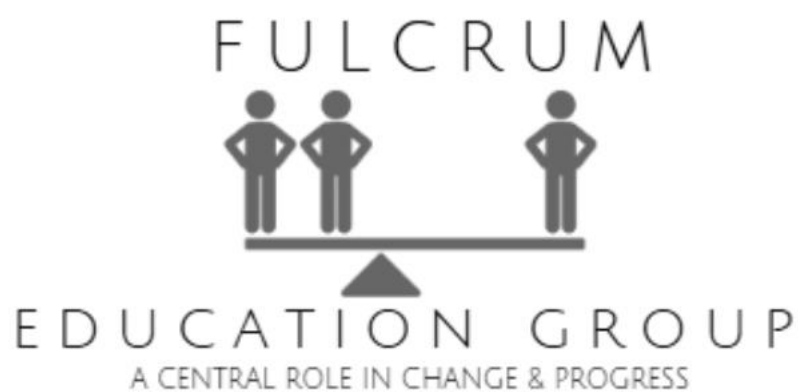


Whistleblowing Policy



Date of Review: September 2026

Date of next review: September 2027

Signed: A Harvey

Contents:

[Statement of intent](#)

1. [Legal framework](#)
 2. [The Public Interest Disclosure Act](#)
 3. [Definitions](#)
 4. [Roles and responsibilities](#)
 5. [Harassment and victimisation of staff](#)
 6. [Non-employees](#)
 7. [Good practice principles](#)
 8. [Procedure](#)
 9. [Interview and investigation](#)
 10. [What the school asks of whistleblowers](#)
 11. [Appeal process](#)Review and escalation process
 12. [Unfair treatment](#)
 13. [Monitoring and review](#)
-

Statement of intent

Fulcrum Education is committed to open and honest communication and ensuring the highest possible standards in integrity – we will always treat whistleblowing as a serious matter.

In line with the school's commitment to openness, probity and accountability, members of staff are encouraged to report their concerns. This policy will work to ensure that, if an employee sees or suspects that something is wrong, they will raise this with the school. This is known as "blowing the whistle" – a phrase that is used throughout this policy and should be viewed as a positive action of speaking up.

This policy seeks to ensure that any member of staff who suspects malpractice knows how to raise concerns and what procedures are in place to deal with the concern.

Where this policy necessitates personal or special category data to be processed, it will be done in accordance with the school's Data Protection Policy. This policy will not be confused with the procedure on dealing with harassment at work or the school's Grievance Policy.

This policy will:

- Give confidence to members of staff when raising concerns about conduct or practice that is potentially illegal, corrupt, improper, unsafe or unethical, or which amounts to malpractice or is inconsistent with school standards and policies.
- Provide members of school staff with avenues to raise concerns.
- Ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken.
- Offer assurance that workers who make a protected disclosure meeting the statutory requirements are protected from detriment, dismissal and retaliation, and that all concerns raised under this policy will be taken seriously.

Under this policy, any of the following can raise a concern:

- Employees of the school
- Voluntary workers working with the school
- Trainees, such as student teachers

1. Legal Framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Public Interest Disclosure Act 1998
- Employment Rights Act 1996, as amended
- Employment Rights Act 2025
- DfE 'Keeping children safe in education 2026'
- GOV.UK (2012) 'Whistleblowing for employees'
- Sir Robert Francis (2015) 'Freedom to speak up report'
- The Education (Independent School Standards) Regulations 2014
- Independent School Standards Guidance (2026)

This policy operates in conjunction with the following school policies:

- Staff Handbook
- Complaints Procedures Policy
- Data Protection Policy
- Grievance Policy
- Staff Equality, Equity, Diversity and Inclusion Policy
- Disciplinary Policy and Procedure
- Child Protection and Safeguarding Policy
- Records Management Policy

2. The Public Interest Disclosure Act

The Public Interest Disclosure Act 1998 (PIDA), through amendments to the Employment Rights Act 1996, protects workers who make a protected disclosure and meet the statutory requirements. In general, the worker must reasonably believe that the disclosure tends to show qualifying wrongdoing and that making the disclosure is in the public interest. Where a disclosure is made to a prescribed person or body, the additional statutory requirements for that route must be met. The school will protect the whistleblower's identity and the confidentiality of information as far as reasonably practicable and lawful; absolute confidentiality cannot be guaranteed where disclosure is necessary for safeguarding, legal, regulatory or fair investigation purposes.

The Headteacher is the usual first point of contact for whistleblowing queries. If the concern relates to the Headteacher, or the worker reasonably feels unable to raise it with the Headteacher, it may be raised with the Proprietor or designated Director. Safeguarding concerns may also be raised directly with the DSL where appropriate.

Anyone may raise a concern with the school, but statutory whistleblowing protection applies only where the individual falls within the legal definition of a protected worker and the disclosure meets the statutory requirements. Volunteers, trainees, agency workers and other non-employees will still have concerns taken seriously under this policy, although the precise statutory protection available depends on their legal status and circumstances. Non-employees

3. Definitions

Whistleblowing is when a worker raises information about suspected wrongdoing at work that may amount to a qualifying disclosure under the Employment Rights Act 1996, as amended.

As outlined by the PIDA, **qualifying disclosures** pertain to when any of the following takes place:

- A criminal offence has been committed, is likely to be committed or is being committed.
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
- A miscarriage of justice has occurred, is occurring or is likely to occur.
- The health or safety of any individual has been, is being or is likely to be endangered.
- The environment has been, is being or is likely to be damaged.
- Information tending to show any matter falling within any of the preceding points has been, is being or is likely to be deliberately concealed.
- From 6 April 2026, a disclosure that sexual harassment has occurred, is occurring or is likely to occur may also constitute a qualifying disclosure where the statutory requirements are met.

In the public interest means that the worker reasonably believes the disclosure serves a wider interest than a purely personal complaint. It does not need to be of interest to the entire public. The following factors may be relevant when considering whether the public-interest test is met:

- The number of people in the group whose interests the disclosure served.
- The nature of the interests and the extent to which individuals are affected by the wrongdoing disclosed.
- The nature of the wrongdoing disclosed.
- The identity of the alleged wrongdoer

Blacklisting refers to an individual who is being refused work because they are viewed as a whistleblower.

Grievances involve someone filing a complaint because they personally have been mistreated in some way – the person making the complaint will have a direct interest in the outcome. It is important to understand the difference between raising a grievance and blowing the whistle.

4. Roles and responsibilities

The Directors will be responsible for:

- Establishing and agreeing to the whistleblowing procedure.
- Monitoring the effectiveness of this policy and undertaking any necessary reviews, e.g., in relation to good practice recommendations or changes in legislation.
- Ensuring all members of the school community have access to this policy.
- Ensuring concerns are assigned to an appropriate and sufficiently independent person for assessment and investigation, with external or independent investigation used where appropriate.
- Ensuring this policy provides an open and transparent framework where employees of the school can raise their concerns.
- Taking the necessary action against members of staff following an investigation into any alleged malpractice.
- Ensuring the Directors maintain oversight of the school's whistleblowing arrangements and that staff know the available internal and external reporting routes.
- Appointing at least one Director and one appropriate member of staff as alternative points of contact for reporting concerns.

The Headteacher will be responsible for:

- Ensuring all members of staff have read and understood this policy.
- Receiving and responding to concerns raised by staff and ensuring that any investigation is appropriately allocated and conducted fairly.
- Being the usual first point of contact regarding whistleblowing, except where the concern relates to the Headteacher or another route is more appropriate.

The Proprietor or designated Director will be responsible for receiving concerns about the Headteacher and arranging an appropriately independent response.

All members of staff will be responsible for:

- Raising any concerns that meet the definitions in the [Definitions](#) section of this policy.
- Being truthful and reasonable with any concerns that they have.
- Raising concerns honestly and responsibly. A concern that is not substantiated will not, by itself, be treated as malicious or improper.

5. Harassment and victimisation of staff

The school recognises that the decision to report a concern can be difficult, particularly where there is fear of reprisal. The school will not tolerate harassment, victimisation, dismissal, threats, intimidation, exclusion from opportunities, adverse treatment or any other detriment because a worker has made a protected disclosure or raised a concern responsibly under this policy.

Workers who make a protected disclosure are protected by law from detriment and, where applicable, dismissal, provided the statutory requirements are met. The key test is not whether the concern was raised 'in good faith', but whether the worker reasonably believed the information tended to show qualifying wrongdoing and that disclosure was in the public interest.

Prohibited retaliation may include dismissal, threats, bullying, intimidation, exclusion from opportunities, adverse changes to hours or duties, unjustified negative references or other detrimental treatment connected with the disclosure.

Any member of staff who victimises or harasses a member of staff as a result of their having raised a concern in accordance with this policy will be dealt with under the school's Disciplinary Policy and Procedure.

6. Non-employees

Statutory whistleblowing protection depends on the individual's legal status. Some workers who are not employees may be protected, while volunteers and certain other individuals may fall outside the statutory

scheme. Regardless of statutory status, Fulcrum will take genuine concerns seriously and will not tolerate harassment, exclusion or retaliation against a person for responsibly raising a concern.

Where an individual believes they have suffered retaliation or unfair treatment after raising a concern, they should report this promptly through an appropriate internal route, including the Headteacher, Proprietor/designated Director or, where relevant, the Grievance or Whistleblowing review process.

Directors and volunteers should not assume that they have statutory whistleblowing protection solely because of their role. The availability of statutory protection depends on legal status and the circumstances of the disclosure; however, concerns raised by them will still be handled seriously under this policy.

7. Good practice principles

The school will have regard to recognised good-practice principles for speaking up and whistleblowing, including the principles described in the 'Freedom to Speak Up' report, while recognising that the report arose from the health sector and is used here as general good practice rather than education-sector statutory guidance.

The school will implement a **culture of change** by ensuring the following principles are reflected in our ethos and values – there will be a culture:

- Of safety in the school.
- Where people feel confident with raising concerns.
- Free from bullying.
- Of visible leadership.
- Of valuing staff.
- Of reflective practice.

By providing a clear procedure for mediating and resolving cases, as outlined in the [Procedure](#) section of this policy, the school will ensure that all cases are efficiently handled. This procedure includes:

- How to raise and report concerns.
- How investigations will be conducted.
- How the school will mediate and resolve disputes.

The school will implement **measures to support good practice** by ensuring adherence to the following principles:

- Offering relevant training to staff
- Providing the necessary support to staff
- Providing support to staff who are seeking alternative employment.
- Being transparent
- Being accountable
- Conducting an external review of any concerns raised, where necessary
- Undertaking regulatory action as required

We will ensure there are **particular support measures in place for vulnerable groups** by adhering to the following principles:

- Ensuring non-permanent staff are taught, and receive training on, the same principles as permanent staff.
- Ensuring trainees are subject to all the safeguarding and whistleblowing principles.
- Ensuring staff from ethnic minorities are supported, as they may feel particularly vulnerable when raising concerns.
- Ensuring staff are empowered and protected, enabling them to raise concerns freely.

8. Procedure

Concerns may be raised verbally or in writing with the Headteacher. If the concern relates to the Headteacher, or the individual reasonably feels unable to use that route, it may be raised with the Proprietor or designated Director. Safeguarding concerns may also be raised with the DSL where appropriate. Where a concern is raised verbally, the recipient will make an accurate written record and, where practicable, confirm the substance of the concern with the whistleblower. Interview

When individuals raise their concern, they will include the following information as far as possible:

- The background and history of the concern
- Any relevant names, dates and places
- The reasons for the concern

The school encourages individuals to let their identity be known when they raise concerns. Anonymous concerns will be considered on their merits, taking into account the seriousness of the allegation, the credibility of the information provided and the likelihood of confirming the allegation from other sources.

Individuals who would like to seek professional and confidential advice should contact Protect, a registered charity that advises on whistleblowing queries. The Protect website can be accessed [here](http://www.protect-advice.org.uk) (www.protect-advice.org.uk), or they can be contacted on 020 31172520.

Once an individual has raised a concern, the school will be responsible for investigating it.

An individual may raise a concern externally where appropriate, including with a prescribed person or regulator, the police, a legal adviser or another lawful recipient. The school will not prevent or discourage a person from making a protected disclosure through an appropriate external route. A trade union or professional association may also provide advice and support.

Appropriate whistleblowing arrangements will be maintained for concerns about poor or unsafe practice and potential failures in the school's safeguarding system. Staff may raise such concerns with the Headteacher, DSL, SLT or Proprietor/designated Director as appropriate to the circumstances.

If a member of staff feels like they are unable to raise a safeguarding-related concern with the school, or feels that their genuine concerns are not being addressed, they are able to contact the following:

- Local Authority Designated Officer (LADO) (where appropriate)
- Local Authority Children's Social Care
- NSPCC Whistleblowing Advice Line
- Department for Education
- Ofsted (where appropriate)
- An appropriate prescribed person or regulator relevant to the subject matter of the concern

The school will maintain appropriate communication with the whistleblower throughout the process, whilst recognising that confidentiality and legal considerations may limit the information that can be shared.

9. Interview and investigation

The Headteacher or other person handling the concern will normally acknowledge receipt within five working days and, where possible, indicate the proposed next steps. Urgent safeguarding, criminal or safety concerns will be acted on without waiting for this timescale.

The initial stage will normally involve a discussion with the whistleblower and an assessment of what further action is required. During this stage, the person handling the concern will consider whether:

- The information indicates a matter that should be considered under this policy or another appropriate procedure.
- Immediate safeguarding, legal, regulatory or criminal referrals are required.

Where the concern has been raised verbally, the person receiving it will prepare a written summary and, where practicable, ask the whistleblower to confirm that it accurately reflects the concern. A worker will not be prevented from raising a concern because they are unable or unwilling to provide a written statement.

The person handling the concern will explain the following to anybody raising a concern:

- How they will communicate with the complainant throughout the process. It should be noted, the need for confidentiality may prevent the school giving the complainant specific details of any necessary investigation or any necessary disciplinary action taken because of the concern.
- That the whistleblower's identity will be protected as far as reasonably practicable and lawful, but absolute confidentiality cannot be guaranteed where disclosure is necessary for safeguarding, legal, regulatory or fair investigation purposes.
- That the school will take reasonable steps to protect the whistleblower from detriment, victimisation or retaliation.
- That no disciplinary action will be taken merely because a concern raised responsibly is not substantiated.

Disciplinary action will only be considered where there is evidence that an allegation was knowingly false or malicious. A concern that is mistaken, unsubstantiated or not upheld will not by itself justify disciplinary action.

If an investigation is carried out, the whistleblower will be informed of the outcome.

A secure record will be kept of the concern, assessment, investigation, outcome and relevant actions. Records will be access-restricted, handled in accordance with the Data Protection and Records Management policies and shared only where there is a lawful need to know. Safeguarding concerns will be recorded on CPOMS only where appropriate under the Child Protection and Safeguarding Policy.

It may be possible for the concern to be resolved by simply agreeing the necessary action or explaining procedures to the alleged wrongdoer; however, depending on the severity and nature of the concern, it may:

- Be investigated by management, an internal audit or through the disciplinary process.
- Be referred to the police or an external auditor.
- Form the subject of an independent inquiry.

If the investigating officer needs to talk to the whistleblower, they are permitted to be accompanied by a trade union representative, a professional association representative, a friend or a fellow member of staff not involved in work that the concern relates to. This person will provide support only and will not be allowed to become involved in the proceedings.

A record will be made of the nature and outcome of the concern. The purpose of this is to ensure that a central record is kept, which can be cross-referenced with other complaints, to monitor any patterns of concern across the school and to assist in monitoring the procedure.

The whistleblower will be informed of the results of the investigation, and any action that is proposed will be subject to third party rights. Where action is not taken, the individual will be given an explanation.

10. What the school asks of whistleblowers

The purpose of this policy is to enable individuals to raise concerns in confidence, without any fear of reprisal. It is important that whistleblowers:

Handle information responsibly and avoid unnecessary disclosure, while retaining the legal right to make protected disclosures to appropriate prescribed persons, regulators, law-enforcement bodies, legal advisers, trade unions or other lawful recipients.

Declare any personal interest in the matter, as the policy is designed to be used in the interest of the public and not for individual matters.

11. Review and escalation process

If the whistleblower is not satisfied with the way the matter has been handled, they may request a review by the Proprietor or a Director who has not previously been materially involved, where practicable. The review will consider whether the concern was handled fairly and in accordance with this policy. This internal review does not restrict the individual's right to make a protected disclosure through an appropriate external route.

12. Unfair treatment

A worker who believes they have suffered unlawful detriment or dismissal because of whistleblowing may have rights before an employment tribunal. Advice may be sought promptly from ACAS, Citizens Advice, Protect, a trade union or an independent legal adviser. [Citizen's Advice BureauProtect](#)

Employment tribunal time limits can be strict and short, and do not necessarily run from the end of the school's investigation. Individuals should seek prompt advice about applicable time limits and ACAS Early Conciliation.

13. Monitoring and review

The Directors will review this policy annually and sooner where there is a material change in legislation, guidance or school arrangements. They will receive proportionate, anonymised assurance about the number and broad themes of concerns, outcomes, retaliation allegations, safeguarding implications and lessons learned, while protecting confidentiality.

Because Fulcrum has a relatively small workforce, monitoring information will be presented in a way that avoids identifying individual whistleblowers or subjects of concerns unless disclosure is necessary and lawful.

Any changes made to this policy will be communicated to all members of staff.