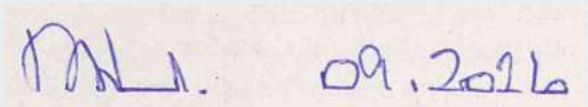




Boscastle Community Primary School

WHISTLEBLOWING POLICY

Raising concerns in the public interest

Approved by:	Governing Body
Review completed:	21.09.26
Next review due:	September 2028, or earlier if legislation/guidance changes
Signed by Chair of Governors:	

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1. Aims and scope

Boscastle Community Primary School is committed to the highest standards of openness, integrity and accountability. Staff should feel able to speak up about suspected wrongdoing and be confident that genuine concerns will be taken seriously, considered fairly and handled appropriately.

This policy aims to:

- encourage concerns about wrongdoing in the public interest to be raised as soon as possible;
- provide clear internal routes for raising concerns, including where the concern relates to the Headteacher;
- explain how the school will assess, investigate and respond to concerns;
- support an open culture in which staff can raise genuine concerns without fear of victimisation;
- explain the legal protections that may apply to a protected disclosure;
- make clear the distinction between whistleblowing, personal grievances, complaints and safeguarding/allegations procedures;
- signpost workers to independent advice and appropriate external or prescribed persons where necessary.

This policy does not form part of any employee's contract of employment and may be amended following changes to law, statutory guidance or school arrangements.

The policy applies to employees and workers at the school, including agency workers and trainees where the statutory definition applies. Volunteers, contractors and others working on behalf of the school are also encouraged to raise concerns under this procedure; however, whether an individual has statutory whistleblowing protection depends on their legal status and the circumstances of the disclosure.

2. Legal and statutory framework

The Governing Body of a local-authority-maintained school is responsible for agreeing and establishing the school's whistleblowing procedure. This policy has been prepared with regard to current Department for Education guidance for maintained schools and current government whistleblowing guidance.

The principal legal framework is Part IVA of the Employment Rights Act 1996, introduced by the Public Interest Disclosure Act 1998 and subsequently amended, including by the Employment Rights Act 2025.

From 6 April 2026, sexual harassment is expressly included as a category of wrongdoing that can form the subject of a protected whistleblowing disclosure where the statutory tests are met.

A confidentiality or non-disclosure clause cannot lawfully prevent a worker from making a protected disclosure. Separate statutory changes also restrict contractual provisions that seek to prevent workers speaking out about relevant harassment or discrimination.

Keeping Children Safe in Education (KCSIE) 2026 requires schools to have appropriate arrangements for staff to raise concerns about poor or unsafe safeguarding practice and potential failures in the school's safeguarding regime.

A worker does not need proof before raising a concern. The concern should be based on information the worker reasonably believes tends to show relevant wrongdoing and, for statutory protection, the disclosure must satisfy the applicable legal tests, including the public-interest requirement.

3. What is whistleblowing?

Whistleblowing is the disclosure of information about wrongdoing that a worker reasonably believes is in the public interest. The wrongdoing may have happened in the past, may be happening now, or may be likely to happen.

A protected disclosure can concern one or more of the following:

- a criminal offence, including fraud, theft, bribery or corruption;
- a failure to comply with a legal obligation or statutory requirement;
- a miscarriage of justice;
- danger to the health or safety of any individual;
- damage, or risk of damage, to the environment;
- sexual harassment;
- the deliberate concealment of information tending to show any of the above.

In a school context, concerns might also involve serious financial mismanagement, deliberate breaches of safeguarding requirements, systematic falsification of records, unsafe practices, or attempts to conceal serious wrongdoing.

The fact that a concern later proves to be mistaken does not, by itself, mean that it was improperly raised.

4. What is not normally whistleblowing?

A personal grievance that relates only to an individual's own employment position will not usually be a whistleblowing matter unless the concern also has a wider public-interest element.

Examples that will normally be dealt with under another procedure include:

- a personal dispute about terms and conditions, workload, appraisal or management decisions;
- an individual complaint of bullying or harassment that does not raise a wider public-interest issue;
- a complaint from a parent or member of the public about the school;
- a concern about a pupil that should be dealt with immediately under safeguarding procedures;
- a concern about the conduct of an adult that falls within the allegations/low-level concerns procedure.

Where a concern contains both personal and public-interest elements, the Headteacher or Chair of Governors will consider which procedure, or combination of procedures, should apply. The school will not reject a concern simply because it has been raised under the wrong policy.

5. Safeguarding concerns and whistleblowing

Safeguarding is everyone's responsibility. Whistleblowing is not a substitute for the immediate reporting of a child-protection concern.

- If a child may be at risk of harm, staff must follow the Child Protection and Safeguarding Policy immediately and report to the DSL or Deputy DSL.
- A safeguarding concern or allegation about an adult working in or on behalf of the school must be reported in accordance with the school's allegations and low-level concerns procedures.
- A concern about the Headteacher must be reported to the Chair of Governors.
- Where a member of staff believes safeguarding practice is unsafe, concerns are not being acted upon, or there is a failure in the school's safeguarding regime, the matter may also be raised under this Whistleblowing Policy.
- If a member of staff feels unable to raise a safeguarding concern internally, they may seek advice from the NSPCC Whistleblowing Advice Line.

6. Protection, confidentiality and anonymous disclosures

Protection from detriment

The school will not subject a person to victimisation or detrimental treatment because they have raised a genuine concern through this policy. Workers who make a qualifying protected disclosure have specific legal protection from detriment and, for employees, unfair dismissal.

No action will be taken against a person simply because a concern raised reasonably and in the public interest is not substantiated.

Confidentiality

The school will take reasonable steps to protect the identity of a person who asks for confidentiality. Complete confidentiality cannot be guaranteed where disclosure is required by law, necessary to investigate the matter fairly, or necessary to safeguard an individual. Where possible, the person will be informed before their identity is disclosed.

Anonymous concerns

Anonymous concerns will be considered. However, anonymity can make investigation more difficult, may limit the ability to clarify information and may restrict the feedback that can be provided.

Staff who are worried about possible reprisals should discuss this with the person receiving the concern, a trade union/professional association representative, Acas or Protect.

7. How to raise a concern

7.1 When to raise a concern

Staff should raise a concern as soon as reasonably possible. It is not necessary to wait for wrongdoing to occur or to gather proof. A concern can relate to past, current or likely future wrongdoing.

7.2 Who to report to

- Normally: the Headteacher.
- If the concern is about the Headteacher, or the Headteacher may be involved: the Chair of Governors.
- If the concern involves both the Headteacher and Chair, or there is another clear conflict of interest: the Vice-Chair of Governors.
- Where the concern is a child-protection or safeguarding matter requiring immediate action: follow the Child Protection and Safeguarding Policy as set out in section 5.

7.3 How to raise the concern

Concerns may be raised verbally or in writing. Written concerns are encouraged where practicable because they help establish a clear record, but the school will not refuse to consider a concern because it was made verbally.

A person raising a concern should provide as much information as they reasonably can, for example:

- what happened, is happening or is likely to happen;
- the names or roles of people involved, where known;
- relevant dates, times and locations;
- why the person believes the matter is wrongdoing in the public interest;
- any documents or other information already available;
- any personal interest in the matter that could be relevant.

A whistleblower is not expected to investigate the matter personally or prove the allegation.

A worker may seek advice or support from a trade union or professional association representative and may be accompanied at meetings about the concern where appropriate.

8. How the school will respond

The person receiving the concern is referred to in this section as the 'recipient'. The recipient will assess the concern promptly and determine the appropriate process.

8.1 Initial response

1. Acknowledge the concern, normally within 5 working days where contact details are available.
2. Consider whether urgent action is required to protect a child, adult, public funds, records or other evidence.
3. Meet or speak with the person raising the concern within a reasonable period where this would assist understanding.
4. Make a clear written record of the concern and the information supplied.
5. Consider whether the matter falls under whistleblowing or should also be dealt with under another policy or statutory procedure.
6. Identify any conflicts of interest and appoint an appropriate investigator who is sufficiently independent of the matters raised.
7. Decide whether external advice, referral or notification is required, including to the LADO, children's social care, police, external auditors, the local authority or another regulator.

The person raising the concern will be told, so far as is reasonably possible, how the matter will be handled and when they can expect a further update.

8.2 Investigation

Where further investigation is warranted, the recipient will determine proportionate terms of reference and appoint a suitable investigator. Depending on the issue, this may be a senior leader, governor, local-authority officer, HR adviser, auditor or independent external investigator.

The investigation will be conducted fairly and objectively. The person who is the subject of the concern will also be treated fairly and offered appropriate support.

Where an investigation cannot be concluded quickly, the whistleblower will normally receive an update at least every 20 working days, provided this does not prejudice the investigation or the rights of others.

8.3 Wellbeing and support

The school will consider appropriate wellbeing support for the person raising the concern and for any person who is the subject of an investigation. This may include access to a trade union or professional association, occupational health, employee assistance arrangements or other suitable support.

9. Outcomes and feedback

At the end of the investigation, the investigator will prepare a proportionate written record of findings, conclusions and any recommendations. The outcome may include:

- no further action;

- management or procedural action;
- disciplinary action under the relevant procedure;
- changes to policy, controls, training or working practices;
- referral to a regulator, local authority, police, safeguarding agency or professional body;
- financial recovery, audit or other remedial action.

The person who raised the concern will be informed that the investigation has concluded and, where possible, given an appropriate summary of the outcome. The school may need to withhold details because of confidentiality, data protection, safeguarding, legal privilege or the rights of other individuals.

Where the person raising the concern is dissatisfied with the way it has been handled, they should raise this with the Chair of Governors, or the Vice-Chair where the Chair has already been directly involved. This does not prevent a worker from seeking independent advice or making a disclosure to an appropriate prescribed person.

10. Deliberately false or malicious allegations

The school encourages staff to speak up where they reasonably believe wrongdoing may have occurred. A concern raised reasonably in the public interest will not lead to disciplinary action merely because it is not substantiated.

If an allegation is shown to have been deliberately fabricated, knowingly false or malicious, the school may consider action under the appropriate disciplinary or other procedure. The school will distinguish this from a genuine but mistaken concern.

11. Raising a concern outside the school

The school encourages concerns to be raised internally where appropriate, but the law also provides routes for disclosures to certain prescribed people and bodies. A worker considering an external disclosure should take care to choose a body whose statutory remit covers the matter and may wish to obtain independent advice first.

For education matters concerning maintained schools in England, the Secretary of State for Education is a prescribed person. Other prescribed bodies may be relevant depending on the subject matter, for example the Information Commissioner for data protection, the Health and Safety Executive for specified health and safety matters, or other regulators listed in the current government prescribed-persons list.

For child-protection concerns about safeguarding practice in the workplace, staff may contact the NSPCC Whistleblowing Advice Line. Immediate risks to a child must be reported through safeguarding procedures and, where necessary, to emergency services.

The school will not require a worker to exhaust the internal procedure before obtaining independent legal, trade union or professional advice.

12. Record keeping and data protection

The school will keep an appropriate confidential record of whistleblowing concerns, assessments, decisions, investigations and outcomes. Access will be restricted to those who need the information for legitimate purposes.

Records will be handled in accordance with the school's Data Protection Policy, Records Management arrangements, UK GDPR and the Data Protection Act 2018. Information will be retained only for as long as necessary and lawful.

Whistleblowing records that contain safeguarding information will also be managed in accordance with the school's safeguarding record-keeping requirements.

13. Approval, monitoring and review

The Governing Body is responsible for agreeing and establishing the school's whistleblowing procedure. The Headteacher and Governing Body will monitor the effectiveness of this policy and review it at least every two years, or sooner where legislation, statutory guidance or school arrangements change.

The school will make staff aware of this policy and how to access it. Managers and governors with a role in receiving concerns should understand the procedure and the legal protections that may apply.

14. Links with other policies

- Child Protection and Safeguarding Policy
- Staff Code of Conduct
- Allegations / Low-Level Concerns procedures
- Grievance Policy
- Complaints Procedure
- Disciplinary Policy and Procedure
- Data Protection Policy
- Financial procedures / SFVS arrangements
- Health and Safety Policy

Appendix 1: External sources of advice and prescribed persons

Contact details can change. Staff should check the current GOV.UK prescribed-persons list before making an external disclosure.

Organisation	Purpose
Protect	Independent confidential whistleblowing advice. Website: protect-advice.org.uk
Acas	Independent employment advice, including whistleblowing and workplace concerns. Website: acas.org.uk
NSPCC Whistleblowing Advice Line	For professionals concerned about how child-protection issues are being handled in their workplace. Telephone: 0800 028 0285.
Secretary of State for Education / Department for Education	Prescribed person for matters relating to maintained schools in England. Current contact details are published on GOV.UK.
Information Commissioner's Office	For matters within the ICO's remit relating to data protection and freedom of information.
Health and Safety Executive	For matters within HSE's prescribed remit relating to health and safety.
Current prescribed persons list	GOV.UK publishes and updates the official list of prescribed people and bodies and their remits.

September 2026 review: principal changes

- Converted the draft academy-trust template into a maintained-school policy for Boscastle Community Primary School and removed trust-specific references, template instructions and placeholders.
- Updated the legal framework to the Employment Rights Act 1996, Public Interest Disclosure Act 1998 and Employment Rights Act 2025.
- Confirmed that, from 6 April 2026, sexual harassment is expressly included as a category of wrongdoing capable of forming a protected disclosure.
- Clarified the distinction between whistleblowing, grievances, complaints, safeguarding concerns and allegations/low-level concerns about adults.
- Added a specific KCSIE 2026 safeguarding-whistleblowing section and the NSPCC advice route.
- Clarified confidentiality versus anonymous reporting and that proof is not required before a concern is raised.
- Added school-specific reporting routes: Headteacher, Chair of Governors and Vice-Chair where there is a conflict.
- Inserted clear operational response times: acknowledgement normally within 5 working days and updates at least every 20 working days where an investigation remains open.
- Strengthened investigation, conflict-of-interest, record-keeping, support and outcome arrangements.
- Updated external escalation to use the current GOV.UK prescribed-persons framework, including the Secretary of State for Education for maintained schools.