



Whistleblowing Policy – Schools

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Introduction

School recognises the important role employees play in identifying concerns and views speaking up as an opportunity to:

- Drive continuous improvement.
- Prevent poor practice or wrongdoing.
- Reduce the risk of serious incidents.
- Resolve issues internally at the earliest opportunity.

Everyone within the School shares responsibility for remaining vigilant, challenging inappropriate practice, and raising concerns to help maintain the safety, integrity, and effectiveness of the school's service.

The school is committed to fostering an open and supportive culture where employees and others working on the school's behalf feel safe to speak up, knowing their concerns will be taken seriously and handled appropriately.

Whilst concerns should be raised with a line manager wherever possible, the Council recognises that some matters may require a more structured and confidential process.

This policy outlines how concerns that fall outside everyday business processes can be raised and addressed, and provides assurance that individuals can speak up safely, confidentially, and without fear of detriment. It also explains the legal framework for protected disclosures (whistleblowing).

Policy Statement

Employees will not, under any circumstances, suffer detriment as a result of raising a genuine concern under this policy. The School has a zero-tolerance approach to any form of unacceptable behaviour, including harassment or victimisation, directed towards an employee who has raised a concern or who is seeking to do so. Any individual found to have engaged in such behaviour will be dealt with in accordance with School's disciplinary procedure.

The School may also take disciplinary action where, following a thorough and appropriate investigation, it is determined that an allegation has been made maliciously or vexatiously.

Scope

This policy applies to all individuals working for, with, or on behalf of the School. This includes, for example, employees, headteachers, agency

workers, contractors, CEOs, board of trustees, governors and suppliers. It operates alongside the School's existing complaints procedures and other statutory reporting requirements relevant to specific services, such as safeguarding processes for children.

This policy covers workplace concerns relating to suspected wrongdoing or risks, including those that may have a **wider public interest**. It is not intended for matters that relate solely to an employee's personal circumstances where no broader public interest exists. In such cases, employee should refer to the School's Grievance Procedure or the Dignity at Work Policy & Procedure.

Key Principles

The Law

This policy reflects the requirements of the Public Interest Disclosure Act 1998 (PIDA) and the Employment Rights Act 1996, both of which provide legal protection for employees who raise concerns, in the public interest, about dangers, risks, malpractice, or wrongdoing in the workplace that may affect others.

This protection applies where an employee reasonably believes that the information they are disclosing demonstrates that one of the categories of wrongdoing set out in the legislation has occurred, is occurring, or is likely to occur, and where the concern has been raised through the appropriate channels. Further detail can be found in the section titled *Protected Disclosures (Whistleblowing)*.

Protected Disclosure (Whistleblowing)

In certain circumstances, a concern raised by an employee may meet the criteria for a *protected disclosure* under the Public Interest Disclosure Act 1998 (PIDA). For a disclosure to be protected, the employee must reasonably believe that the information being shared is in the public interest and that one or more of the following matters is occurring, has previously occurred, or is likely to occur:

- A criminal offence.
- The breach of a legal obligation.
- A miscarriage of justice.
- A danger to the health and safety of any individual.
- Damage to the environment.

- Sexual Harassment.
- Deliberate attempt to conceal any of the above.

Protection applies where the employee has raised the concern through the appropriate channels, as outlines in this policy. In most cases, this means raising the concern with the School first. If the employee feels unable to do so, the disclosure may be made to a prescribed person or body.

Employees making a protected disclosure are legally protected from any form of detriment by the employer or colleagues. This includes, but is not limited to, victimisation, harassment, bullying, or dismissal as a result of raising their concern.

Whistleblowing Procedure

Raising a Concern

Employees may raise concerns in a variety of ways, including face-to-face, in writing, or by telephone. Where a concern is raised by telephone, a written record of the information provided will be issued to the employee to confirm its accuracy.

Employees are encouraged to set out concerns in writing wherever possible, including relevant details such as names, dates, locations, and the reasons for the concern. Employees are not expected to prove the truth of an allegation but must demonstrate that there are reasonable grounds for raising the issue.

If the employee feels unable to put their concern in writing, they may telephone or meet with the appropriate officer.

Initial Reporting Routes

Line Manager

Line managers play a key role in supporting employee and are often best placed to address concerns promptly or escalate them through the appropriate channels when required. They are familiar with the support services available within the School and can help employees access these, as well as signpost to external services where appropriate.

Line managers must treat all staff concerns seriously and sensitively. Managers must reassure staff that they will not suffer retaliation as a result of raising any reasonably held concerns.

Senior Manager

Employees should escalate their concern to a more senior manager if they:

- Feel unable to raise the matter with their line manager.
- Believe their line manager may be involved; or
- Have already raised the concern with their line manager but do not believe that appropriate action has been taken.

Designated Senior Officers

As detailed above, employees should normally raise concerns with their immediate manager. However, this depends, on the seriousness and sensitivity of the issue(s) involved and who is thought to be involved in the disclosure. For example, if it is believed that leadership is involved, employees should approach the Headteacher, Chair of Governors, or alternatively, the Director of Children's Services for Wigan Council, the Chief Executive, or the Assistant Director – Legal, Governance & Elections (Monitoring Officer).

For Voluntary Aided Schools, the Council would still be responsible for managing and responding to a whistleblowing complaint as the authority. However, the Schools Governing Body has primary responsibility to ensure they link in with Wigan Council regarding the complaint.

For Academies, the Council does not have any involvement in managing the response. However, Academies are advised to contact Wigan Council's Legal Services if they require legal advice (at a cost).

Employees can speak to their HR Provider for advice on how best to raise a concern.

Additionally, trade union members may contact their union representative for support and guidance. Trade unions can provide representation throughout the process if required.

Formal Procedure Following a Concern

Initial Assessment

All whistleblowing disclosures, whether made verbally or in writing, will be taken seriously and handled sensitively.

Upon receipt of a disclosure, the organisation will:

- Record the disclosure, including the date received and the nature of the concern
- Acknowledge receipt to the whistleblower where contact details are provided

- Take reasonable steps to protect the whistleblower from any detriment

Anonymous disclosures will be considered at the organisation's discretion, considering the seriousness of the issue, the credibility of the concern, and the availability of supporting evidence.

Preliminary Assessment

A preliminary assessment will be undertaken to determine:

- Whether the disclosure falls within the scope of this policy.
- Whether the disclosure is likely to constitute a qualifying disclosure under PIDA.
- Whether immediate action is required to manage any risks (e.g. health and safety or safeguarding concerns).

At this stage, the School may seek clarification from the whistleblower, where appropriate.

Appointment of an Investigating Manager

The Investigating Manager will be responsible for:

- Managing communications with the whistleblower.
- Coordinating meetings and investigations.
- Maintaining accurate and confidential records.
- Ensuring the procedure is followed fairly and consistently.

Initial Fact-Finding Meeting

Where a whistleblowing complaint is made against a member of staff, an initial fact-finding meeting will be arranged within 10 working days of the disclosure being received.

The fact-finding meeting will:

- Seek to clarify the allegations and relevant context.
- Identify key facts, documents, and witnesses.
- Consider whether the disclosure meets the public interest test under PIDA.
- Determine whether there is a case to answer and what next steps are appropriate.

This meeting is not a disciplinary hearing. No findings of fault or sanctions will be made at this stage.

The member of staff concerned will be informed of the allegations in an appropriate and proportionate manner, subject to the need to protect the integrity of the process and any individuals involved.

Where appropriate, the organisation may consider interim measures to protect all parties and the integrity of the process. This may include:

- Temporary changes to duties or reporting lines.
- Suspension in line with the organisation's disciplinary procedure.
- Additional support measures for the whistleblower.

Any interim measures will not imply guilt and will be kept under regular review.

Decision on Next Steps

Following the fact-finding meeting, the investigating manager, in consultation with HR and/or senior management where appropriate, will determine the most appropriate course of action.

Possible outcomes include:

Escalation to the Disciplinary Procedure

Where there is sufficient evidence to suggest misconduct or breach of policy, the matter will be progressed in accordance with the disciplinary procedure.

Initiation of the Grievance Procedure or Dignity at Work Procedure

Where the concern is deemed to be a personal employment issue rather than a public interest disclosure.

Formal Investigation Under the Whistleblowing Procedure

Where further investigation is required but disciplinary action is not yet appropriate.

No Further Action

Where the concern is unsubstantiated or no longer requires further action.

The whistleblower will be informed, as far as reasonably practicable, that a decision has been made, subject to confidentiality and data protection obligations.

Investigation Stage

Where an investigation is required, the organisation will:

- Conduct the investigation promptly and proportionately.
- Maintain confidentiality throughout the process.

The investigating manager may:

- Review relevant documents and records.
- Interview witnesses.
- Prepare a written investigation report with findings and recommendations.

If an employee is invited to an investigation to discuss any whistleblowing allegation or for the investigating manager to understand the disclosure further the employee has the right to be accompanied by a trade union representative or a work colleague.

Conclusion and Outcomes

Once the investigation is complete, the organisation will determine what action, if any, is required. This may include:

- Disciplinary action.
- Policy or procedural changes.
- Training or management intervention.
- Referral to an external body or regulator.

The whistleblower will be informed that the process has concluded and whether appropriate action has been taken, though detailed outcomes may not be disclosed.

Protection Against Detriment

Any concerns raised by the whistleblower regarding retaliation or detriment will be treated seriously and addressed promptly. Such concerns may themselves be dealt with under the disciplinary procedure.

Record Keeping and Confidentiality

All records relating to whistleblowing disclosures will be:

- Kept confidential and securely stored
- Processed in accordance with data protection legislation
- Retained only for as long as necessary

Right to Raise Concerns Externally

Nothing in this procedure prevents a worker from making a protected disclosure to a prescribed person under PIDA. Workers are encouraged to seek independent advice before doing so.

Confidentiality & Anonymity

The School encourages employees to raise concerns openly wherever possible but recognises that some individuals may prefer to raise them confidentially. Where a concern is raised in confidence, the School will

make every reasonable effort to protect the employee's identity. However, there may be circumstances, such as during an investigation or where required by law, in which disclosure of identity becomes necessary. Should this be the case, the School will limit disclosure to those who need to know and will, wherever possible, inform the employee in advance.

Employees can be reassured that the School will focus on the substance of the concern rather than the identity of the individual raising it. Anyone raising a genuine concern should feel confident in identifying themselves. Knowing who has raised a concern also enables the School to seek further clarification where needed and, importantly, to offer appropriate wellbeing support and guidance.

Anonymous concerns will also be considered, as far as reasonably practicable, based on the information provided.

Raising a Concern Externally

If an employee is dissatisfied with the handling of their concerns, or if the employee feels it is right to take the matter outside the school, they may raise their concerns to the appropriate 'prescribed persons'. The relevant prescribed person depends on the subject matter of the disclosure. A list of these persons can be found on the Government Website

Prescribed persons have individual policies and procedures for handling concerns and complaints. Generally, these will be accessible on their websites.

Alternatively, the employee may wish to raise their concerns with:

- The Police.
- A Solicitor.
- Wigan Council's External Auditor (Mazars).
- Relevant professional bodies / regulatory organisations such as His Majesty's Chief Inspector of Education, Children's Services and Skills ('the Chief Inspector'), or the Secretary of State for Education
- Their trade union/professional association.
- ACAS.

Public Concern at Work

Whistleblowing Charity (Protect) – Please search Whistleblowing Charity Protect on your web browser.

Telephone: 020 3117 2520

Lawyers who provide independent and confidential advice to workers who are unsure whether or how to raise a public interest concern. Their advice line is managed by qualified lawyers with a wealth of experience in whistleblowing law and practice.

Advisory, Conciliation and Arbitration Service (ACAS)

Telephone: 0300 123 1100

Text Relay: 18001 0300 123 1100

Prescribed Persons

A list of these persons can be found on the Government Website. Prescribed persons have individual policies and procedures for handling concerns and complaints. Generally, these will be accessible on their websites.

External Auditor – Grant Thornton

Telephone Number: 0161 9536900

Audit Commission Public Enquiries Team

Telephone Number: 0303 444 8330

Greater Manchester Police

Telephone Number: 0161 8725050

Employee Assistance Programme

Telephone Number: 0800 028 0199

(Please note the Employee Assistance Programme Line is only available to Schools who purchase the Wellbeing SLA).

Education Support Partnership

Telephone: 08000 562561

Email: enquiries@edsupport.org.uk

Further Information

Managers and employees can seek advice and support on the application of this policy from the HR Operations Advisory Hub on 01942 404030 or by

emailing, hrcaseworkandadvice@wigan.gov.uk (if the HR Operation SLA has been purchased).