Whistleblowing

Policy and Procedure

Last Reviewed: September 2026

Date Adopted by Board of Trustees: Nov 2026

Policy Outline

Summary of Changes
The September 2025 Whistleblowing policy has been reviewed. The changes made to the policy include:

Section	
3 – What is whistleblowing	3.2 Heading amended to 'disclosures qualifying for protections' –in line with legislation wording 3.2 Additional qualifying disclosure added – sexual harassment, to reflect changes brought in with Employment Rights Act from 6th April 2026 3.6 Rewritten to explain 'public interest' more clearly and concisely

Contents

1 **Introduction**
2 **Data protection**
3 **Definition – What is whistleblowing?**
4 **Scope**
5 **Safeguards**
- Confidentiality
- Anonymous Allegations
- Harassment and Victimisation
- Untrue or Malicious Allegations

6 **How to make a whistleblowing disclosure**
7 **How the school will respond**
8 **How the matter can be taken further**
9 **Further information for workers who wish to whistleblow**

Appendices

Appendix 1 - **Contact Details**
Appendix 2 - **Example list of 'whistleblowing' concerns**

1 Introduction

1.1 The Trust is committed to the highest possible standards of openness, honesty, integrity, and accountability. As part of this commitment, the Trust is keen that activity, which falls below these standards, is reported to the school, where there is legitimate concern, in order that it can be dealt with promptly.

1.2 The Trust acknowledges that the public and staff are often the first to realise that there may be something wrong within the school and wish to encourage those with concerns about any aspect of the school's work to come forward and voice those concerns. Usually, these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public, other staff, or the environment, it can be difficult to know what to do.

1.3 Individuals may be worried about raising such issues or may want to keep the concerns to themself, perhaps feeling it's none of their business or that it's only a suspicion. Individuals may also fear they may not be taken seriously or be victimised in some way. Where an individual works within the school they may also feel that raising the matter would be disloyal to colleagues. Individuals may decide to say something but find that they are not sure how to raise the issue or are not sure what to do next.

1.4 The purpose of this policy is to provide individuals with the information to enable them to raise concerns about suspected malpractice at an early stage and in the right way.

1.5 This policy is intended to provide safeguards to enable individuals to communicate serious concerns that they may have about the school rather than overlooking a problem. It aims to:

- encourage anyone (members of the public or school-based staff) to feel confident in raising serious concerns.
- reassure individuals that if they raise any serious concerns in good faith and reasonably believe them to be true, i.e., "whistle-blow", they will be protected from victimisation and their concerns will be taken seriously.
- provide avenues for members of the public and school-based staff to raise concerns and receive appropriate feedback on any action taken; and
- ensure that an appropriate response to concerns raised is given from the Trust and, if not satisfied, show how individuals may take the matter further if they are dissatisfied with the response.

1.6 Where someone finds that something is troubling them, which they think the Trust should know about, or look into, they should use the processes described in this policy to report the concern. They should not ignore the concern.

1.7 **Employee Health & Wellbeing** - The school is committed to creating an environment that promotes good physical and mental health and wellbeing, w here staff can thrive and feel supported.

Where employees are being supported and managed within this policy, this will be done sensitively with appropriate regard to their individual circumstances. In addition, the school will consider any necessary reasonable adjustments to support an employee to fully engage in the process set out in this policy. This may include, for example, also allowing the employee to have an appropriate 'support' person accompanying them to a formal meeting as well as a Trade Union representative or work colleague.

The trust board is expected to have an overriding regard for the wellbeing of all employees (including that of the Headteacher/CEO) and the board is expected to monitor the impact of strategies and initiatives that promote a positive and sustainable workplace culture. The headteacher/CEO is expected to model a positive and sustainable workplace culture to all employees and seek to reduce unnecessary workload.

2 Data Protection

2.1 When it receives a whistleblowing complaint the Trust will process personal data in accordance with its data protection policy. Data collected from the point at which the complaint is received is held securely and accessed by, and disclosed to, individuals only for the purposes of managing the complaint. However, we will disclose information about the data subject to third parties if we are legally obliged to do so or where we need to comply with our contractual duties, for instance where we need to refer certain information to the Designated Officer, Disclosure and Barring Service or Teaching Regulation Agency, or another public body such as the police. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the school's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the school's disciplinary policy.

3 What is whistleblowing?

3.1 Whistleblowing is the action someone takes to report wrongdoing in the workplace that affects others. Legally, this is known as 'making a disclosure in the public interest.

3.2 **Disclosures qualifying for protection** – There are several issues that would count as a 'whistleblowing' complaint or disclosure. These are known as 'qualifying disclosures':

- a criminal offence may have or has been committed

- an individual has failed, is failing or likely to fail to comply with any legal obligation to which they are subject to;
- a miscarriage of justice has been or is likely to occur;
- the health or safety of an individual has been or is likely to be endangered;
- public funds are being used in an unauthorised manner;
- the environment has been or is likely to be damaged;
- sexual harassment has occurred, is occurring or is likely to occur (change effective from 6th April 2026)
- information relating to any of the above is being deliberately concealed.

A list of examples which may fall under the above categories can be found in appendix 2

3.3 A disclosure of information in not a qualifying disclosure if the person making the disclosure commits an offence making it.

3.4 For the purpose of this policy 'whistleblowing' is the raising of a serious concern about a suspected danger, risk, malpractice, misconduct, illegality, or wrongdoing within the school which affects others. By law, an individual is protected as a whistleblower if they can show it is reasonable to them to believe that what they disclose ('protected disclosure'):

- fits into one of the categories of a 'qualifying disclosure';
- made in an appropriate way to the right person;
- is in the public interest.

3.5 A 'protected disclosure' must consist of information not merely be allegations of suspected malpractice.

3.6 'In the public interest' means the concern must affect others, such as other school workers, children, or the wider public. A matter that relates only to an individual's personal grievance is unlikely to meet this test. A concern is more likely to be in the public interest where the issue is serious, appears to have been deliberate, involves a large, influential, or well-known employer, or affects a significant number of people.

3.7 'Whistleblowing' is viewed by the Trust as a positive act that can make a valuable contribution to the school's efficiency and long-term success.

3.8 By law, whistleblowers are protected from:

- unfair dismissal – if someone is dismissed for whistleblowing, it will be treated as automatic unfair dismissal
- Detriment – if someone is being treated worse than before and/or have a situation made worse. Examples would be a reduction in hours, bullying or harassment.

4 Scope

4.1 This policy may be used by anyone, including external partners, members of the public or 'workers' appointed by the school. This includes permanent and temporary employees of the school, agency workers, home workers and school employees seconded to a third party. School 'workers' can also be full-time or part-time.

4.2 A 'member of the public' is any individual who is not a 'worker' in the school. This includes suppliers, contractors, partners, consultants, service providers, Council service recipients, customers, claimants, other Local Authorities or organisations, Councillors, and any members of the general public.

4.3 It is not intended that this policy, and its associated procedures, be used to raise concerns which fall within the scope of other school procedures where more appropriate procedures are available, for example:

- if concerns are relating to an individual's own treatment as an employee, including harassment, they should raise it under the see Grievance Procedure;
- complaints of misconduct should be dealt with under the separate School Complaints Procedure

4.4 In addition, the policy is not designed to:

- question financial or business decisions taken by the school
- be used to reconsider any matters that have been addressed under complaints, grievances, or disciplinary proceedings
- be used for complaints relating to an individual's own personal circumstances where there is no additional public interest dimension

4.5 However, if it is uncertain which procedure to use then please use the procedure described in this policy initially. The Trust would rather concerns are raised than not at all.

4.6 Where a concern raised under the whistleblowing policy overlaps with matters more appropriately addressed through the grievance procedure, the school will assess the nature of the issue and respond under the most suitable policy. Employees will be informed of any such determination, and the rationale for the chosen route will be clearly explained. However, investigations arising from whistleblowing disclosures will follow a structured and impartial process, broadly aligned with the approach used in grievance investigations.

4.7 In some cases, a whistleblowing disclosure may lead to further action under a different internal policy, such as the disciplinary or grievance procedure. Where this occurs, and where appropriate, the employee will be notified in writing, and the process will be paused or concluded before transitioning to the new procedure.

4.8 Where a whistleblowing disclosure includes multiple elements, only those relevant to the whistleblowing policy will be investigated under that framework. Any additional concerns falling outside the scope of whistleblowing will be redirected to the appropriate internal process, with clear communication provided to the employee.

5 Safeguards

5.1 The Trust recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those who may be responsible for the malpractice. The Trust will not tolerate harassment or victimisation and will take action to protect individuals when a concern is raised in good faith. If an employee raises a genuine concern under this policy, they will not suffer any detriment in connection with their employment. Therefore, providing they are acting in good faith, it does not matter if they are mistaken, and the concern has in fact not occurred – as long as there is reasonable belief in what has been raised.

5.2 However, for school workers who are already the subject of formal procedures, such as disciplinary, capability or redundancy, for example, those procedures will not be halted as a result of a disclosure.

Confidentiality

5.3 Any disclosures made under this policy will be treated in a sensitive manner. The Trust will respect any request for confidentiality and will do its best to protect an individual's identity when they raise a concern. If an individual asks for their identity to be protected by keeping their confidence, this will not be disclosed without consent or unless instructed by a Tribunal or Court, for example. If the situation arises where we are not able to resolve the concern without revealing an individual's identity (e.g., a statement by the individual may be required as part of the evidence) we will discuss with them whether and how we can proceed.

Anonymous Allegations

5.4 The Trust strongly encourages the individual to put their name to an allegation. Concerns expressed anonymously will be much more difficult to look into or to protect someone's position or to give feedback. Concerns raised anonymously are much less powerful and less likely to be effective, but they will be considered at the discretion of the Trust.

5.5 In exercising discretion, the factors to be taken into account would include:

- the seriousness of the issues raised in the disclosure;
- the credibility and plausibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

5.6 Please be aware that in making an anonymous disclosure, the Trust will not be in a position to notify the individual making the disclosure of the outcome of action taken. Anonymity also means that there may be difficulty in investigating a concern.

Harassment and Victimisation

5.7 If an individual believes that they are being disadvantaged at work for having raised a serious concern then they should report this to the Headteacher or Chair of Trustees, or where this is not appropriate then one of the bodies listed in Appendix 1. Activity of this kind could include;

- failure to promote
- demotion
- denial of training
- closer monitoring
- ostracism
- blocking access to resources
- unrequested reassignment
- suspension
- disciplinary sanction
- bullying or victimisation
- dismissal,
- failing to investigate a further concern.

Where proven, appropriate sanctions or disciplinary action will be taken against those who subject an individual to detriment for raising a concern.

Untrue or Malicious Allegations

5.8 If an individual makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, evidence is found that they have made malicious or vexatious allegations, disciplinary action may be taken against the individual if they are a school worker.

6 How to make a whistleblowing disclosure

6.1 By law, an individual must make sure that a disclosure is made with 'reasonable belief' and is:

- a qualifying disclosure
- made in the appropriate way
- in the public interest

6.2 The disclosure should be in writing, however as a first step, concerns should be normally raised with the Headteacher. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if it is believed that the Headteacher or the leadership team of the school is involved, then you should approach the Chair of the Trustees in the first instance, or, if this is inappropriate, then another body listed in Appendix 1.

6.3 The individual raising the concern should state if they wish to raise the matter in confidence so the person they contact can make appropriate arrangements.

6.4 Individuals are invited to provide as much supporting written evidence as possible to set out the nature of the concern, the background and history of the concern, giving names, dates, and places where possible, and the reason why they are particularly concerned about the situation.

6.5 In circumstances where an individual is unable to provide information in writing, they should telephone or make arrangements to meet the appropriate officer.

6.6 Concerns should be raised immediately or at the earliest opportunity. The earlier an individual expresses the concern, the easier it is for the Trust to take effective action.

6.7 Although the individual is not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for the concern.

6.8 In order to aid any subsequent investigation it is advised that, whether a worker or a member of the public, they do not inform others once they have raised concerns under this Whistleblowing Policy as this can undermine any investigation / action and also increase the risk of their identify becoming known where they wish to remain anonymous.

7 How the school will respond

7.1 In order to protect individuals and the Trust, an initial assessment to determine whether on the information made available and upon consultation where appropriate there is

- sufficient basis to indicate that a case to answer exists
- the disclosure falls within the definition of a ‘qualifying disclosure’; and if so,
- whether the disclosure falls within the definition of a ‘protected disclosure’ (made in an appropriate way and is in the public interest).

7.2 If the disclosure does not meet the above criteria, it does not require further action under the whistleblowing policy and therefore the case will be closed, and the individual will be informed where contact details have been provided.

7.3 Otherwise, the action taken by the Trust will depend on the nature of the concern. For example, the matters raised may:

- be investigated internally by the school,
- be investigated by a representative of an external body;
- be referred to relevant external bodies such as the police, OFSTED, Health and Safety Executive or the Information Commissioner’s Office;

- be referred to an external auditor.

7.4 Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take and in line with which policy. Concerns or allegations which fall within the scope of specific procedures (for example, child protection, fraud, or corruption) will normally be referred for consideration under those procedures.

7.5 Some concerns may be resolved by agreed action without the need for investigation.

7.6 Within ten working days of a concern being received, the Headteacher, Chair of the Trustees or someone acting on behalf of the Trust will write to the individual who made the disclosure:

- acknowledging that the concern has been received;
- indicating if possible, in overall terms, how they propose to deal with the matter.

7.7 The amount of contact between the officer(s) considering the issues and the individual, 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 from the individual.

7.8 For school workers, when any meeting is arranged, they may, if they so wish, be accompanied by a trade union colleague, a work colleague, a professional association representative or a friend who is not involved in the area of work to which the concern relates.

7.9 The Trust will take steps to minimise any difficulties, which an individual may experience as a result of raising a concern.

7.10 The Trust accepts that an individual may wish to be assured that the matter has been properly addressed and, as such, where possible, we will provide information in this regard when the matter is considered closed.

8 How the matter can be taken further

8.1 This document is intended to provide individuals with an avenue to raise concerns directly with the Trust and to give them the reassurance they need to raise such matters in this manner.

8.2 The Trust hopes the individual will be satisfied with the response. If they are not, or if they feel, for whatever reason, they cannot, as a first step, raise the matter directly with the Trust then the following are possible contact points depending on the nature of the concern:

- the Local Authority's Designated Officer (DO) specifically for safeguarding issues.
- a trade union;
- a professional representative;
- relevant regulatory organisations;
- a legal advisor/solicitor.
- the police;
- the local Councillor;
- local MP;
- Protect (Independent Charity) - *formerly Public Concern at Work*. Tel: 020 3117 2520 https://protect-advice.org.uk/;
- NSPCC Whistleblowing Helpline. Tel: 0800 028 0285 Email: help@NSPCC.ORG.UK
- The Government has produced on-line guidance which lists the prescribed persons and bodies who an individual can make a disclosure to. There is also a brief description about the matters they can report to each prescribed person. This on-line guidance can be found at: https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies

Additional contact details are described in Appendix 1.

8.3 The Trust would rather an individual raised a matter with the appropriate regulator or outside body than not at all.

8.4 If the individual, as a worker, is thinking of reporting a concern to a body or person outside of the Trust, appropriate legal advice should be sought prior to raising a concern. Unless certain conditions are satisfied when raising a concern outside the school or Trust there is a risk an individual may not be protected by the Public Interest Disclosure Act 1998. (Please refer to section 9 below for more information).

9 Further information for workers who wish to 'whistleblow'

Legal/Employment Rights and Protection

9.1 The Public Interest Disclosure Act 1998 ("PIDA") makes it unlawful for the Trust to dismiss any worker or allow them to be victimised on the basis that they have made an appropriate lawful disclosure (i.e., raised a concern) in accordance with provisions of PIDA and have made the disclosure in the public interest.

9.2 This document has been written to take account the relevant provisions of PIDA which protects workers. By following the procedures described in this document to raise a serious concern (i.e., make a disclosure) then you, as a

worker, should be legally protected from any form of victimisation for raising a legitimate concern. The relevant provisions include:

i) the worker raises a concern (makes a disclosure) that they reasonably believe to be in the public interest i.e., for the public good, the concern affects others and not the worker raising the concern;
ii) the concern raised (disclosure made) must relate to wrongdoing falling into categories listed in PIDA; and
iii) the concern has been raised (a disclosure has been made) in the correct way to persons or bodies referred to in PIDA.

9.3 It is advised that you should seek legal advice prior to raising a matter external to the school or Trust. As a worker, if an individual chooses not to report a serious concern to the school or Trust, i.e., their employer, or to an outside body referred to in Section 8 but to report a concern to another outside body they will only be protected by PIDA if certain conditions are satisfied. These are that:

i) the worker does not make the disclosure for purposes of personal gain;
ii) it is reasonable to make the disclosure in the circumstances;
iii) the worker makes the disclosure in good faith; and
iv) the worker reasonably believes that the information disclosed, and any allegation contained in it, are substantially true.

Sources of Independent Advice

9.4 If an individual is unsure whether to use this policy or they want independent advice at any stage, they may contact:

- if applicable, their trade union or professional body;
- the independent charity Protect - *formerly Public Concern at Work*. Tel: 020 3117 2520 Website: https://protect-advice.org.uk/. Their lawyers can give free confidential advice at any stage about how to raise a concern about serious malpractice at work; or
- a solicitor/legal advisor.
- Citizens Advice Bureau.

Support

9.5 Throughout the whistleblowing process:

- an individual will be given full support;
- concerns will be taken seriously;
- the Trust will do all we can to help; and
- if an individual is required to give evidence in criminal or disciplinary proceedings, we will advise about the procedure etc.

9.6 Prior to raising a concern, if applicable, an individual may wish to involve their trade union or professional association representative to gain advice. They

may also invite a trade union or professional association to raise a matter on their behalf.

9.7 As part of the whistleblowing process when any meeting is arranged with an individual, they have the right, if they so wish, to be accompanied by a trade union colleague, a work colleague, a professional association representative or a friend who is not involved in the area of work to which the concern relates.

Disclosure of Information

9.8 If, as a worker, an individual takes the matter outside the Trust they need to ensure that they do not disclose confidential information. School workers should refer to the school's Code of Conduct for employees and clauses within their contracts of employment relating to the disclosure of confidential information. Other workers, e.g., agency workers, contractors etc should refer to clauses within their contract relating to the disclosure of confidential information.

9.9 A worker will not be protected by PIDA if the worker discloses information which has been obtained by the school or Council whilst obtaining legal advice and is subject to 'legal privilege'. Legal privilege is a fundamental legal right which allows individuals and corporate bodies to resist disclosure of confidential and sensitive material.

Appendix 1

Whistleblowing Policy

Contact Details

Contact	Details
Sunderland City Council	Sunderland City Council City Hall, Plater Way, Sunderland, Tyne and Wear SR1 3AA Website: www.sunderland.gov.uk
Director of Children Services, Sunderland City Council / Chief Executive of Together for Children	Email: simon.marshall@togetherforchildren.org.uk Website: https://www.togetherforchildren.org.uk//
Director of Education Services, Together for Children	Email: kimberley.richardson@togetherforchildren.org.uk-
Sunderland City Council's Internal Audit	Tel no: 07342704277 E-mail: internal.audit@sunderland.gov.uk Website: www.sunderland.gov.uk
Protect (Independent Charity) - *formerly Public Concern at Work*.	Tel: 020 3117 2520 https://protect-advice.org.uk/
NSPCC Whistleblowing Helpline	Tel: 0800 028 0285 Email: help@NSPCC.org.uk
Northumbria Police	Tel no: 101 / Local Police Station (Yellow Pages) Website: https://www.northumbria.police.uk/
Local Councillors	Website: www.sunderland.gov.uk
MP	Website: www.parliament.uk/mps-lords-and-offices/
Relevant regulatory authorities (See Note 1 below)	Website: www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2

Note 1:

A list of regulatory organisations prescribed by legislation to whom a 'whistleblower' could report their concern if they choose not to contact their employer directly is held on the UK government website at www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2).

If a school worker choses to report a concern to one of the regulatory organisations on the prescribed list they will be protected under the provisions of the Public Interest Disclosure Act 1998 provided

- they also reasonably believe that the information, and any allegation when raising a concern, is true; and
- they reasonably believe that the concern being raised relates to the regulatory organisation being contacted.

Appendix 2

Whistleblowing Policy – example concerns

'Whistleblowing' is the raising of a serious concern about a suspected danger, risk, malpractice, misconduct, illegality, or wrongdoing within an organisation which affects others.

Concerns could be about:

- Fraud
- Bribery
- Breaches of the school's own rules, where an individual feels unable to report concerns through the grievance procedure e.g., because in doing so would result in threat to themselves or others or you have reasonable grounds to believe that it may result in further harassment.
- Hiring illegal workers
- Abuse (e.g., neglect, physical, sexual etc.) of a worker or service recipient or school worker is taking place
- Deliberate flouting rules relating to health and safety, illegal work conditions or safety risks
- Dismissal for another person's acts of misconduct
- Concealment of information including tampering with records, falsifying data, or disclosing information wrongly

This list is not exhaustive