

Whistleblowing Policy

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1 Policy Statement

- 1.1 The Academy seeks to run all aspects of school business and activity with full regard for high standards of conduct and integrity. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.
- 1.2 This policy covers all members of staff, consultants, contractors, volunteers, casual workers and agency workers.
- 1.3 This policy does not form part of any member of staff's contract of employment and it may be amended at any time.
- 1.4 This policy takes account of the Whistleblowing Arrangements Code of Practice in collaboration with the British Standards Institute and Public Concern at Work.

2 Roles, Responsibilities and Implementation

- 2.1 The Board of Trustees have overall responsibility for the effective operation of this policy, for ensuring compliance with the relevant statutory framework and for reviewing the effectiveness of actions taken in response to concerns raised under this policy. The Board of Trustees delegate day- to-day responsibility for operating the policy and ensuring its maintenance and review to the Head Teacher.
- 2.2 Leaders and Managers have a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

3 Aims

- 3.1 To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- 3.2 To provide staff with guidance as to how to raise those concerns.
- 3.3 To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

4 What is whistleblowing?

- 4.1 **Whistleblowing** is the disclosure of information that relates to suspected wrongdoing or dangers at work. The law provides protection for workers who raise legitimate concerns about specified matters or 'qualifying disclosures'. A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that there are wrongdoing or dangers at work.

This may include:

- criminal activity;
- failure to comply with any legal or professional obligation or regulatory requirements;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment
- bribery;
- financial fraud or mismanagement;

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- negligence;
- breach of the School's internal policies and procedures, including HR29 Code of Conduct;
- conduct likely to damage the School's reputation;
- unauthorised disclosure of confidential information;
- unethical behaviour;
- inappropriate use of school assets or funds; and/or
- the deliberate concealment of any of the above matters.

This list is not exhaustive.

- 4.2 A **whistleblower** is a person who raises a genuine concern relating to any of the above. If a member of staff has any genuine concerns related to suspected wrongdoing or danger affecting any of the Academy's activities (a **whistleblowing concern**), they should report it under this policy.
- 4.3 This policy should not be used for complaints relating to a member of staff's own personal circumstances, such as the way they have been treated at work. In such cases, they should use the Academy's Grievance Policy or Complaints Policy.
- 4.4 If a member of staff is uncertain whether something is within the scope of this policy, they should seek advice from the Academy Business Manager.
- 4.5 If a member of staff's concern is in relation to safeguarding and the welfare of the School's pupils, they should consider whether the matter is better raised under Safeguarding & Child Protection Policy and in accordance with the arrangements for reporting such concerns, although the principles set out in this policy may still apply.

5 Raising a Whistleblowing Concern

- 5.1 Members of staff should be able to discuss any concerns about wrongdoings or dangers at work as part of the normal professional interaction between them and their line manager and, in many cases, these will be dealt with to mutual satisfaction. Alternatively, a member of staff may wish to raise any concerns with their line manager more formally, either in person or in writing. The line manager may be able to agree a way of resolving the concern quickly and effectively. In some cases, they may refer the matter to the Head Teacher or a member of the SLT.
- 5.2 However, where the matter is more serious, or the member of staff feels that their line manager has not addressed their concern, or they prefer not to raise it with them for any reason, they should contact the Head Teacher or Chair of Governors.
- 5.3 In instances where a concern involves the Head Teacher, the member of staff should contact the Chair of Governors (whose contact details are set out in Section 11). The Chair of Governors will make arrangements for an assessment (paragraph 8.1) and, if necessary, investigation (paragraph 8.2) of the concern by the Academy.
- 5.4 The Academy representative will arrange a meeting with the member of staff as soon as possible to discuss their concern. The member of staff may bring a colleague to any meetings under this policy. The companion must respect the confidentiality of the disclosure and any subsequent investigation.
- 5.5 The Academy representative will take down a written summary of the concern and provide the member of staff with a copy after the meeting. The Academy will also aim to provide an indication of how it proposes to deal with the matter.

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6 Confidentiality

- 6.1 The Academy hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if a member of staff wants to raise a concern confidentially, the Academy will make every effort to conceal their identity. If it is necessary for anyone investigating the concern to know the member of staff's identity, they will discuss this with the member of staff first.
- 6.2 The Academy does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if it cannot obtain further information. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should approach the Head Teacher and appropriate measures can then be taken to preserve confidentiality. If the member of staff is in any doubt, advice is available from Protect, the independent whistleblowing charity, which offers a confidential helpline. Their contact details can be found in Section 11.
- 6.3 Where the Academy receives an anonymous complaint, it will investigate the complaint as far as is reasonable, taking into account:
- the seriousness of the issue raised;
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from other sources.
- 6.4 As part of the application of this policy, the Academy may collect, process and store personal data in accordance with Data Protection Policy. We will comply with the requirements of the Data Protection Act (2018) and UK-GDPR and any implementing laws, regulations and secondary legislation, as amended or updated from time to time in the collecting, holding and sharing of information in relation to our workforce. Records will be kept in line with the Records Management Policy.

7 External disclosures

- 7.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases a member of staff should not find it necessary to alert anyone externally.
- 7.2 The law recognises that in some circumstances it may be appropriate for a member of staff to report their concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage staff to seek advice before reporting a concern to anyone external. Protect holds a list of prescribed regulators for reporting certain types of concern. Their contact details can be found in Section 11.
- 7.3 Whistleblowing concerns usually relate to the conduct of School staff, but they may sometimes relate to the actions of a third party, such as a contractor, supplier or service provider. In some circumstances the law will protect staff if they raise a concern with the third party directly where they reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, staff are encouraged to report such concerns internally first. Staff should contact their line manager or one of the other individuals set out in paragraph 5.2 for guidance.

8 Investigation and Outcome

- 8.1 Once a member of staff has raised a concern, the Academy will carry out an initial assessment to determine the scope of any investigation. The Academy will inform the member of staff of the outcome of the assessment. The member of staff may be required to attend additional meetings in order to provide further information.
- 8.2 In some cases, the Academy may appoint an investigator or team of investigators, including staff with relevant experience of investigations or specialist knowledge of the subject matter. The Academy may, in some circumstances, appoint an external person or body to investigate the concern. The

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investigator(s) will collate findings on the matter and may make recommendations for change to enable the Academy to minimise the risk of future wrongdoing.

- 8.3 The Academy will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Academy giving specific details of the investigation or any disciplinary action taken as a result. The member of staff should treat any information about the investigation as confidential.
- 8.4 If the Academy concludes that a whistleblower has made false accusations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action in line with Staff Disciplinary Policy.

9 After an Investigation

- 9.1 While the Academy cannot guarantee the outcome a member of staff may be seeking, it will deal with concerns fairly and in an appropriate way. By using this policy, members of staff can help the Academy to achieve this.
- 9.2 If a member of staff has genuine concerns about how the Academy has handled their whistleblowing disclosure, they can write to the Chair of Governors who has the power to review the case paperwork and issue a final ruling or recommendation, as appropriate.

10 Protection and Support for Whistleblowers

- 10.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. The Academy aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 10.2 Whistleblowers must 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 member of staff believes that they have suffered any such treatment, they should inform the Head of Human Resources immediately. If the matter is not remedied, they should raise it formally using the School’s Grievance Policy or Complaints Policy.
- 10.3 Members of staff must not threaten or retaliate against whistleblowers in any way. Any member of staff involved in such conduct may be subject to disciplinary action in line with Staff Disciplinary Policy.
- 10.4 Support is available to whistleblowers who raise concerns under this policy through Education Support.

11 Contacts

Chair of Trustees	Carol Bantock bantockc@yarboroughacademy.co.uk
Protect (Independent whistleblowing charity)	Helpline: 0203 117 2520 Website: www.protect-advice.org.uk
NSPCC Whistleblowing Advice Line	0800 028 0285
Education Support	08000 562 561

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