Whistleblowing Policy

Statutory

Date of Approval: October 2026	
This policy will be reviewed by the FA&R Committee annually	
Date for Review: October 2027	
Signature	Date October 2026
Head Teacher	
Signature	Date October 2026
Chair of Governors	

© HFL Education

Contents

1. Introduction 3
2. Scope 3
3. Definitions and qualifying disclosures 4
4. Key principles 5
5. Concerns covered by this policy 5
6. Concerns normally dealt with under another procedure 6
7. Protection from dismissal, detriment and retaliation 6
8. Confidentiality and anonymous disclosures 7
9. How to raise a concern 8
10. How the School will respond 9
11. Investigation and outcomes 10
12. Safeguarding concerns 11
13. Fraud, theft and financial irregularity 11
14. External disclosures and independent advice 12
15. Knowingly false information and misuse of the policy 13
16. Data protection and record keeping 13
17. Responsibilities, learning and review 13
18. Contacts 14

© HFL Education

1. Introduction

The School is committed to the highest standards of integrity, accountability and safeguarding. Individuals who become aware of suspected wrongdoing should feel able to speak up promptly and in the knowledge that their concern will be taken seriously and considered fairly.

The purpose of this policy is to provide clear and accessible routes for raising concerns about wrongdoing in the public interest, explain how concerns will be handled, and protect those who raise concerns from dismissal, detriment or retaliation.

For the purposes of this policy, references to "the School" shall mean the employing organisation with responsibility for employment matters.

Operational decisions under this policy may be exercised by the Headteacher in accordance with the governing board's delegated authority framework.

This policy does not form part of any contract of employment and may be amended from time to time. The School may adapt the way a concern is handled where this is reasonable and appropriate, provided that the concern is considered fairly and any applicable legal protections are respected.

This policy will be applied in accordance with the Employment Rights Act 1996, as amended, the Public Interest Disclosure Act 1998, the Equality Act 2010, data protection legislation, safeguarding legislation and statutory guidance, and other relevant legal requirements.

2. Scope

This policy may be used by employees, workers, agency workers, apprentices and others who fall within the statutory whistleblowing framework. The School will also receive concerns from volunteers, governors, trustees, contractors, consultants and other individuals working for or on its behalf, although use of this policy does not itself confer statutory whistleblowing protection where the legal requirements are not met.

Protection under whistleblowing law can apply from the beginning of employment or engagement and may continue after it has ended.

© HFL Education

A concern may relate to wrongdoing that has happened, is happening, or is likely to happen. It may concern the School, a person working for or with it, or another organisation where the information became known through work.

3. Definitions and qualifying disclosures

Whistleblowing is the disclosure of information about suspected wrongdoing in the public interest. A person who raises such a concern is referred to in this policy as the "person raising the concern".

A "qualifying disclosure" is a disclosure of information which, in the reasonable belief of the person making it, is made in the public interest and tends to show that one or more of the following has occurred, is occurring or is likely to occur:

- a criminal offence;
- a failure to comply with a legal obligation;
- a miscarriage of justice;
- danger to the health or safety of any individual;
- damage to the environment;
- sexual harassment; or
- deliberate concealment of information tending to show any of the above.

A qualifying disclosure becomes a "protected disclosure" where it is made through a route recognised by law. A disclosure to the employer will usually be protected where the statutory test is met. Different and, in some cases, additional legal conditions apply to disclosures made outside the employer.

The person raising the concern does not need to prove the wrongdoing. However, they should provide information they reasonably believe tends to show the relevant wrongdoing. An allegation or expression of opinion without supporting information may not amount to a qualifying disclosure, although the School will still consider the appropriate way to respond.

Whether a disclosure is legally protected will ultimately depend on the applicable statutory tests and, if disputed, is a matter for an employment tribunal or court. The School will not require the person raising the concern to establish conclusively at the outset that the disclosure is protected before the concern is considered under this policy.

© HFL Education

4. Key principles

- concerns should be raised as early as reasonably practicable;
- concerns will be assessed objectively and handled by an appropriate person with sufficient authority and no material conflict of interest;
- no conclusion will be reached merely because a concern has been raised;
- the response will be proportionate to the nature, seriousness and urgency of the concern;
- confidentiality will be maintained so far as reasonably practicable, but cannot be guaranteed in all circumstances;
- the person raising a concern will not be required to investigate the matter themselves;
- no person will be subjected to retaliation for raising a protected disclosure or for supporting its consideration;
- safeguarding concerns will be acted upon without delay through the relevant safeguarding arrangements;
- the School may use another policy or process where that is the more appropriate route, or may manage overlapping matters concurrently;
- reasonable adjustments will be made where required.

5. Concerns covered by this policy

Examples of concerns that may be raised under this policy include suspected:

- fraud, theft, bribery, corruption or other financial irregularity;
- serious breach of law, regulation, funding requirements or governance obligations;
- unsafe practice or a serious health and safety risk;
- safeguarding failure, including a failure to act on concerns about a child or unsafe practice affecting children;
- abuse of authority, serious misuse of public funds or resources, or deliberate misuse of position;
- sexual harassment where the statutory requirements for a qualifying disclosure are met;
- serious discrimination, harassment or other unlawful practice affecting others or the public interest;
- serious data protection, cyber security or confidentiality failure;
- conduct likely to cause serious environmental damage;
- deliberate concealment, destruction or manipulation of information relating to wrongdoing.

© HFL Education

This list is illustrative and not exhaustive. The legal status of a disclosure depends on the facts and the statutory tests, not on the label used by the person raising it.

6. Concerns normally dealt with under another procedure

A personal complaint about the way an individual has been treated will normally be managed under the Grievance Policy, Anti-Bullying and Harassment Policy or another appropriate procedure. A complaint may nevertheless amount to whistleblowing where it also discloses information about wrongdoing in the public interest.

Safeguarding concerns must be reported through the safeguarding routes identified in section 12. A concern about an adult's conduct may also require consideration under the Code of Conduct, low-level concerns arrangements or Disciplinary Policy.

The School will determine the most appropriate procedure after considering the substance of the concern. It may deal with different aspects under different procedures or concurrently where this is fair and effective. A concern will not lose any statutory protection merely because it was raised under, or initially directed to, another procedure.

7. Protection from dismissal, detriment and retaliation

A worker who makes a protected disclosure has the legal right not to be subjected to detriment because they made it. An employee who is dismissed because they made a protected disclosure may be able to claim automatic unfair dismissal. These protections do not depend on length of service.

In addition, the School will not subject a person to adverse treatment merely because they raised or assisted with a concern under this policy on the basis of information they reasonably believed indicated wrongdoing, even if the concern is not ultimately substantiated or does not satisfy every statutory requirement for a protected disclosure.

Where appropriate, the School may review working arrangements for a reasonable period after the concern has concluded to identify and address any retaliation, exclusion, inappropriate treatment or continuing risk connected with the disclosure.

The School will not tolerate victimisation, harassment, bullying, intimidation, threats,

exclusion, damage to career prospects, reduction of work, disadvantage in employment decisions or any other retaliation because a person raised, was believed to have raised, or supported the consideration of a protected disclosure.

Anyone who believes they have experienced retaliation should report it promptly through any of the routes in section 9. The matter will be considered under the appropriate procedure, which may include the Disciplinary Policy.

Nothing in a contract, confidentiality clause, settlement agreement, policy or management instruction prevents a worker from making a protected disclosure or reporting a criminal offence to the police.

8. Confidentiality and anonymous disclosures

The School encourages individuals to identify themselves when raising a concern because this usually makes it easier to seek clarification, assess the information, provide support and communicate an outcome.

Where a person asks for their identity to be kept confidential, the School will limit disclosure to those who reasonably need the information. It may nevertheless be necessary to disclose identity or information from which identity could be inferred in order to investigate fairly, protect a child or another person, comply with a legal or regulatory duty, or enable another person to respond to allegations. Where reasonably practicable, the person raising the concern will be informed before such disclosure, but this may not always be possible.

Anonymous concerns will be considered on their merits. The ability to investigate may be limited where the information cannot be tested or clarified. In deciding what action is possible, the School may consider the seriousness and credibility of the concern, whether it can be corroborated, the potential risk to others and whether evidence is available from another source.

Information about the concern will be shared only where reasonably necessary. Confidentiality obligations will not be used to prevent lawful reporting, appropriate safeguarding action or cooperation with a regulator, law enforcement body or other authorised person.

© HFL Education

9. How to raise a concern

A concern may be raised orally or in writing. It should provide, so far as known:

- the nature of the suspected wrongdoing;
- relevant dates, locations and individuals;
- how the person became aware of the information;
- any supporting documents or other evidence;
- whether the matter has previously been raised and what happened;
- any immediate risk to children, adults, evidence, funds, systems or safety; and
- whether confidentiality is requested.

A concern should normally be raised with the line manager, Headteacher or another senior manager. Where that route is inappropriate, unavailable, or the person receiving the concern may be involved, it may be raised directly through one of the alternative routes below.

Concerns should be raised in accordance with the Trust's Scheme of Delegation and governance arrangements. Depending on the circumstances, this may include the Headteacher, Chair of the Local Governing Body, Chair of Trustees, a designated trustee or another person with suitable authority and no material conflict. Where the concern involves the Chief Executive Officer, Chair of Trustees, designated whistleblowing trustee, several trustees, or circumstances in which the Trust Board cannot reasonably consider the concern impartially, it should be raised through the alternative route identified in the Trust's governance arrangements.

The School's designated internal whistleblowing contact is: Stephen Jess, Headteacher.

Where the concern is about the person who would ordinarily receive it, or there is another good reason why that route cannot reasonably be used, the concern should be raised with an alternative person identified above or, where appropriate, through an external route in section 14.

Managers who receive information that may amount to whistleblowing must take it seriously, record it appropriately, protect confidentiality, consider immediate risks, and pass it promptly to a person with authority to assess it. They must not investigate informally, promise secrecy, seek to suppress the concern or subject the person raising it to adverse treatment.

10. How the School will respond

The person receiving the concern will arrange an initial assessment by an appropriate individual. The School will normally acknowledge receipt within 5 working days, although school closure periods, urgency, anonymity, external agency involvement or other circumstances may affect communication.

The initial assessment may consider:

- whether there is an immediate safeguarding, safety, financial, evidential, data or operational risk;
- whether another person or body must be notified;
- whether the concern falls within this policy or another procedure;
- whether interim protective or risk-management measures are required;
- who should handle or investigate the matter;
- whether legal, HR, safeguarding, audit, governance or regulatory advice is required;
- how confidentiality and communications will be managed; and
- whether further information is needed from the person raising the concern.

Possible responses include an internal review or investigation, use of another procedure, referral to safeguarding, Internal Audit, an external auditor, the police, the Local Authority, the Department for Education, a regulator or another appropriate body, action to control immediate risk, or no further action where there is insufficient basis to proceed.

The School is not required to accept the person raising the concern's preferred method of investigation or outcome. It will determine the appropriate response having regard to legal duties, fairness, risk, available evidence and the rights of all those involved.

The School will consider what reasonable support is appropriate for the person raising the concern, any person assisting with its consideration and any person who is the subject of the concern. Support may include a named contact, reasonable adjustments, information about the process, access to available wellbeing support and measures to reduce any identified risk of retaliation, conflict or inappropriate contact.

Providing support does not indicate that the concern has been accepted or rejected and will not compromise the need for a fair and impartial process.

So far as reasonably practicable, the person raising the concern will be informed of the outcome of the initial assessment, the process through which the matter will be considered and any next steps. Where no further action is proposed, they will normally be given an explanation, subject to confidentiality, safeguarding, legal and regulatory restrictions.

11. Investigation and outcomes

Where an investigation is required, it will be proportionate to the concern and conducted by a person with appropriate competence and sufficient independence. The School may appoint an internal or external investigator.

No person who is implicated in the concern, has a material conflict of interest or has predetermined the matter will assess, investigate or determine the response to it.

Wherever reasonably practicable, the person conducting the investigation will be different from the person responsible for deciding what action should follow. The School may adopt a proportionate arrangement where its size or governance structure makes full separation impracticable, provided that the process remains fair and any conflict of interest is appropriately managed.

The purpose of any investigation will be to establish a fair and balanced view of the relevant facts. The scope and form of the investigation will be proportionate to the nature and seriousness of the concern. Where factual findings are required, they will normally be reached on the balance of probabilities, unless a different legal, safeguarding or regulatory test applies.

The person raising the concern may be asked to provide further information or attend a meeting. There is no general statutory right to be accompanied at a whistleblowing fact-finding meeting, but a reasonable request to be accompanied by a work colleague or trade union representative will normally be permitted where this supports effective participation and does not prejudice the process.

The investigation may result in action under another policy, changes to practice or controls, training, a safeguarding or regulatory referral, recovery or protection of funds, referral to the police or another authority, or no further action. Any employment action concerning another person will be taken under the appropriate procedure.

© HFL Education

The person raising the concern will be kept informed of progress so far as reasonably practicable. At the conclusion, the person raising the concern will normally be told whether the concern was substantiated in whole or in part, was not substantiated, or whether another outcome was reached, and whether appropriate action has been taken. The School may be unable to provide details about another person, confidential decision-making, legal advice, safeguarding information or disciplinary action.

If the person raising the concern reasonably believes that the matter has not been addressed appropriately, they may ask for the handling of the concern to be reviewed by an alternative person with suitable authority and no prior material involvement, or may consider an appropriate external disclosure route. A review is not an appeal against confidential employment, safeguarding or regulatory decisions affecting another person.

12. Safeguarding concerns

Safeguarding and promoting the welfare of children is paramount. Staff must report concerns about a child, unsafe safeguarding practice, or the conduct of an adult working with children promptly in accordance with the School's safeguarding procedures. They must not delay reporting while deciding whether the concern also amounts to whistleblowing.

Where there is an immediate risk of harm, the Designated Safeguarding Lead or another appropriate safeguarding lead must be informed without delay. Concerns about the Headteacher or Principal, proprietor, trustee, governor or another senior person must be raised through the alternative safeguarding route required by current statutory guidance and the School's safeguarding procedures.

Where a concern may meet the harm threshold, the School will consider referral to the Local Authority Designated Officer and any other required action. Where the concern does not meet the harm threshold but is inconsistent with the Code of Conduct or safer working expectations, it may be managed as a low-level concern.

Where a person believes that safeguarding concerns have not been acted upon, unsafe practice is being ignored, or there is a serious failure in safeguarding arrangements, they may use this policy and may seek independent advice or make an appropriate external disclosure.

13. Fraud, theft and financial irregularity

Suspected fraud, theft or financial irregularity must be handled in accordance with the Academy Trust Handbook, the Trust's financial procedures and any applicable Department for Education counter-fraud, reporting and funding requirements in force at the relevant time. The concern should be reported to Stephen Jess, Headteacher.

An internal investigation must not compromise or obstruct an audit, police, regulatory or safeguarding investigation. The School will coordinate action and preserve relevant evidence as appropriate.

14. External disclosures and independent advice

The School encourages concerns to be raised internally where it is reasonable to do so, because this will often allow the matter to be addressed quickly. However, nothing in this policy requires internal reporting first where the law permits a disclosure through another route.

A worker may make a disclosure to a prescribed person or body where the relevant statutory requirements are met. The correct prescribed person depends on the subject matter of the concern. The current official list is published by the Department for Business and Trade.

Whistleblowing: list of prescribed people and bodies

Different and usually more demanding legal conditions apply to wider disclosures, including disclosures to the media. Anyone considering an external disclosure may wish to obtain independent advice before doing so. The School will not characterise a disclosure as misconduct merely because it was made externally; the circumstances, legal protections, confidentiality, safeguarding and any other legitimate obligations will be considered carefully.

Independent advice is available from:

- Protect, the independent whistleblowing charity: 020 3117 2520 and protect-advice.org.uk;
- Acas: 0300 123 1100 and acas.org.uk;
- a trade union or professional association;
- an independent legal adviser.

Safeguarding concerns may also be raised with an appropriate safeguarding or regulatory body. Contact details should be checked at the time the concern is raised because responsibilities and prescribed-person status can change.

15. Knowingly false information and misuse of the policy

A person will not be criticised or subjected to action merely because a concern raised on the basis of information they reasonably believed indicated wrongdoing is not substantiated, is mistaken or cannot be proven.

If, following a fair process, it is established that a person knowingly provided false information, fabricated evidence, or made an allegation they knew to be untrue, the matter may be considered under the appropriate disciplinary or other procedure. Any action will relate to the dishonest conduct, not to the fact that the person raised a concern.

The personal motivation of the person raising a concern does not, by itself, determine whether a disclosure is protected. The School will focus on the information disclosed, the statutory requirements and the evidence available.

16. Data protection and record keeping

Personal data will be processed lawfully, fairly and securely in accordance with data protection legislation, the School's privacy notices, Data Protection Policy and retention arrangements. Information will be limited to what is reasonably necessary to assess, investigate and respond to the concern and to meet legal, safeguarding, regulatory, audit or governance obligations.

Records may include the concern, assessment, risk decisions, investigation material, communications, findings, action taken and any review. Access will be limited to those who reasonably need the information. Records will be retained for a period that is necessary and proportionate, taking account of the nature of the concern and applicable legal, safeguarding, audit and limitation requirements.

17. Responsibilities, learning and review

The governing board or Trust Board has overall responsibility for ensuring that appropriate whistleblowing arrangements are in place. Operational responsibility may be delegated in

accordance with the relevant governance framework.

The School will ensure that staff know how to raise concerns and that managers understand how to receive and escalate them. Those handling concerns should have access to appropriate HR, legal, safeguarding, governance, audit or regulatory advice.

The School will keep its arrangements under review and will consider whether concerns indicate wider patterns, control weaknesses, cultural issues, training needs, safeguarding risks or other action required to prevent recurrence. Reporting to the governing board or Trust Board will be appropriately anonymised and will not compromise individual cases.

This policy will be reviewed periodically and may be updated earlier following changes in legislation, statutory guidance, governance arrangements or operational need.

18. Contacts

Internal whistleblowing contact: Stephen Jess, Headteacher, 01279 307477, head@summercroft.herts.sch.uk
Alternative academy contact, designated trustee or Chair details where applicable: Sophia Adams Bhatti or Tim Hyams cog@summercroft.herts.sch.uk
Designated Safeguarding Lead: Stephen Jess
Local Authority Designated Officer: Viv Hammond, viv.hammond@hertfordshire.gov.uk
Protect: 020 3117 2520 | protect-advice.org.uk
Acas: 0300 123 1100 | acas.org.uk
NSPCC Whistleblowing Advice Line: 0800 028 0285

Current prescribed persons and bodies: gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2