

Whistleblowing Policy

The Bishop of Winchester Academy



Sapere Aude

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1	05.07.22	ALT	Approved by full board.
2	Lent 2025	CWA	Fully revised policy to include a clear scope, definitions, safeguards for whistleblowers in line with regulations, a clear process and mechanisms for whistleblowing, contacts for whistleblowing officials and examples. Approved 08.04.25.

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1. Sponsors' Statement

- 1.1 The Bishop of Winchester Academy (TBOWA) policies exist to support the Sponsors' vision, Christian ethos and values that are embedded in the day-to-day and long-term running of the Academy. Each policy evidences the commitment of the Sponsors to the principles and values of honesty, respect, hospitality, compassion, love, forgiveness, self-discipline, creativity and hope. This policy contributes to the development of young people and the community through all Academy activities.

2. Purpose

- 2.1 To set out the Governing Body's policy and procedure for dealing with concerns raised by employees or other persons associated with the Academy which relate to suspected wrongdoing or dangers at work. Allegations of child abuse against teachers and other staff and volunteers is to be dealt with in accordance with Keeping Children Safe in Education statutory guidance for schools and colleges.

3. Scope

- 3.1 As employees are often the first to realise that there may be something wrong within the school, it is important that they feel able to express their concerns without fear of harassment or victimisation. Otherwise, they may find it easier to ignore the concern rather than report it. The Public Interest Disclosure Act 1998 recognises this fact and is designed to protect employees, who make certain disclosures of information in 'the public interest', from detriment and/or dismissal. This policy builds on the provisions of the Act.
- 3.2 The Governing Body is committed to the highest possible standard of operation, probity and accountability. In line with that commitment, employees, officers, consultants, contractors, volunteers, casual workers and agency workers with serious concerns are encouraged to come forward and voice those concerns. References to 'employee' in the policy may be taken to include others associated with the academy. This policy makes it clear that employees can do so without fear of reprisals and it is intended to encourage and enable employees to raise serious concerns within the school rather than overlooking a problem or alerting anyone external to the school.
- 3.3 This policy does not form part of any employee's contract of employment, and it may be amended at any time.

4. Policy Objectives

- 4.1 This policy aims to:
- provide avenues for employees to raise concerns internally as a matter of course, and receive feedback on any action taken.
 - provide for matters to be dealt with quickly and appropriately; and ensure that concerns are taken seriously and treated consistently and fairly.
 - reassure employees that they will be protected from reprisals or victimisation for whistleblowing where they have a genuine concern.
 - allow employees to take the matter further if they are dissatisfied with the academy's response.

5. Definition of Whistleblowing

- 5.1 A whistleblower is a person who raises genuine concerns relating to the matters below, that includes themselves AND others, AND is in the public interest, relating to suspected wrongdoing or dangers at work.

This may include:

- criminal activity
- miscarriages of justice
- danger to health and safety
- damage to the environment
- failure to comply with any legal or professional obligation or regulatory requirements
- bribery
- financial fraud or mismanagement
- negligence

- breach of our internal policies and procedures
- conduct likely to damage our reputation
- unauthorised disclosure of confidential information
- public examination fraud
- the deliberate concealment of any of the above matter.

5.2 Before initiating the whistleblowing procedure employees should consider the following:

- the responsibility for expressing concerns about unacceptable practice or behaviour rests with all employees.
- employees should use line manager or team meetings and other opportunities to raise questions and seek clarification on issues which are of concern.
- whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, employees must act to prevent an escalation of the problem and to prevent themselves being potentially implicated.

5.3 This policy should not be used for complaints about an employee's personal circumstances, such as the way they have been treated at work. In these cases an employee should use the Academy's Grievance Procedure (or Anti-harassment and Bullying policy as appropriate), or if the matter relates to salary, the salary review procedures documented in the Academy's Pay policy.

6. Safeguards

Harassment or Victimisation

- 6.1 The Governing Body 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 responsible for the malpractice. The Governing Body will not tolerate harassment or victimisation and will take action to protect employees when they have a genuine concern.
- 6.2 This does not mean that if an employee is already the subject of internal procedures such as disciplinary or redundancy, that those procedures will be halted as a result of that employee raising a concern under the whistleblowing policy.

Confidentiality

- 6.3 We hope that staff will feel able to voice whistleblowing concerns openly under this policy. The whistleblowing officials will make every effort to protect an employee's identity.
- 6.4 As indicated above, identity will be protected as far as possible, but should the investigation into the concern require the employee to be named as the source of the information, that this will be discussed with the employee before their name is disclosed.

Anonymous Allegations

- 6.5 Employees are encouraged to put their name to an allegation. Proper investigation may be more difficult or impossible if we cannot obtain further information and it is also more difficult to establish whether allegations are credible. Anonymous allegations will be considered at the discretion of the whistleblowing officials. In exercising their discretion, factors to be taken into account would include:
- the seriousness of the issues raised
 - the credibility of the concern, and
 - the likelihood of confirming the allegation from attributable sources.

7. Untrue Allegations

- 7.1 If an employee makes an allegation where they have a genuine concern, but it is not confirmed by the investigation, no action will be taken against that employee. If, however, we conclude that an employee has made malicious or vexatious allegations, or with a view to personal gain, disciplinary action may be taken against that employee.

8. Unfounded Allegations

- 8.1 Following investigation, allegations may be confirmed as unfounded. This outcome will be notified to the employee who raised the concern, who will be informed that whistleblowing officials deem the matter to be concluded and that it should not be raised again unless new evidence becomes available.

9. Support to Employees

- 9.1 It is recognised that raising concerns can be difficult and stressful. Advice and support will be made available, as appropriate, to both the individual(s) raising the concerns and any individual(s) subject to investigation.
- 9.2 A confidential support and counselling hotline is available to whistleblowers who raise concerns under this policy. Their contact details are available at: [Education Support helpline - free and confidential emotional support for teachers and education staff](#)
- 9.3 Those raising concerns, may wish to seek advice and guidance from the charitable organisation Protect-Advice who provide support:
- Protect-Advice, Tel 020 3117 2520, <https://protect-advice.org.uk/contact-protect-advice-line>
- 9.4 You will be protected under the Public Interest Disclosure Act 1988 if you raise your concerns with any of the above, provided that:
- you believe the disclosure to be in the public interest
 - you reasonably believe that the information disclosed, and any allegation contained in it, are substantially true
 - you do not make the disclosure for personal gain

10. Raising a Whistleblowing Concern

- 10.1 To raise a whistleblowing concern you should contact one of the following individuals within the academy. Contact details can be found at the end of this document.
- the Whistleblowing Officer who is the Director of People and Culture
 - the Principal
 - the Whistleblowing Governor
- 10.2 If the Whistleblowing Officer is the subject of your concerns, you should bring the matter to the attention of the Principal or Whistleblowing Governor. Please refer to Section 14.
- 10.3 If the Principal or member of the governing body are the subjects of your concerns you should contact the Whistleblowing Officer.
- 10.4 It is preferable for concerns to be raised in writing. In cases, the following details are requested:
- Your name and contact details
 - Background information and history including details as to why you are concerned
 - Whether the issue has already been reported to management and the outcome of this
 - Whether you wish your name to remain confidential
- 10.5 Although the whistleblower is not expected to prove the truth of an allegation, s/he will need to demonstrate to the person contacted that there are sufficient grounds for the concern. See examples in appendix.

11. How the Academy will Respond

- 11.1 We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- 11.2 We will make a written summary of your concern and provide you with a copy after the meeting within 3 days of the meeting. We will also aim to give you an indication of how we propose to deal with the matter.
- 11.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the academy will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 11.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

11.5 If an investigation is required, this will ordinarily be undertaken, without unreasonable delay, by the Designated Whistleblowing Officer unless this is inappropriate. Under such circumstances, the Whistleblowing Governor may conduct an investigation or an external investigator may be appointed if necessary.

Where appropriate, the concerns raised may:

- be investigated internally by the Academy
- be reported to the Department for Education
- be reported to the Police
- result in the signposting to an alternative route for the member of staff to pursue, if the matter does not fall within this procedure, or
- that no further action is taken by the Academy.

11.6 The conclusion of any agreed investigation will be reported by the designated whistleblowing officials to the whistleblower at the earliest opportunity, subject to the complexities of the investigation. Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

The grounds on which no further action is taken include:

- the designated whistleblowing officials are satisfied that, on the balance of probabilities, there is no evidence that malpractice within the meaning of this procedure has occurred, is occurring or is likely to occur;
 - the designated whistleblowing officials are satisfied that the whistleblower is not acting in good faith;
 - the matter is already (or has been) the subject of proceedings under one of the Academy's other procedures or policies;
 - the matter concerned is already the subject of legal proceedings, or has already been referred to the Police, the external auditors, the Department for Education or other public authority.
- 11.7 The Academy understands that you may wish to be assured that the matter has been properly addressed. Therefore, where possible, an estimate of the length of any investigation will be provided and, subject to legal constraints, if requested we will keep you updated at least on a monthly basis during the process and will inform you of the outcome of any investigation. This may include where disciplinary action is taken as a result of an investigation but not details of any sanctions that may be issued.

12. How the matter can be taken further

12.1 This policy is intended to provide you with an avenue to raise concerns within the Academy, if needed.

12.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator e.g. Ofsted, the Health and Safety Executive etc. We strongly encourage you to seek advice before reporting a concern to anyone external. Whistleblowing to an external source without first going through the internal procedure is inadvisable without compelling reasons. A reason may be that the whistleblower is not content with the conclusions of the whistleblowing officials.

12.3 However, should you feel unable to raise your concerns internally, the following are possible alternative contact points:

- Protect-Advice (whistleblowing charity) 020 7404 6609
- The Director of Children's Services, BCP
- The Department for Education: www.gov.uk/complain-about-school
- The Regional Director, South-West: RG.SW@education.gov.uk
- Gov.uk: *Whistleblowing for employees: What is a whistleblower - GOV.UK*
- National Audit Office: *Whistleblowing - National Audit Office (NAO)*
- External auditor or solicitor
- The Police: 999 in an emergency, or 101 if there is no immediate threat.

12.4 It is stressed that this list is not exhaustive and you are free to contact any organisation that you feel will be able to deal properly with your concerns. This may include

- your solicitor

- other relevant professional or regulatory bodies as prescribed by the Secretary of State

12.5 If you do take the matter outside the academy, you should ensure that you do not disclose confidential information, such as personal information e.g. student names.

13. Data Protection

13.1 As part of the application of this policy, the academy may collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018) in the collecting, holding and sharing of information in relation to our workforce. Records will be kept in accordance with the requirements of Data Protection Legislation.

14. Contacts

Designated Whistleblowing Officer	Catherine Watson Director of People and Culture 07584 239 476 01202 512 697 (Ext.527) catherine.watson@tbowa.org
Principal	Paul McKeown 01202 512 697 (Ext.512) paul.mckeown@tbowa.org
Designated Whistleblowing Governor	Sue Turner susan.turner@tbowa.org
Protect-Advice (Independent whistleblowing charity)	Helpline: 020 3117 2520 https://protect-advice.org.uk
The Corporate Director of Children’s Services, BCP	Cathi Hadley cathi.hadley@bcpcouncil.gov.uk
The Department for Education	www.gov.uk/complain-about-school

15. Appendix: Examples of Whistleblowing in Education

Breaking the Law

Any form of criminal offence, such as fraud or corruption for example, conducted within a school environment should be reported to the relevant authorities. Any activity that breaks the law is likely to threaten the safety of pupils or staff, or at the very least damage the reputation of the establishment. Thus, it's in the public interest that criminal activity does not go unreported.

Covering Up an Unlawful Act

Similarly to reporting any activity which breaks the law, it is also appropriate to inform authorities of any accomplices or accessories to a crime. Having knowledge of an illegal activity and not reporting it is an offence in itself, so it's advised to blow the whistle on anyone who fits this description.

Neglecting Duties

Neglecting duties resulting from a failure to fulfil statutory responsibilities in a school environment can result in serious consequences and may warrant whistleblowing. This may include situations where inadequate policies and procedures, financial mismanagement, poor leadership and management, or systemic organisational failings lead to insufficient safeguarding, an unsafe working environment, inadequate or harmful support for students with special educational needs and disabilities (SEND), or a failure to provide an appropriate standard of education.

Maladministration

This form of wrongdoing involves any activity that results in a school not complying with the requirements for assessment and delivery of qualifications. It generally centres around examination and learner records, for example submitting incorrect test data, allowing students to use devices or textbooks during exams, tampering with student work, or changing assessment judgements.

Breaching Confidentiality

In an education environment, the rules around storing personal data are very strict. Thus, tampering with or sharing this data is a serious offence. Examples of wrongdoing in this category may include sending personal data to the wrong person, sharing sensitive medical records, unauthorised access to information and altering or deleting data files. The misuse of private data can cause major safeguarding issues as well as legal repercussions.