In the public interest” means that an individual is raising valid concerns outside of their own immediate personal interest and for more than personal gain.

The following considerations are often used as a test to establish whether something is within the scope of public interest:

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

If a concern is personal to the individual, it is unlikely to be covered by whistleblowing legislation because it would not count as being in the public interest. In such cases, the school's **Grievance Procedure** or the **Bullying & Harassment Procedure** may be the appropriate routes to follow.

Confidential advice and guidance

Individuals who wish to seek confidential advisory support are encouraged to contact **Protect,** a registered charity that advises on whistleblowing concerns.

The Protect website can be accessed here Protect | Speak Up, Stop Harm

4. Associated policies and procedures

It is the responsibility of the governing body to adopt policies and procedures that comply with governing legislation and statutory guidance. This procedure forms part of suite of policies, procedures and legislative frameworks that support schools in meeting these responsibilities.

These include:

- Employment Rights Act 2025
- Code of Conduct for Staff Working in Schools
- Grievance Procedure
- Bullying & Harassment Policy
- Complaints Procedure
- Safeguarding & Child Protection Policy
- Safer Recruitment Policy
- Low-Level Concerns Policy
- Dealing with Allegations of Abuse Against Staff in Schools
- Online Safety Policy
- DBS Guidance for Schools
- Single Central Record Keeping
- Behaviour Policy (pupils)
- The school's agreed procedure for reporting safeguarding concerns

5. How to raise a concern

By law, and under the Public Interest Disclosure Act 1998, an individual may make a qualifying whistleblowing disclosure to any of the following:

- their line manager or a senior representative of the school/their employer
- another person who is responsible for the wrongdoing, such as a third-party contractor
- a legal adviser
- a government minister – this only applies if you work for a statutory body

- a prescribed person or body, such as the Local Authority
- any other person or body, for example, the police – this is rare and there must be a good reason to do so, and/or it must be related to an 'exceptionally serious failure'

When individuals raise their concern through the whistleblowing procedure, they will be required, as far as possible, to include the following supporting information:

- the nature of and reasons for the concern
- any background, and/or history of the concern
- any relevant names, dates and places in support of or as evidence of the concern

Individuals must also ensure that their disclosure is made with 'reasonable belief' and is:

- a qualifying disclosure
- made in the public interest

Although individuals raising concerns under this procedure are not expected to prove the truth or substance of an allegation, in the event of an investigation, they will need to demonstrate to the investigating officer that there are sufficient grounds for the concern.

In the first instance, individuals are encouraged to address qualifying disclosures, preferably in writing, to the **Headteacher**.

The contact details for the Headteacher are set out on the first page of this procedure.

If an individual is raising a concern about the actions or conduct of the Headteacher, they should express their concerns, preferably in writing, to the **Chair of Governors**.

The contact details for the Chair of Governors are set out on the first page of this procedure.

If, for any reason, an individual does not feel that their concern has been addressed, or they would prefer to speak to someone other than the Headteacher or Chair of Governors, they can contact the school's **HR Advisor**.

The contact details for the school's HR Advisor are set out on the first page of this procedure.

6. How the school will respond

When concerns are raised under this procedure, the school will assess whether immediate protective steps are required, including measures to prevent further contact, preserve evidence, support those affected, notify appropriate safeguarding or HR contacts, and consider whether disciplinary, safeguarding, police or other external referral routes are required.

The action taken will depend on the nature of the concern. The matters raised may:

- be investigated internally by the school
- be investigated by Shropshire Council but independently of those directly involved
- be referred to the Police and/or other external agencies, as appropriate
- be referred to an external Auditor
- form the subject of an independent inquiry

To protect both the whistleblower and the school, initial enquiries will be made to decide whether an initial meeting and/or an investigation is appropriate and, if so, what form it should take. These will be made confidentially, and every attempt undertaken to protect those involved.

Concerns or allegations which fall within the scope of alternative procedures (for example, safeguarding and/or child protection issues), will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.

Next Steps: Initial Meeting

Upon receipt of the disclosure, the Headteacher will write to the individual **within 10 working days** to confirm that it has been received. The Headteacher may, at this stage, be able to confirm to the individual that the presented concern appears to meet the criteria of a qualifying disclosure or advise that further detail is required to be provided, to determine the appropriate school procedure to follow.

The Headteacher will invite the individual to a confidential meeting at which the concerns will be discussed, recorded formally and proposals for dealing with the matter, determined. The initial meeting should be convened without undue delay and as soon as is reasonably practicable.

During this meeting, and in discussion with the individual, the Headteacher will establish if:

- the concern meets the criteria of a qualifying disclosure or;
- the concern should be addressed under an alternative school policy or procedure

Next Steps: Investigation

It may be possible for the concern to be resolved by simply agreeing necessary action and/or explaining correct conduct or procedure to the alleged wrongdoer. However, depending on the nature and severity of the concern, it may be deemed appropriate to:

- initiate an investigation and appoint an Investigation Officer
- refer the matter to the police and/or an external auditor.

Ordinarily, once an individual has raised a legitimate concern as a qualifying disclosure, the school will be responsible for investigating the matter. In certain instances, and depending on the nature and severity of the concern, it may be appropriate for the individual to raise the concern with an outside agency, such as the police. Similarly, it may be appropriate for the individual to request that their trade union raises the matter.

The Headteacher will write to the whistleblower, **within 5 working days of the initial meeting,** to confirm the following:

- if an investigation is to be initiated
- that all reasonable steps will be taken to protect their identity from the alleged wrongdoer
- the school's legal obligations under the Data Protection Act and UK GDPR which may prevent the school from providing the whistleblower with specific details of any necessary investigation or any subsequent action to be taken as a result
- that the school will ensure that the whistleblower is not discriminated against

- that if clear evidence is established that the whistleblower's concern is malicious or unfounded, disciplinary action may be brought against them.

If an investigation is determined as the appropriate way forward, the whistleblower will be permitted to be accompanied by a trade union representative, a professional association representative or a fellow member of staff not involved in the area of work that the concern relates to. The role of this person will be to provide support, only, and they will not be allowed to contribute to the proceedings.

The school will ensure that all records are kept confidentially and will be stored in line with Data Protection legislation, the UK GDPR and the school's Records Management Policy.

Next steps: Investigation findings

Upon conclusion of the investigation, a confidential record will be retained by the school relating to the outcome of the investigation. 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 emerging and to assist in monitoring the impact of the procedure. This will be retained in line with the school's obligations under the Data Protection Act and the UK GDPR.

The whistleblower will be informed, in brief, of the outcome of the investigation, to include an overview of any remedial actions to be taken by the school and/or where no action is determined necessary or appropriate.

7. Procedural safeguards

Anonymous Allegations

Concerns expressed anonymously present challenges to the process of investigation. Anonymous allegations will be considered at the discretion of the Headteacher, in conjunction with the governing body. In exercising this discretion, the factors to be considered may include:

- the seriousness of the issues raised
- the validity of (or the prospect of reasonably validating) the concern
- the likelihood or possibility of confirming the allegation from other sources

Allegations which do not appear to be motivated by personal animosity and, if found to be true, would present serious implications for the school, are more likely to be progressed, even though made anonymously.

Where an investigation subsequently reveals the source of the information, a statement may be required to be provided by the whistleblower, as part of the evidence needed to progress and resolve the complaint.

Harassment or Victimisation

The school recognises that deciding to report a concern can be challenging, not least because of the fear of reprisals.

The school will not tolerate harassment or victimisation and will take action to protect employees where concerns are raised in good faith.

Confidentiality

The school will do its utmost to protect a whistleblower's identity when concerns are raised, and they have stated their wish to remain anonymous.

Where an investigation subsequently indicates the source of the originating information, a statement may be required to be provided by the whistleblower, as part of the evidence needed to progress the complaint.

Unfounded & Vexatious Allegations

If an allegation is made in good faith, but it is subsequently deemed to be 'unfounded' by an investigation, no action will be taken against the individual whistleblower. If, however, an individual is found to have made a malicious or vexatious allegation, disciplinary action may be taken against them.

In this event, the matter would be referred to an appropriate committee of the governing body and advice sought from the school's HR Advisor.

Support for Whistleblowing

Throughout and following the process of disclosure, concerns will be managed sensitively and confidentially. Full support will be given by senior school leaders to the whistleblower who may also wish to seek confidential support from their Trade Union/Professional Association.

8. Staff Training, Procedure Monitoring and Review

It is the role and responsibility of the governing body to ensure that all school staff are aware of this procedure and that senior leaders responsible for its effective implementation receive appropriate training and support.

The governing body monitors all concerns raised under this procedure will monitor the outcomes and impact of this policy/procedure on an annual/bi-annual basis in conjunction with school representatives.

The governing body will specifically monitor sexual harassment and related concerns as part of its wider duties and responsibilities under safeguarding, staff wellbeing and equality.

The policy will be reviewed in line with all relevant statutory guidance and legislative changes, and in any event, **no later than every 2 years** by the school's HR Advisor and/or in consultation with Trade Unions.