



HAILEY HALL SCHOOL
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WHISTLEBLOWING POLICY

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Responsible Committee: Finance & Premises

Endorsed Committee: Board of Trustees

Responsible Person: Business Manager

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1. Introduction

The aim of this Policy is to encourage employees, and others, who have serious concerns about any aspect of the School to voice those concerns and feel secure in doing so.

It is important that any fraud, misconduct, or wrongdoing, is reported and properly dealt with. The School encourages all individuals to raise any concerns they may have about the conduct of others, or the way in which the School is run.

The School is committed to the principles of honesty and integrity. A culture of openness and accountability is critical to ensuring these values are authentically lived by.

This policy applies to all employees, workers, agency staff, contractors, service providers, volunteers, and trustees of the School. Concerns raised will be addressed promptly and appropriately, in line with statutory requirements and Ofsted guidance.

This policy does not form part of any employee's contract of employment, and it may be amended at any time.

2. Scope

If your concern relates to how you have been treated, this should be raised under the grievance or bullying and harassment policies.

The whistleblowing policy will not replace any existing policies or procedures. If misconduct is discovered as a result of any investigation under this policy the School's disciplinary policy will be used.

The School encourages individuals to disclose any concerns they may have regardless of whether they are covered by this or another policy.

3. Legislation

The requirement to have clear whistleblowing procedures in place set out in the [Academy Trust Handbook](#).

This policy has been written in line with the above document, as well as [government guidance on whistleblowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

4. What is whistleblowing?

Whistleblowing means the reporting of information which relates to actual or suspected wrongdoing related to a "qualifying disclosure".

Qualifying disclosures are disclosures of information where the worker reasonably believes (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future.

- A criminal offence
- A miscarriage of justice
- A danger to the health and safety of any individual
- An act causing damage to the environment
- A breach of a legal obligation
- A deliberate attempt to conceal any of the above

Whistleblowing also applies to unsafe or poor practice that may put children at risk, breaches of safeguarding procedures and failure to comply with statutory requirements.

If a worker is going to make a disclosure it should be made to the employer first, or if they feel unable to use the school's procedure the disclosure should be made to a prescribed person, so that employment rights are protected.

It is not necessary for a whistleblower to have proof of such an act for the protections of this policy to apply.

Potential whistleblowers are encouraged to seek support from a senior manager or their trade union representative if they are unsure whether to make a disclosure or to access support in making a disclosure, regardless of whether it is qualifying or not.

5. Protection for whistleblowers

This policy has been written to take account of the Part IVA of the Employment Rights Act 1996 which protects workers making protected disclosures.

A qualifying disclosure made to the worker's employer is a protected disclosure. A qualifying disclosure is made by a worker under this policy will also be a protected disclosure.

A whistleblower who makes a protected disclosure has the right not to be dismissed, subjected to any detriment, or victimised, because they have made a disclosure.

Dismissing, or subjecting a whistleblower to any other detriment for raising a protected disclosure, such as demotion, or harassment or victimisation (under the Worker Protection Act 2024) will be a disciplinary offence.

We will not determine that anyone should cease to work at the school on the basis that they have made a qualifying disclosure in accordance with the law and this policy.

Whistleblowers may seek support and advice from organisations such as the whistleblowing charity Protect (<https://protect-advice.org.uk> / 020 3117 2520) or ACAS (www.acas.org.uk).

6. Obligations for the Whistleblower

You are encouraged to raise potential whistleblowing concerns as early as possible and to follow the whistleblowing procedure set out in this policy.

An instruction to cover up wrongdoing is a disciplinary offence. A whistleblower who is told not to raise or pursue any concern, even by a person in authority, should not agree to remain silent.

Whistleblowing to an external agency without first using the procedure below may be considered a breach of our Code of Conduct. However, should an employee feel unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed they should use the other channels open to them.

It is not appropriate to whistle blow to the media except in limited circumstances and where those circumstances do not apply such whistleblowing may be considered gross misconduct.

Maliciously making a false allegation is a disciplinary offence.

7. Confidentiality

The School encourages individuals to voice their concerns openly. If anyone wishes to raise concerns confidentially, the School will make every effort to keep their identity secret.

The person(s) to whom the disclosure is made will consult with the whistleblower before divulging their identity to any party, including an investigator.

The School does not encourage anonymous disclosures as this may make it harder to establish the credibility of an allegation and may make investigation difficult or impossible. Anonymous concerns will be taken seriously and investigated as far as is possible under this policy.

8. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there is potentially an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation.

9. The School's commitment

Any matter raised under this policy and procedure will be investigated thoroughly, promptly and confidentially.

Whilst the person carrying out the investigation will aim to keep the whistleblower informed of the progress of the investigation and likely timescales, sometimes the requirement for confidentiality will prevent full information about the investigation, and any consequential disciplinary action, from being disclosed.

10. Obligations of the Board of Trustees

Concerns regarding financial irregularity will be reported to the Shared Internal Audit Service (SIAS) / Trust's auditors and DfE; where concerns relate to child protection, these will be handled in keeping with the relevant policy of the School and reported to the Local Authority Designated Officer (LADO) where the threshold is met.

11. Whistleblowing reporting stages

11.1 Stage 1 – Disclosure

The whistleblower should initially raise their concern to their line manager. They may do this orally or in writing. The line manager should inform the Headteacher of the concern.

If the concern relates to the line manager or any person to whom they report, (other than the Headteacher) the whistleblower should raise the issue with the Headteacher.

If the concern relates to the Headteacher, the whistleblower should raise this with the Trustee named at the end of this policy.

We aim to acknowledge your concern within 5 working days during term time, this may be longer during school closure periods.

Where external agencies such as LADO and Police are involved schools will follow their advice and this may delay the internal investigation.

11.2 Stage 2 – Investigation

The School will arrange an investigation into the concerns raised. This will take place as soon as is reasonably practicable.

The investigation may involve the whistleblower and other individuals involved meeting with the investigator and giving a written statement.

At any investigatory meetings the whistleblower is entitled to be accompanied by a recognised trade union representative or a work colleague.

Whilst the person carrying out the investigation will aim to keep the whistleblower informed of the progress of the investigation and likely timescales, sometimes the requirement for confidentiality will prevent full information about the investigation and any consequential disciplinary action from being disclosed.

11.3 Step 3 – Report to Trustees

The investigator will report to the named representative of the Board of Trustees before any further action is taken. The representative of the Board of Trustees will decide on potential outcomes including, but not limited to:

- invoking the School's disciplinary process, or other relevant policy
- referral to the police, Hertfordshire County Council department, government department or regulatory agency
- no further action.

On conclusion of any investigation, the whistleblower will, as far as is practicable and where it is reasonable to do so, be told the outcome of the investigation and what the School has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

11.4 Step 4 – Escalation

If, on conclusion of stages 1, 2 and 3 you believe that the appropriate action has not been taken, you should report the matter to the proper authority. The Public Interest Disclosure (Prescribed Persons) Order 2014 (as amended) sets out a number of bodies prescribed by the Secretary of State to which qualifying disclosures may be

made. In order for the report to one of these bodies to be a protected disclosure, you must reasonably believe that the matter falls within the matters covered by that body. You must also reasonably believe that the information disclosed, and any allegations contained in it, are substantially true.

These bodies include:

- the Financial Conduct Authority / DfE
- the Health and Safety Executive
- the Environment Agency
- His Majesty's Chief Inspector of Education Children's Services and Skills
- the Secretary of State for Education
- the Office of Qualifications and Examinations Regulation
- the Equality and Human Rights Commission.
- LADO

A full list can be obtained from the charity Protect or the Department for Business and Trade (DBT) on the website [Whistleblowing: list of prescribed people and bodies - GOV.UK](#). The DBT list contains a description of the matters covered by each prescribed body. Alternatively, you may contact their professional association or trade union representative for guidance.

12. Data Protection

When an individual makes a disclosure, the school will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

13. Contacts

The School's appointed member(s) of staff for this purpose is:

Mr Paul Delamaine

The School's appointed Trustee(s) for this purpose is:

Mrs Rosemary Bolton

The independent whistleblowing charity: **Protect**

Web address: [Protect - Speak up stop harm \(protect-advice.org.uk\)](https://protect-advice.org.uk)

Helpline [020 3117 2520](tel:02031172520)

Webform: [Contact Our Advisors](#)

Ofsted Whistleblowing Hotline: 0300 123 3155 or email; whistleblowing@ofsted.gov.uk

Local Authority Designated Officer (LADO); 0300 123 4043.

NSPCC whistleblowing advice line – 0800 0280285 8am – 8pm Monday – Friday and at weekend 9am – 6pm. Email: help@nspcc.org.uk. Alternatively, you can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.