



Holbrook CE Primary School Whistleblowing Policy

September 2025

Adopted by LTC	04.02.26
Review date	September 2026

Approved by the Trust Board: 19th December 2025

To be reviewed: September 2026

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1. Introduction

- 1.1. The 1998 Public Interest Disclosure Act inserted provisions into the Employment Rights Act 1996 to give protection to 'whistleblowers' who raise concerns, by making a protected disclosure, about serious fraud or malpractice at their place of work against victimisation or dismissal, provided they have acted in a responsible way in dealing with their concerns.
- 1.2. For the disclosure to be protected by the law it must be made to the right person and in the right way. Staff must have a reasonable belief that:
 - any disclosure of information is in the public interest
 - any disclosure of information is being made to the correct 'prescribed person'
 - any information disclosed is substantially true
- 1.3. This policy has been implemented following consultation with the recognised trade unions. It has been formally adopted by the Local Trust Committees.

2. Purpose and Scope

- 2.1. The Derby Diocesan Academy Trust (DDAT) is committed to operating with honesty and integrity. It expects all colleagues to operate on this basis and to adhere to the Trust's policies, procedures and code of conduct. Fraud, misconduct or wrongdoing will not be tolerated.
- 2.2. The aim of this policy is to encourage colleagues 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. It aims to establish a fair and impartial investigative procedure and ensure that staff receive a response to their concerns and are aware of how to escalate them if they are not satisfied with the outcome.
- 2.3. Any colleague raising a concern under this policy will not be treated less favourably for raising concerns, as outlined in this procedure. This means that any colleague who raises a concern under this policy will not be subjected to any detriment nor will they be dismissed for doing so. This policy applies to employees of DDAT, referred to in this policy as colleagues including employees, agency workers, apprentices, trainees or anyone who is, or was*, subject to a contract to undertake work or services for DDAT. *Individuals are still protected even if they no longer work for DDAT.

- 2.4. A confidential support service is available through Education Support <https://www.educationsupportpartnership.org.uk/helping-you/telephone-support-counselling>.
- 2.5. This policy applies to all colleagues, regardless of length of service, but does not form part of their contract of employment and can be varied from time to time.
- 2.6. This policy enables DDAT to comply with the Public Interest Disclosure Act 1998 and the Public Interest Disclosure (Prescribed Persons) Order 2014. The Whistleblowing Policy is intended to cover major concerns that may fall outside the scope of other DDAT policies such as Health and Safety. These include (this list is not exhaustive):
- a criminal offence
 - a miscarriage of justice
 - risk or actual damage to the environment
 - breach of a legal or professional obligation or regulatory requirement
 - a danger to health and safety
 - bribery
 - financial fraud or mismanagement
 - negligence
 - the deliberate concealment of any of the above

Sexual harassment is also expected to become a qualifying disclosure under whistleblowing legislation with effect from April 2026, as part of the Employment Rights Bill. This means protection from detriment and unfair dismissal for whistleblowers making a sexual harassment disclosure.

3. When to raise a concern through the Whistleblowing Policy

- 3.1. If the disclosure is made to DDAT, it must be in the public interest and the person making the complaint (“the whistleblower”) has a reasonable suspicion that the alleged malpractice has occurred, is occurring or is likely to occur.
- 3.2. When raising a concern through the Whistleblowing Policy, the whistleblower should either:
- reasonably believe that they would be victimised if they raised the matter internally or to a regulatory body
 - reasonably believe that evidence is likely to be concealed or destroyed
 - have already raised the concern with DDAT

3.3. If the disclosure is made to other external bodies and is of an "exceptionally serious" nature which, in a school setting could include the alleged abuse of children or vulnerable adults in a school's care or corruption, the whistleblower will not be required to:

- believe that they will be subject to a detriment for raising the disclosure internally
- believe that the evidence is likely to be concealed or destroyed
- have raised the matter concerned internally first

4. Rights of the whistleblower

4.1. A colleague who has reasonable belief that wrongdoing has, or may be committed, and raises a genuine concern relating to any of the above is considered a whistleblower and is protected under this policy. DDAT will treat every disclosure in confidence, and only reveal the identity of the person making it if absolutely necessary (e.g. if required in connection with legal action).

4.2. All colleagues are encouraged to use this policy to raise genuine concerns and will not be treated less favourably for doing so, even if they are mistaken in their belief.

4.3. Any colleague who raises a concern under this policy will not be subjected to a detriment, nor will they be dismissed for doing so. Any colleague who believes that they have been subjected to a detriment for raising a complaint should raise the matter with DDAT's CEO or Chair of the Board of Trustees. Victimization of a whistleblower by another colleague for raising a concern under this policy will lead to disciplinary action.

4.4. This policy does not deal with any complaints relating to a colleague's own treatment at work or own contract of employment. Those matters should be raised under the DDAT Grievance Procedure or the Anti-Harassment and Bullying Policy and Procedure, as appropriate. An exception to this would be if the matter of concern arises from the colleague's own treatment at work that is arising from the whistleblowing matter they have raised previously.

5. Employer responsibility

5.1. As the employer of staff in the schools, DDAT has overall legal responsibility for ensuring that the Trust has a Whistleblowing Policy in place. The Board of Trustees is responsible for the running of DDAT and will maintain a record of concerns raised and associated outcomes in a format that will not compromise confidentiality. DDAT recognises that the decision to report a concern can be a difficult one, not least because of fear of reprisals from those responsible for

the alleged failure or malpractice. DDAT does not tolerate harassment or victimisation and will take all necessary action to protect staff members when a concern is raised, being conscious of its vicarious liability for any employee's conduct should this amount to victimisation of a whistleblower.

6. Raising a concern – Internal Procedure

- 6.1. Concerns are most appropriately raised in writing; a form for recording the concern is available for use at Appendix 1 which can be found at the end of this document. Any submission should set out the background and history of the problem, stating names, dates and places where possible. The submission should also clarify the reason why there is felt to be particular concern about the situation and should include sufficient grounds for this concern. It is advised that the earlier a concern is raised, the easier it is to take action. Staff are encouraged to involve their trade union or professional association and may be accompanied by a recognised Trade Union representative or work colleague during any meetings, with reasonable time off from work being permitted for this purpose. It should be noted that, should any staff member making a disclosure under the terms of the Whistleblowing Policy already be subject to disciplinary, grievance or redundancy procedures, these procedures will not be halted as a result of any disclosure.
- 6.2. The staff member should raise their concern with the Executive Headteacher / Headteacher / Head of School, or if the complaint is about the Executive Headteacher / Headteacher / Head of School, with the CEO. If the complaint is about the CEO, this should be raised with the Chair of Trustees. If the complaint is about the Local Trust Committee / Board of Trustees, the concern should be raised with the Chair of DDAT (or, if this is felt inappropriate, with the most relevant of the external bodies identified in section 7). Contact details are outlined below:
- Executive Headteacher / Headteacher / Head of School – contact appropriate school (details on school website)
 - DDAT CEO
Email: sarah.clark@ddat.org.uk
Address: Top Floor Unit 3 Endcliffe Mount, Deepdale Business Park, Ashford Road, Bakewell, Derbyshire, DE45 1GT
 - Chair of Trustees
Email: sarah.Charles@ddat.org.uk
Address: Top Floor Unit 3 Endcliffe Mount, Deepdale Business Park, Ashford Road, Bakewell, Derbyshire, DE45 1GT

- Secretary of State
Email: public.enquiries@homeoffice.gov.uk
Address: Direct Communications Unit, 2 Marsham Street, London, SW1P 4DF

(Note – if raising a concern through a letter, please send to the person concerned at the school address in an envelope marked ‘Private and Confidential’).

7. Raising a concern – External Procedure

- 7.1. Whistleblowing to an external body without initially going through the internal procedure outlined in this policy is inadvisable without compelling reason. Compelling reasons could be the involvement of senior management or serious health and safety issues.
- 7.2. The following bodies are the external regulatory authorities (‘prescribed persons’) who are most likely (within an educational setting) to be contacted in accordance with legal protection for whistleblowers, should a staff member feel that it is appropriate to take the matter outside of DDAT (the list is not exhaustive):
- Ofsted – <https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure>
 - Ofqual – <https://www.gov.uk/government/organisations/ofqual/about/complaints-procedure>
 - National Audit Office – <https://www.nao.org.uk/contact-us/>
 - The Citizens Advice Bureau
 - Relevant professional bodies or regulatory organisations
 - The Local Government Ombudsman
 - The Information Commissioner
 - A relevant voluntary organisation
 - The Police
 - Health and Safety Executive
 - The Education Funding Agency
- 7.3. Members of Parliament also qualify as ‘prescribed persons’.
- 7.4. If you are unsure whether to use the Whistleblowing Policy or you wish to obtain independent advice at any stage, you are advised to contact:
- A relevant trade union or professional association

- The independent charity Protect on 020 3117 2520: <https://protect-advice.org.uk/>
- NSPCC Whistleblowing helpline: 0800 028 0285 or email help@nspcc.org.uk

Further information is available here: www.gov.uk/whistleblowing

If a member of staff does not feel able to raise concerns in the ways outlined above, they should consult the Public Disclosure Act for information.

8. Investigating the concern

8.1. The action taken by the Executive Headteacher / Headteacher / Head of School, CEO or Chair of Trustees will depend on the nature of the concern. The concern will be logged by the CEO, or the Chair of Trustees if the concern relates to the CEO. The matters may be subject to:

- Internal investigation
- Referral to the Police
- Referral to other external enforcement agencies
- Consideration of DDAT's Disciplinary Procedure should it relate to an employee (or employees)

8.2. An initial assessment should be made to decide whether an investigation is appropriate and, if so, what form this should take and whether independent experts are required. Concerns or allegations that fall within the scope of other specific DDAT procedures (such as child protection) will normally be referred for consideration under those procedures.

8.3. It may be possible to resolve some concerns by agreed action without any requirement for an investigation. Within ten working days of a concern being received, the Executive Headteacher / Headteacher / Head of School, CEO or Chair of Trustees will write to the staff member:

- Acknowledging receipt of the concern
- Indicating how it proposes to deal with the matter
- Giving an estimate timeframe in which a response is provided
- Indicating whether an initial enquiry has been made
- Indicating whether further investigations will take place

8.4. When a concern is received by the Executive Headteacher / Headteacher / Head of School, CEO/Chair of Trustees - referred to from this point onwards as the 'recipient' - they will:

- Meet with the person raising the concern within a reasonable timeframe. The person raising the concern may be joined by a Trade Union representative
- Obtain as much detail as possible about the concern at this meeting and record the information. If it becomes apparent the concern is not of a whistleblowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 10 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
 - The recipient should then arrange a further investigation into the matter, involving the Local Trust Committee and/or Trustees, if appropriate. In some cases, they may need to arrange for an external, independent body to investigate. In other cases, they may need to report the matter to the police
 - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps

9. Outcome of the investigation

- 9.1. Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the Local Authority or Police.
- 9.2. They will inform the person who raised the concern of the outcome of the investigation, in writing. Due to confidentiality reasons, they will not receive the full report.
- 9.3. Beyond the immediate actions, the CEO, Trustees and other relevant staff if necessary will review the appropriate policies and procedures to prevent future occurrences of the same wrongdoing.
- 9.4. Whilst DDAT cannot always guarantee the outcome sought, it will try to deal with concerns fairly and in an appropriate way. If you are unsatisfied with the way in which your concern has been handled, please contact the DDAT Central HR Team who will advise accordingly of the escalation contacts.

- 9.5. The amount of contact between the person who considers the above issues and the staff member raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.
- 9.6. Subject to legal and confidentiality restraints, the staff member will receive information about the outcomes of any investigations.

10. Confidentiality

- 10.1. Anyone who raises a whistleblowing concern will be protected as far as possible. The investigation process may, however, reveal the source of the information, as a statement may be required as part of the evidence. If, however, the staff member does not wish to disclose their identity, it could make it difficult to proceed with the matter.
- 10.2. Anonymous allegations will be considered but they may not be investigated or pursued.
- 10.3. Following discussions, staff may consider raising a matter if there are two or more individuals who have had the same experience or have the same concerns. Care and judgement must, however, be exercised in all cases. Due consideration must be given to whether there are reasonable grounds for concern.

11. Untrue or malicious allegations

- 11.1. If an allegation is made in the public interest but is not confirmed by any subsequent investigation, no action will be taken against the staff member making the disclosure. However, malicious or vexatious allegations could lead to disciplinary action including proceedings for gross misconduct.

Appendix 1

Report form to be used for public interest disclosures

Name of School:	
Name: (Staff member raising concern(s) - not compulsory but you are encouraged to disclose your identity)	
Name(s) of person(s) reported:	
Concern(s) reported: (Provide full details of the background and history to the concern(s) including names, dates and places, and clarify the reason(s) why you are concerned – attach a separate sheet if needed)	
Date: 	
Signed: (If your name appears above)	