



FERNDOWN UPPER SCHOOL WHISTLEBLOWING POLICY

Policy first adopted 25th February 2008

To be reviewed annually

Reviewed	11 th May 2009
Reviewed	3 rd July 2012
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Reviewed references)	September 2026 (new template to include Sexual Harassment references)

Introduction

Ferndown Upper School is committed to the highest standards of integrity, openness and accountability and expects the same commitment from all those who work for, or on behalf of, Ferndown Upper School.

We aim to foster an environment in which staff and others working within the school feel confident to raise concerns that they believe to be in the public interest, safe in the knowledge that those concerns will be taken seriously, investigated appropriately and that they will be protected from any form of detriment such as victimisation and/or harassment and unfair dismissal.

This policy should also be read in conjunction with the Code of Conduct – Guidelines for Safe Working Practices, the Child Protection Policy and the procedure for ‘Dealing with allegations of abuse against members of staff and volunteers’. Taken together the four documents recognise the school’s commitment towards safeguarding children.

This Protected Disclosures (Whistleblowing) Policy sets out:

- Ferndown Upper School’s commitment to supporting and protecting individuals who raise serious concerns;
- the steps to be taken when raising a whistleblowing concern (a “protected disclosure”); and
- how Ferndown Upper School will respond.

The school will protect whistleblowers on the strict understanding that disclosures are made honestly, in good faith

in accordance with the safeguarding policy.
[Whistleblowing for employees](#)

This policy complies with:

- the Public Interest Disclosure Act 1998
- the Enterprise and Regulatory Reform Act 2013
- the Employment Rights Act 1996 as a protected disclosure

Scope of the Policy

Concerns raised under this policy include:

- Failure to comply with the law
- Actions that pose a risk to the health, safety or welfare of the public

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- Financial malpractice, fraud, corruption or misuse of school funds;
- Child protection and/or safeguarding concerns
- Sexual harassment that has occurred, is occurring, or to raise inappropriate behaviour concerns experienced in the workplace; (*please refer to FUS Dealing with Allegations and Preventing Sexual Harassment Policy*)
- Abuse or maltreatment of pupils;
- Unprofessional, unethical or negligent behaviour;
- Environmental damage;
- Deliberate concealment of any of the above.

Concerns must be raised where the individual reasonably believes the disclosure is in the public interest.

What This Policy Does Not Cover

This policy is not intended to replace other Ferndown Upper School procedures and should not be used for:

- Personal employment grievances (e.g. terms and conditions, appraisal outcomes);
- Bullying or harassment complaints where no wider public interest is involved;
- Complaints from parents or members of the public about service delivery.

Such matters should be raised under the appropriate grievance, complaints or safeguarding procedures.

Who Can Raise a Whistleblowing Concern

This policy applies to:

- All Ferndown Upper School employees (permanent, temporary, fixed-term and agency staff);
- Volunteers;
- Trainees and students on placement;
- Contractors and consultants working with the school.

The principles of this policy also apply, in spirit, to:

- Members of the Governing Body;
- Third-party suppliers;

- Members of the public raising serious concerns (although statutory employment protections do not apply in those cases).

As statutory whistleblowing rights and protection arise from legislation, mainly to employees including workers, while this policy enables volunteers and others working with the school to raise concerns, statutory whistleblowing protections under employment law may not apply to those individuals. The school will nevertheless seek to handle all concerns appropriately, fairly and in good faith see Appendix 1.

[Information for whistleblowers - GOV.UK](https://www.gov.uk/guidance/whistleblowing)

Raising a Concern

Everyone working within the Ferndown Upper School has a responsibility to report serious concerns so that they can be properly addressed.

Concerns should normally be raised in writing and clearly state that the matter is being raised under the Whistleblowing Policy.

Any written concerns should set out:

- The background and history of the concern (giving relevant names, dates and places where possible)
- The reason why the employee is particularly concerned about the situation
- Details of any other possible witnesses to the concern

Internal Reporting Routes

Concerns should normally be raised with:

- Your line manager, or
- The Headteacher.

If the concern relates to the Headteacher, or the matter is particularly serious, concerns may be raised directly with:

- The Chair of Governors;
- The Designated Safeguarding Lead (for safeguarding-related concerns);
- The Local Authority Monitoring Officer for Dorset Council (**maintained schools**);

Managers receiving a whistleblowing concern, or recognise due to the nature of the complaint such a concern may have been raised, must immediately refer the matter to the appropriate senior officer or governing body representative.

Whistleblowers are strongly encouraged to give their name. Anonymous disclosures will be considered but may limit the Ferndown Upper School's ability to investigate fully and act upon.

Employees are encouraged to contact their Trade Union representative for support and guidance on how to raise a concern.

Confidentiality and Anonymity

Ferndown Upper School will make every effort to protect the whistleblower's identity where requested. However, there may be circumstances where identity must be disclosed to progress an investigation or comply with legal obligations. This will be discussed with the individual wherever possible.

When considering anonymous allegations, Ferndown Upper School will take into account the following

- The seriousness of the allegation

- The credibility of the allegation

- The likelihood of obtaining information which could support the allegation

Confidentiality must be maintained by all parties throughout the process

How the School Will Respond

All whistleblowing concerns will be:

- Acknowledged in writing within 10 working days of receipt during term time. Where a concern is received during a period of school closure, it will be acknowledged as soon as reasonably practicable once the school reopens
- assessed to determine the most appropriate course of action.
- Provided with an indication how the concern will be dealt with

Depending on the nature of the concern, this may include:

- an internal investigation;
- investigations under Ferndown Upper School's Disciplinary Procedure or safeguarding procedures;
- audit or financial investigation;
- referral to external bodies such as the Local Authority, Police, Ofsted or other regulators.

An initial assessment may normally be carried out to determine whether the concern falls within the scope of this policy and whether a formal investigation is required. Any initial fact finding will be carried out sensitively and on a confidential basis. Where the issue raised is about another employees conduct, following an initial assessment the matter may be dealt with under the relevant internal HR procedure.

Where the nature of the concern is sufficiently serious, or where it involves members of the senior leadership team (including the Headteacher), the concern may be escalated. In such circumstances, it may be appropriate for an investigation to be undertaken by a third party. All investigations will be conducted thoroughly, proportionately and without unreasonable delay.

Where possible, and subject to legal, confidentiality and data protection requirements, the whistleblower will be kept informed of the progress of the matter and the likely next steps. It should also be noted that some concerns may be resolved by agreed action without the need for a full investigation

Ferndown Upper School will aim to acknowledge concerns promptly and provide appropriate updates, and an estimate of when a final response will be received. For less complex cases Ferndown Upper School will aim to provide this within 20 working days of the concern being acknowledged.

It should be noted that the level of feedback and the timescales involved will be influenced by the nature of the concern, the need to maintain confidentiality, and any procedures invoked as a result of the whistleblowing investigation such as an internal disciplinary investigation

Subject to legal constraints, the whistleblower will be informed in writing whether the concern has been:

- upheld;
- partly upheld; or
- not upheld.

Where the whistleblower is dissatisfied with the handling of the complaint, in the first instance they may write to the Chair of Governors within 20 working days of receiving the outcome asking for the process to be reviewed.

Protection and Support for Whistleblowers

No individual who raises a concern in good faith will suffer detriment, victimisation, harassment or disadvantage as a result.

If any whistleblower believes they have suffered detriment, they should report this immediately to:

- the Headteacher;
- the Chair of Governors; or
- the Local Authority as appropriate.

Support will be offered throughout the process, and access to wellbeing or counselling services will be made available where appropriate. The law recognises that in some circumstances it may be appropriate for concerns to be reported to an external body such as a regulator and will be for the individual raising the concern to decide.

However, individuals are encouraged to use the internal reporting routes set out in this policy in the first instance, which are most likely to enable concerns to be addressed appropriately and, where the legal requirements are met, to attract statutory whistleblowing protection.

External Disclosures

If an individual remains dissatisfied after following internal procedures, they may consider raising concerns with an external prescribed body, such as:

- Ofsted;
- the Local Authority;
- the Health and Safety Executive;
- the Police;
- HM Revenue & Customs;
- Protect (formerly Public Concern at Work).

Advice should be sought before making any external disclosure.

Disclosures via the media, including social media platforms are strongly discouraged and may not be protected by law.

Malicious or Vexatious Allegations

If Ferndown Upper School finds that a disclosure has been made maliciously, knowingly falsely, or for personal gain, disciplinary action may be taken.

Roles and Responsibilities

Employees and Volunteers

- Raise serious concerns promptly and in good faith.

Headteacher and Senior Leaders

- Ensure concerns are escalated appropriately.
- Maintain confidentiality and act promptly.

Governing Body

- Provide oversight and assurance.
- Ensure this policy is implemented effectively.
- The school will keep a confidential record of whistleblowing concerns and the actions taken, particularly where concerns relate to the safety, welfare or wellbeing of pupils or others. This helps ensure that concerns are followed up appropriately, patterns or risks are identified, and safeguarding responsibilities are met. Records will be kept securely and shared only where necessary and appropriate, in line with data protection requirements.

Policy Review

This policy will be reviewed regularly to ensure continued compliance with legislation and best practice.

Policy Approval and Review

- **Approved by:** Governing Body
- **Date approved:** September 2026
- **Review date:** September 2027

Appendix 1

Legal Summary – Whistleblowing

1. Statutory framework

The Public Interest Disclosure Act 1998 (PIDA), as amended, provides statutory protection for individuals who make qualifying disclosures of information in the public interest (“protected disclosures”).

2. Who is legally protected

Statutory whistleblowing protection under PIDA applies primarily to “workers”, including employees and certain other individuals who provide services personally, such as some agency workers, trainees and contractors.

Volunteers, governors or trustees acting solely in that capacity, parents, members of the public and genuinely self-employed individuals are not normally protected under whistleblowing legislation, although they may raise concerns under this policy.

3. Qualifying disclosures

A qualifying disclosure is a disclosure of information which, in the reasonable belief of the worker, is made in the public interest and tends to show that one or more of the following has occurred, is occurring, or is likely to occur:

- a criminal offence;
- failure to comply with a legal obligation;
- a miscarriage of justice;
- danger to the health or safety of any individual;
- damage to the environment; or
- deliberate concealment of any of the above.

4. Legal protections

Where a worker makes a protected disclosure in accordance with the legislation, the law provides:

- protection from dismissal related to the disclosure;
- protection from suffering detriment because of the disclosure; and

- the right to claim compensation.

There is no qualifying service period and no statutory cap on compensation for whistleblowing claims.

5. Raising concerns and prescribed persons

To attract statutory protection, a worker must make their disclosure using a route recognised by legislation, including:

- disclosure to their employer;
- disclosure to a legal adviser for the purpose of obtaining legal advice; or
- disclosure to a relevant prescribed person, as set out in legislation.

For education settings, prescribed persons may include Ofsted or other relevant regulators, depending on the nature of the concern and the type of organisation.

6. Advice and support

Independent advice on whistleblowing and worker status is available from Protect (formerly Public Concern at Work), an independent whistleblowing charity, or from a solicitor or legal adviser.