Sir Robert Geffery's

Whistleblowing Policy

Date policy last reviewed: May 2026

Headteacher – Ed O'Hara

Whistleblowing Governor – Natalie Pearce

Contents:

Statement of intent

1. Legal framework
2. The Public Interest Disclosure Act
3. Definitions
4. Roles and responsibilities
5. Harassment and victimisation of staff
6. Non-employees
7. Good practice principles
8. Procedure
9. Interview and investigation
10. What the school asks of whistleblowers
11. Appeal process
12. Unfair treatment
13. Reporting a concern
14. Safeguarding
15. Monitoring and review

Statement of intent

Sir Robert Geffery's is committed to open and honest communication and ensuring the highest possible standards in integrity – we will always 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 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 known 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 member of staff who suspects malpractice knows how to raise concerns and what procedures are in place to deal with the concern.

Where this policy necessitates personal or special category data to be processed, it will be done so in accordance with the school's GDPA & Data Protection Policy.

This policy will:

- Give confidence to members of staff 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 school staff with avenues to raise concerns.
- Ensure that members of staff 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. (The Public Interest Disclosure Act 1998)

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

- Employees of the school
- Voluntary workers working with the school
- Trainees, such as student teachers

1. Legal framework

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

- Public Interest Disclosure Act 1998
- Employment Rights Act 1996
- ESFA (2024) 'Academy trust handbook 2024'
- DfE (2024) 'Keeping children safe in education 2024'
- GOV.UK (2012) 'Whistleblowing for employees'
- Sir Robert Francis (2015) 'Freedom to speak up report'

This policy operates in conjunction with the following school policies:

- Complaints Procedures Policy
- GDPR &Data Protection Policy

2. The Public Interest Disclosure Act

The Public Interest Disclosure Act 1998 (PIDA) protects employees who "blow the whistle" where the employee reasonably believes that the disclosure falls within the remit of the prescribed person or body, and that the information and any allegations are substantially true. Disclosures made under this procedure will be monitored for statistical purposes as required under the PIDA. The details of any disclosure will remain confidential.

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

Any member of the school community or the general public is able to "blow the whistle"; however, the PIDA only protects employees. The 'Non-employees' section of this policy includes further details on how whistleblowing affects non-employees.

3. Definitions

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

As outlined by the PIDA, **"qualifying disclosures"** pertain to when any of the following takes 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

“In the public interest” 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

“Blacklisting” refers to an individual who is being refused work because they are viewed as a whistleblower.

“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.

4. Roles and responsibilities

The governing board will be responsible for:

- Establishing and agreeing the whistleblowing procedure.
- 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 employees of the school can raise their concerns.
- Taking the necessary action against members of staff following an investigation into any alleged malpractice.
- Ensuring that the minutes of the governing board include a record of the school’s whistleblowing arrangements and who, both internally and externally, staff members should report concerns to.
- Appointing one governor and one member of staff to act as points of contact for staff members when reporting concerns.
- Ensuring that all concerns raised by whistleblowers are responded to properly and fairly.

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 school staff.
- Being the first point of contact regarding whistleblowing.

The chair of governors will be responsible for receiving any concerns raised about the headteacher.

All members of staff will be responsible for:

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

5. Harassment and victimisation of staff

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.

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.

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.

6. Non-employees

The PIDA and the Employment Rights Act 1996 do not protect non-employees as far as whistleblowing is concerned. Irrespective of this, the school will not allow harassment, dismissal or exclusion for any non-employee who raises a genuine concern.

Where an individual feels that they have been unfairly treated following blowing the whistle, they should make a complaint under the school's Complaints Procedures Policy.

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.

7. Good practice principles

The school will implement the core whistleblowing principles, as outlined in the 'Freedom to speak up report', to ensure that whistleblowing procedures are fair, clear and consistent.

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.

By providing a clear procedure for mediating and resolving cases, as outlined in the 'Procedure' section of this policy, 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.

The school will implement **measures to support good practice** by ensuring adherence 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
- Informing staff what protection is available to them if they report someone
- Ensuring that alternative whistleblowing channels are in place for members of staff who feel unable to raise an issue with their employer

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

- Ensuring non-permanent staff are taught, and receive training on, the same principles as permanent staff
- Ensuring 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

8. Procedure

When raising concerns, individuals will express them in writing to the headteacher. If an individual is raising a concern about the headteacher, they should express their concerns in writing to the chair of governors. Where this is the case, the chair of governors will take on the headteacher's duties outlined in the 'Interview and investigation' section of this policy.

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

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

Individuals who would like to seek professional and confidential advice should contact Protect, a registered charity that advises on whistleblowing queries. The Protect website can be accessed here (www.protect-advice.org.uk), or they can be contacted on 020 31172520.

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

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.

If a member of staff feels they should report a concern to the ESFA, they should use the online contact form.

Appropriate whistleblowing procedures will be put in place for concerns about poor or unsafe practice and potential failures in the school's safeguarding system to be raised with the SLT.

If a member of staff feels like they are unable to raise a safeguarding-related concern with the school, or feels that their genuine concerns are not being addressed, they are able to contact the NSPCC Whistleblowing Helpline on 0800 028 0285 or the LADO.

The school, or the appropriate external agency, will acknowledge receipt of a disclosure but, unless additional information is required, will not contact or engage in dialogue with the whistleblower, as this may undermine the legitimacy of the investigation outcome.

9. Interview and investigation

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.

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.

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.

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 board will do everything in its power to protect the complainant from discrimination.
- That if the concern is genuine, even if the concern is not confirmed, no disciplinary action will be taken against the complainant.

If clear evidence is uncovered that the complainant's concern is malicious or unfounded, disciplinary action may be brought against them.

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

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 Records Management Policy.

It may be possible for the concern to be resolved by simply 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.

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.

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.

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.

10. What the school asks of whistleblowers

The purpose of this policy is to enable individuals to raise concerns in confidence, without any fear of reprisal. It is important that whistleblowers:

- Do not talk about the concern outside the school unless it is to report the concern through the proper external channels, e.g. the LA.
- 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.

11. Appeal process

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 Procedure Policy.

12. Unfair treatment

An individual can take a case to an employment tribunal if they feel that they have been treated unfairly as a result of whistleblowing. Further information can be sought from the Citizen's Advice Bureau, the whistleblowing charity Protect, or from an individual's trade union.

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

13. Reporting a concern

Prior to reporting a concern

The school is aware that occasions may arise when individuals working at the school may see, hear or experience something that causes them some concern. When such concerns arise it is important that individuals are aware of procedures to follow in order to ensure the matter is dealt with accordingly, and that the correct protections are applied.

Before making a disclosure, the school recommends that any potential whistleblower discusses their concern on a confidential basis with a work colleague, trade union representative, solicitor or professional body and seeks advice on how to proceed. These discussions may help assess how justified their concern is and, if they then wish to proceed, the most appropriate and effective way to report it.

This Whistleblowing Policy is for concerns where the public interest is at risk, this includes a risk to children at the school, the wider public, or the school workforce. To help individuals understand how and where to direct their concerns the school will adhere to the guidelines in the following scenarios:

- Workers at the school who wish to make a complaint about their own personal circumstances, such as the way they have been treated at work, should use the school's grievance procedure. If workers are unsure whether something is within scope of this policy, they should seek advice from the headteacher.
- Parents or members of the public that would like to complain about a matter relating to the school should use the school's complaints procedure.
- Anybody who has a safeguarding concern regarding a child should refer to the school's child protection and safeguarding policy and speak to the DSL. If an individual feels like they are unable to raise a safeguarding-related concern with the school or feel that their genuine concerns are not being addressed, should contact the NSPCC Whistleblowing Helpline on 0800 028 0285 or the LADO.
    - If a worker has a concern, such a suspected illegal incident, a breach of statutory procedures, people are being put in danger, or there is or has been an attempt to cover up any such activity – use this whistleblowing policy.

Individuals who would like to seek professional and confidential advice can contact Protect - a registered charity that advises on whistleblowing queries. The Protect website can be accessed here (www.protect-advice.org.uk), or they can be contacted on 020 31172520.

This step is important because the report should be made so as to allow the most effective investigation, whilst affording the whistleblower protection under the PIDA.

Raising concerns with the school

It is the hope and intention of the school, that any individual with a concern about aspects of its operations or conduct, feels able to first raise those concerns internally; this includes where a worker wants to make a protected disclosure to their manager. Raising concerns internally and at the earliest opportunity means the school will be able to act more quickly on concerns than an external body.

Any member of the school community or the general public is able to “blow the whistle”; however, the PIDA only protects workers as defined by the appropriate legislation.

How to report a concern internally

Any worker wishing to raise a concern will be expected to do so either verbally or in writing to an appropriate person, i.e.. any person more senior to the whistleblower within the school (see note below), setting out the background and history of the concern; where possible this should include names, dates and places, and the reason why the individual is particularly concerned about the situation. A disclosure of information will amount to a “disclosure” whether it is made in writing or verbally, formally or informally.

To help individuals ensure they are providing appropriate information, Protect has a letter template library where example templates can be downloaded and adapted.

If an individual is raising a concern about the headteacher they should express their concerns to the chair of governors. Where this is the case, the chair of governors will take on the headteacher’s duties outlined in the ‘Interview and investigation’ section of this policy.

Appropriate person

Staff should report their concern to the headteacher. If the concern is about the headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the **chair of governors**.

Providing evidence

Although the school will not expect individuals raising concerns to have supporting evidence to prove the truth of an allegation before reporting, they must reasonably believe that the information is substantially true to enable the matter to be taken forward.

Individuals making qualifying disclosures should note that, it is not their job to investigate any perceived wrongdoing or malpractice, nor should they attempt to gather additional evidence to try and prove their disclosure.

How to report a concern externally

The school recognises that situations may arise whereby individuals at the school have a concern which they feel they cannot discuss with the appropriate persons for a variety of reasons, such as:

- They are involved in the wrongdoing.
- They are not trusted to act properly.
- The whistleblower has a poor working relationship with them.
- There is the fear of victimisation/ repercussions.

Where this is the case, individuals will be able to report their concerns directly to:

The Trust’s **Chair of Governors** via rtwallin@sir-robert-gefferys.cornwall.sch.uk or a prescribed person or body (e.g. Ofsted, Ofqual, DfE, NSPCC; list of prescribed people and bodies can be accessed here). To make a disclosure to the DfE individuals can use the online contact form.

Individuals who wish to raise concerns over practices in other schools should report these directly to their LA.

14. Safeguards

In order to ensure that allegations are investigated in the right spirit with the right outcome, the following safeguards or principles should be applied in all cases.

Confidentiality and anonymity

It is hoped that all workers will feel able to voice whistleblowing concerns openly under this policy as anonymous concerns can be challenging to investigate; however, the school will make every effort to investigate anonymous disclosures.

Workers should be aware that proper investigation may be more difficult or impossible if the school cannot obtain further information from the worker. It is also difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to **the headteacher** where appropriate measures can be considered to preserve confidentiality. If a worker is in any doubt, they can seek advice from Protect, the independent whistleblowing charity, who offer a confidential hotline.

If a worker wants to raise a concern confidentially, the school will make every effort to protect the identity of the individual making a disclosure where requested. Where it is necessary for anyone investigating concerns to know a worker's identity, this will be discussed with the appropriate worker.

Harassment and victimisation

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. The school aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

Whistleblowers will not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a staff member believes that they have suffered any such treatment, they should inform **the headteacher** via **head@sir-robert-gefferys.cornwall.sch.uk** immediately. 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.

False and malicious allegations

If a worker makes an allegation based on a genuine concern, but the investigation finds no wrongdoing, , no action will be considered or taken against them; however, any false, malicious or vexatious allegations will be treated as a serious disciplinary offence and disciplinary action may be taken.

Misuse of this policy

This policy is designed to promote and encourage reporting genuine concerns and is not designed to allow:

- Individuals who have acted inappropriately to escape punishment by highlighting any malpractices they were involved in.

- Employment protection in relation a redundancy situation or pre-existing disciplinary issues as a result of reporting a wrongdoing.
- An individual to raise a concern for some private motive and not to prevent or correct the wrongdoing.

15. Monitoring and review

The governing board will review this policy annually, ensuring that all procedures are up-to-date – the next review date for this policy is May 2027

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