

Whistleblowing Policy



Policy Document	Whistleblowing Policy
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This policy is written to comply with the Independent School Standards and is based on the National Curriculum and Ofsted framework.

The Oaks – Whistleblowing Policy

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1. Introduction

This policy has been developed in line with the Public Interest Disclosure Act 1998 (PIDA), the Employment Rights Act 1996 (as amended), and the ACAS Whistleblowing Guidance (2024). It also reflects the expectations of the Independent School Standards (2024), Ofsted, and Keeping Children Safe in Education (DfE, 2025).

The Oaks is committed to the highest standards of openness, integrity, and accountability. Staff, volunteers, contractors, and others connected with the school are encouraged to report any serious concerns about wrongdoing within the organisation without fear of victimisation, discrimination, or disadvantage.

This policy explains how to raise such concerns, how they will be handled, and the protections available to those who report concerns in the public interest.

2. Rationale and Scope

The purpose of this policy is to:

- Encourage employees to feel confident in raising genuine and serious concerns.
- Provide clear channels for reporting concerns and receiving appropriate feedback on outcomes.
- Reassure employees that they are protected from reprisals or victimisation if they raise a concern in good faith and with reasonable belief.

This policy applies to all individuals working for or on behalf of The Oaks in any capacity, including: employees, agency workers, contractors, consultants, volunteers, and members of the governing/proprietary body.

It does not form part of any employee's contract of employment and may be amended at any time.

Personal concerns relating to employment, such as bullying, harassment, or workload, should normally be raised under the Staff Grievance and Complaints Policy, unless they also meet the public interest test and constitute whistleblowing.

3. Definition of Whistleblowing

Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to the activities of the school that are in the public interest. A disclosure qualifies for protection if the individual reasonably believes it shows one or more of the following:

- A criminal offence has been committed, is being committed, or is likely to be committed.
- A person has failed to comply with a legal obligation.
- There has been a miscarriage of justice.
- The health or safety of any individual (pupil, staff, or visitor) is endangered.
- There is or is likely to be damage to the environment.
- There has been a deliberate attempt to conceal wrongdoing related to any of the above.

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Concerns relating to child protection, neglect, or abuse must be raised immediately with the Designated Safeguarding Lead (DSL) and will be managed under the school's Child Protection and Safeguarding Policy.

4. Procedure and Guidance

The Oaks encourages all concerns to be raised as early as possible. Staff may raise issues verbally or in writing.

1. Step 1 – Line Manager
 - Concerns should first be raised with the staff member's line manager, unless they are involved in the concern.
2. Step 2 – Senior Leadership Team / Executive Headteacher
 - If it is not appropriate to raise with the line manager, the concern should be directed to a member of the Senior Leadership Team, the Executive Headteacher (Jo Anderson), or the Proprietor (Julie Gilson).
3. Step 3 – External Prescribed Person or Body
 - If the individual believes that internal reporting would not be appropriate or effective, they may make a protected disclosure to an external prescribed person under PIDA. Examples include:
 - Ofsted – for safeguarding or school leadership concerns
 - Department for Education (DfE)
 - Local Authority Designated Officer (LADO)
 - Health and Safety Executive (HSE)
 - Disclosure and Barring Service (DBS)
 - Charity Commission (for charitable matters)A full list of prescribed persons is available at:
www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies

All disclosures will be treated seriously and handled confidentially.

The Oaks recognises that in certain circumstances, matters may be difficult to raise due to concerns over possible consequences. The Oaks is committed to ensuring that any issues raised will be treated in the strictest confidence. Provided that the disclosure is made in good faith, no one making such a disclosure will be treated in any detrimental manner. Concerns can be raised confidentially or anonymously, although anonymity may limit the ability to investigate fully.

If any employee attempts to deter another employee from making a disclosure, victimise them in any way, or detrimentally treat them, they will be dealt with under the company's disciplinary procedures.

5. Confidentiality and Protection

- The identity of a whistleblower will be kept confidential as far as is reasonably practicable.
- No person will suffer dismissal, disciplinary action, or other detriment for raising a concern in good faith and in the reasonable belief that it was true.
- Any individual who subjects a whistleblower to detriment will face disciplinary action.
- No clause in any contract, confidentiality agreement, or settlement agreement can prevent an employee from making a protected disclosure.

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If a staff member feels they have suffered retaliation or unfair treatment as a result of whistleblowing, they should report this immediately to the Executive Headteacher or Proprietor.

6. Investigation and Outcome

Whilst we cannot always guarantee the outcome sought, we will try to address concerns fairly and in an appropriate manner.

1. **Acknowledgement:**
All concerns will be acknowledged within five working days of receipt.
2. **Preliminary Review:**
The Executive Headteacher or appointed investigator will assess the nature of the concern and decide whether a formal investigation is required.
3. **Investigation:**
If an investigation proceeds, it will be conducted fairly, objectively, and confidentially. Investigations will aim to be completed within twenty working days where possible.
4. **Outcome:**
A written report will be prepared outlining the findings, any recommendations, and whether external referral (e.g., Ofsted, LADO, Police) is required.
The whistleblower will be informed of the investigation's conclusion, though details may be restricted for confidentiality reasons.
5. **Learning and Review:**
Following any substantiated concern, The Oaks will review relevant procedures and policies to prevent recurrence.

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 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.

They will inform the person who raised the concern of the outcome of the investigation, though specific details may need to be restricted due to confidentiality.

Beyond the immediate actions, the Executive Headteacher, Proprietor and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

7. Malicious or vexatious allegations

The Oaks values the courage it takes to raise genuine concerns.

If a disclosure is made in good faith and in the reasonable belief that it is true, no action will be taken against the whistleblower, even if the concern is not upheld.

However, malicious, deliberately false, or vexatious allegations may result in disciplinary action under the school's Conduct Policy.

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8. Support and Wellbeing

The school is committed to supporting staff who raise concerns. Whistleblowers may access support from:

- The school's Wellbeing Lead or Mental Health First Aiders
- Occupational health or counselling services (if required)

9. Training and Awareness

- All staff will receive information on whistleblowing during induction and through annual safeguarding and compliance training.
- The policy will be made available on the school website and staff shared drive.
- Leaders will ensure that the whistleblowing process is regularly reinforced through safeguarding briefings.

9. Review and Monitoring

This policy will be reviewed annually by the Executive Headteacher and Proprietor to ensure compliance with current legislation and best practice.

The review will consider lessons learned from any whistleblowing cases and incorporate relevant updates from the DfE, ACAS, Ofsted, and Protect UK.

10. Links with other policies

This policy should be read alongside:

- Child Protection and Safeguarding Policy
- Staff Grievance and Complaints Policy
- Health and Safety Policy
- Code of Conduct and Disciplinary Policy

11. Key legislative References

- Public Interest Disclosure Act 1998
- Employment Rights Act 1996 (as amended)
- Equality Act 2010
- ACAS Whistleblowing Guidance (2024)
- Keeping Children Safe in Education (DfE, 2025)
- Independent School Standards (2024)
- Protect UK "Whistleblowing Code of Practice" (2023)