

Whistleblowing Policy

Forest Skies Federation



Approved by:

COG

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Signed	Mr T Culpin, Chair of Governors Mr M Davies, Headteacher, Birchwood Junior School Miss N Haughton, Headteacher Miss J Bingwa, Headteacher
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Related policies	Safeguarding and Child Protection Policy Managing Allegations Against Staff, and Low-Level Concerns Complaints Policy Grievance Procedure Staff Code of Conduct Data Protection Policy

The two things every member of staff needs to know

1. You are protected from your first day. There is no qualifying period of service for whistleblowing protection, and it covers agency workers and contractors as well as employees.
2. If your concern is that a child is being harmed or is at risk of harm, do not use this policy first. Tell the Designated Safeguarding Lead immediately, or make a direct referral. Speed matters more than procedure.

1. Purpose

The Forest Skies Federation is committed to the highest standards of honesty, openness and accountability. Staff are usually the first to realise when something is seriously wrong. This policy exists so that anyone who has that realisation knows exactly what to do with it, and knows that doing it will not cost them their job, their reputation or their working relationships.

Most people who see something wrong say nothing, not because they do not care but because they are unsure whether it is serious enough, unsure who to tell, or afraid of the consequences. This policy answers all three. If in doubt, raise it. You will not be criticised for raising a concern that turns out to be unfounded.

Legal framework

This policy gives effect to:

- the Public Interest Disclosure Act 1998, which inserted the whistleblowing provisions into the Employment Rights Act 1996 (sections 43A to 43L)
- the Employment Rights Act 2025, section 23, which from 6 April 2026 added sexual harassment as a category of qualifying disclosure in its own right
- Keeping Children Safe in Education (statutory guidance, 2026 edition, in force from 1 September 2026), which requires schools to have appropriate whistleblowing procedures and to make staff aware of external routes
- Working Together to Safeguard Children
- the Equality Act 2010
- the Data Protection Act 2018 and the UK GDPR.

2. Who this policy applies to

This policy applies to everyone who works at or for a school in the Federation, whatever their contractual position:

- employees, whether full-time, part-time, permanent, fixed-term or casual
- agency and supply staff
- contractors, consultants and their staff working on our sites
- trainees, students on placement and apprentices
- volunteers, including parent helpers and governors.

An important distinction, stated honestly

The statutory protections in the Employment Rights Act 1996 apply to "workers". Volunteers and governors are not workers in law, so those specific statutory protections do not automatically extend to them.

The Federation nevertheless applies this policy, and every protection in section 6, to volunteers and governors as a matter of Federation policy. Anyone in those groups who raises a concern in good faith will be treated exactly as an employee would be.

This policy supersedes any statement in the Complaints Policy that volunteers should raise concerns about the school through the complaints procedure. Volunteers with a whistleblowing concern should use this policy.

3. What counts as whistleblowing

Whistleblowing means raising a concern about wrongdoing, risk or malpractice that affects others — pupils, colleagues, families, the public purse. It is different from a complaint about your own treatment at work, which is a grievance.

For a disclosure to attract legal protection, three things must be true. You must:

1. disclose information, rather than simply make an allegation or express an opinion
2. reasonably believe that the information tends to show one of the categories of wrongdoing listed below. You do not have to be right, and you do not have to have proof — you have to hold the belief reasonably
3. reasonably believe that the disclosure is in the public interest.

The seven categories of qualifying disclosure

Section 43B of the Employment Rights Act 1996 sets out the categories. There were six. Since 6 April 2026 there are seven.

Category	What this might look like in a school
1. A criminal offence	Theft or misuse of school funds or property, fraud in procurement, assault, possession of indecent images.
2. Failure to comply with a legal obligation	Not following statutory safeguarding duties, employing someone without the required checks, breaching health and safety law, failing to meet duties under the Equality Act 2010 or data protection law.
3. A miscarriage of justice	Evidence being suppressed or falsified in an investigation, or someone being disciplined on the basis of information known to be untrue.
4. Danger to the health or safety of any individual	Unsafe premises or equipment, unsafe staffing ratios, unsafe physical intervention practice, medication or allergy management being ignored.
5. Damage to the environment	Improper disposal of hazardous materials from a site or a science store.
6. Deliberate concealment of any of the above	Records being altered or destroyed, an incident not being reported, a member of staff being discouraged from putting a concern in writing.
7. Sexual harassment (new — from 6 April 2026)	Sexual harassment as defined in section 26(2) of the Equality Act 2010, whether of you or of anyone else, whether by a colleague, a governor, a contractor or a parent. Since 6 April 2026 this is a category in its own right: you no longer have to frame it as a health and safety issue or a breach of a legal obligation to be protected.

The list is not a test you have to pass before speaking. If you are unsure whether what you have seen falls into one of these categories, raise it anyway and let the Federation work that out.

4. What this policy is not for

Using the right route matters, because the wrong one delays the response. The table below shows where other matters go. If you are genuinely unsure, raise it under this policy and we will redirect it and tell you where it has gone.

If your concern is...	Use this instead
That a child is being harmed, is at risk of harm, or has disclosed abuse	Tell the Designated Safeguarding Lead immediately. Do not delay in order to write anything down first. If the DSL is unavailable, tell a Deputy DSL. If you cannot reach either, contact Children's Services directly on 01522 782111 (office hours) or 01522 782333 (out of hours). In an emergency, call 999. See the Safeguarding and Child Protection Policy.
That an adult who works with children has harmed a child, may have committed a criminal offence against a child, or behaved in a way that indicates they are unsuitable to work with children	This is an allegation, and it goes to the Headteacher as case manager, or to the Chair of Governors if it concerns the Headteacher. The Local Authority Designated Officer (LADO) must be consulted within one working day. See the Managing Allegations Against Staff procedure and Part four of Keeping Children Safe in Education.
Behaviour by an adult that is inconsistent with the Staff Code of Conduct but does not meet the allegations threshold	The low-level concerns procedure. Report it to the Headteacher.
About your own employment — your pay, your workload, how your manager treats you, a decision about your role	The Grievance Procedure. A grievance about your own treatment is not normally a whistleblowing matter, because it is not in the public interest in the legal sense. Note: sexual harassment of you personally may be raised under either route. See section 3, category 7.
A complaint from a parent, carer or member of the public	The Complaints Policy.
About the content of the National Curriculum, admissions, exclusions or statutory SEND assessment	The Complaints Policy, which sets out the correct external route for each.

If the concern is about both

Some concerns are both a safeguarding matter and a whistleblowing matter — for example, that the Federation has systematically failed to act on safeguarding referrals. In that case the safeguarding route comes first and runs immediately. The whistleblowing process then runs alongside it to address the systemic failure. One never waits for the other.

5. How to raise a concern

You may raise a concern verbally or in writing. Writing is helpful because it fixes what you said and when, but it is not required and you should not delay in order to produce a document. A record form is at Appendix A if you want to use it.

Say clearly that you are raising a concern under the Whistleblowing Policy. This matters: it triggers this procedure rather than any other, and it puts the protections in section 6 into effect from that moment.

Set out what you saw or were told, when, who was involved, and whether you have raised it before. You are not required to provide evidence, and you should not investigate the matter yourself or attempt to gather proof. That is our job, and doing it yourself can compromise a later investigation.

Who to tell

Step	Who
Step 1 — normal route	Your line manager, or any member of the senior leadership team. Most concerns are resolved here.
Step 2 — if you cannot raise it at Step 1, or nothing has happened	The Headteacher of the school concerned.
Step 3 — if the concern is about the Headteacher, or you cannot raise it at Step 2	Mr Tim Culpin, Chair of Governors, via the school office, marked Private and Confidential. If the Chair is unavailable or has had prior involvement, the Vice-Chair of Governors will act in the Chair's place.
Step 4 — if the concern is about the Chair, the Vice-Chair, or the Governing Body as a whole	The Clerk to the Governing Body, who will arrange for the matter to be considered by an independent investigator or referred to Lincolnshire County Council.

You do not have to work through these steps in order. If the nature of the concern means Step 1 is not appropriate, go straight to the step that is. You may also go straight to an external body at any time — see section 8 — although we would normally hope you would give us the chance to put things right first.

You may ask a trade union representative or a colleague to raise the concern on your behalf, or to accompany you at any meeting.

If you want to remain anonymous

Say so at the outset. We will investigate anonymous concerns where we can, but you should understand the limits honestly: we cannot ask you follow-up questions, we cannot keep you informed, and we cannot protect you from detriment if we do not know who you are. A concern raised in confidence — where we know who you are but do not disclose it — is almost always more effective than an anonymous one.

Confidentiality

If you tell us who you are, we will not disclose your identity without your consent unless we are required to by law, or unless it becomes unavoidable in order to investigate properly — for example, where the

concern can only have come from one person, or where the matter proceeds to a criminal or disciplinary process in which you would be a witness.

If that point is reached, we will tell you before your identity is disclosed, explain why, and discuss with you what support you need.

6. Your protection

The law protects workers who make a protected disclosure. The Federation applies the same protection to volunteers and governors as a matter of policy.

- You are protected from your first day. There is no minimum period of service.
- You must not be dismissed, threatened with dismissal, disciplined, demoted, denied training or promotion, excluded, or subjected to any other detriment because you raised a concern.
- Dismissal for making a protected disclosure is automatically unfair, and compensation in such a case is uncapped.
- Victimisation or harassment of anyone who has raised a concern — by a manager or by a colleague — will be treated as a disciplinary matter.
- Raising a concern will not affect your appraisal, your references, or your future career.
- You are protected even if you turn out to be mistaken, provided your belief was reasonable and you acted in the public interest.
- You are protected if you raise a concern about something that affects someone else rather than you.

No agreement can silence you

Under section 43J of the Employment Rights Act 1996, any clause in a contract, settlement agreement, compromise agreement or confidentiality agreement that purports to prevent a worker from making a protected disclosure is void and unenforceable.

The Federation will not ask any member of staff to sign such a clause, and if one appears in a document you are given, it has no effect.

If you believe you have suffered a detriment

Tell the Headteacher immediately, or the Chair of Governors if the Headteacher is involved. It will be investigated as a separate matter and dealt with under the disciplinary procedure where appropriate. You may also seek advice from your trade union, from Protect, or from an employment solicitor, and you may bring a claim in an employment tribunal.

Malicious or knowingly false disclosures

If a concern is raised in good faith it will not lead to any action against the person who raised it, whatever the outcome of the investigation. That is the whole point of this policy.

If, however, someone knowingly makes a false allegation, or raises a concern maliciously or for personal gain, that may be dealt with under the disciplinary procedure. This paragraph is not a warning to anyone acting honestly, and it will not be used as one.

7. How we will respond

References to days in this section mean working days, because staff may raise a concern at any point in the year.

When	What happens
Immediately	The person receiving the concern records the date, what was said, and by whom. Where the concern indicates a risk to a child, safeguarding action is taken at once and does not wait for anything in this procedure.
Within 5 working days	You receive written acknowledgement. It will confirm who is handling the concern, how it will be dealt with, whether it is being treated under this policy or redirected elsewhere, and an indication of how long we expect to take.
Within 10 working days	You are offered a meeting to discuss the concern, if that would help. You may be accompanied by a trade union representative or a colleague. The meeting is minuted and you receive a copy.
The investigation	An investigating officer with no prior involvement is appointed. Depending on the nature of the concern this may be the Headteacher, a governor, or an independent investigator. Where the matter may involve a criminal offence, we will consult the police or the local authority before taking any step that could prejudice their enquiries.
Within 20 working days	You receive a written response setting out what was done, what was found, and what action is being taken. Where the investigation cannot be completed in that time, you will receive an interim update before the deadline passes, with a revised date, and thereafter an update at least every 20 working days.
At the conclusion	You will be told the outcome so far as we are able. We may not be able to tell you the detail of any disciplinary action taken against another individual, because that is their personal data. We will tell you that the matter has been addressed and what has changed as a result.

If you are not satisfied with how your concern has been handled, you may say so in writing to the Chair of Governors, who will review the handling of the matter. If you remain dissatisfied after that, the external routes in section 8 remain open to you at any time.

8. Raising a concern outside the Federation

We would prefer you to raise a concern with us first, so that we have the chance to put it right. You are not obliged to. You may go to a prescribed person or body at any time, and doing so is protected in law provided you reasonably believe the information and any allegation in it are substantially true, and that the matter falls within that body's remit.

Do not go to the media before exhausting these routes. Disclosure to the media is protected only in narrow circumstances, and taking that step first may cost you the protection you would otherwise have. If you are considering it, take advice from Protect or your trade union first.

Who	When to use them, and how
Lincolnshire County Council Confidential whistleblowing line	Our maintaining local authority. Appropriate where you feel unable to raise the matter with the Headteacher or a governor. Freephone 0800 085 3716 (9am–5pm; answerphone out of hours) whistleblowing@lincolnshire.gov.uk Lincolnshire County Council, PO Box 640, Lincoln, LN1 1WF
NSPCC Whistleblowing Advice Line	Named in Keeping Children Safe in Education as the route for staff who do not feel able to raise a safeguarding concern internally, or who feel their concern is not being addressed. You may remain anonymous. 0800 028 0285, 8am–8pm Monday to Friday and 9am–6pm at weekends help@nspcc.org.uk
Ofsted	A prescribed person for matters concerning schools. Ofsted will not resolve a dispute between you and your employer, but will consider concerns about the school and may take them into account at inspection. 0300 123 3155 whistleblowing@ofsted.gov.uk
The Secretary of State for Education	The prescribed person for education matters in England, including for staff who do not wish to raise a matter directly with their employer. www.education.gov.uk/contactus
Protect	The independent whistleblowing charity, formerly Public Concern at Work. Free, confidential legal advice on whether and how to raise a concern. Contacting Protect does not breach any duty of confidence you owe the Federation. 020 3117 2520 whistle@protect-advice.org.uk
Your trade union or professional association	Advice and representation at any stage. Contact your local representative or branch secretary.
The police	Where a criminal offence may have been committed. 101, or 999 in an emergency.
Other prescribed bodies	The Health and Safety Executive for health and safety matters; the Information Commissioner's Office for data protection; the Local Authority Designated Officer for allegations against adults working with children. The full list is at gov.uk, "Whistleblowing: list of prescribed people and bodies".

9. Records, confidentiality and data protection

A written record is kept of every concern raised under this policy: the date, the nature of the concern, who dealt with it, what was done, the outcome, and any action taken as a result.

Records are held securely by the Headteacher, or by the Clerk to the Governing Body where the concern relates to a Headteacher or a governor. Access is restricted to those who need it for the investigation.

Where the identity of the person raising the concern is known, it is recorded separately from the substantive file wherever practicable, so that the concern can be investigated without their identity being disclosed to those who do not need it.

Records are retained for six years from the conclusion of the matter and then securely destroyed, in line with the Federation's retention schedule, except where a safeguarding retention requirement means the record must be kept for longer.

A whistleblowing record is not placed on the personnel file of the person who raised the concern.

10. Roles and responsibilities

All staff, volunteers and governors

- read this policy and know the routes in section 5
- raise concerns promptly rather than waiting for certainty
- co-operate with any investigation
- maintain confidentiality about a concern that has been raised.

Line managers and senior leaders

- recognise a whistleblowing concern when it is raised, including one that is not labelled as such
- never discourage, delay or filter a concern, and never suggest that someone should be certain before speaking
- record it and pass it to the right person the same day
- be alert to any sign that someone who has raised a concern is being treated differently, and act on it.

The Headteacher

- receives concerns, decides how each is handled and appoints an investigating officer
- ensures the timescales in section 7 are met
- ensures that anyone who has raised a concern suffers no detriment
- reports to the Chair of Governors on any concern that is significant, or that concerns a member of the senior leadership team
- maintains the record for the school.

The Governing Body

- receives an annual report from the Clerk on concerns raised under this policy, the outcomes and any themes, in anonymised form
- ensures the policy is reviewed annually and published
- satisfies itself that staff know the policy exists and how to use it

- handles concerns about a Headteacher through the Chair, or the Vice-Chair where the Chair is unavailable or conflicted.

11. Making this policy work

A whistleblowing policy that sits unread on a website is worse than none, because it creates the appearance of a route without the substance of one. The Federation will therefore:

- issue this policy to every member of staff on appointment, as part of induction, alongside the Staff Code of Conduct and Part one of Keeping Children Safe in Education
- cover it in annual safeguarding training, including the external routes in section 8
- display the NSPCC Whistleblowing Advice Line number in staff areas
- publish it on the Federation website and on the staff shared area
- review it annually, and report to the Governing Body on its use.

12. Monitoring and review

This policy will be reviewed annually by the Governing Body, and sooner if legislation or statutory guidance changes. It will also be reviewed following any occasion on which it has been used, to establish whether it worked as intended.

Appendix A — Record of a concern raised

You are not required to use this form. A concern raised verbally, by email or by letter carries exactly the same weight and the same protections. This form exists only because some people find it easier to have a structure.

Hand it to the person identified at the appropriate step in section 5, in a sealed envelope marked Private and Confidential.

Your name	
Your role	
School	
How you would like us to contact you	
Date	
Are you raising this in confidence? (We will not disclose your identity without your consent unless required by law — see section 5)	

What is your concern? Describe what you saw or were told, when it happened, and who was involved.

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Have you raised this before? If so, with whom and when, and what happened?

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Is anyone at immediate risk? If a child is at risk, tell the Designated Safeguarding Lead now — do not wait for this form to be processed.

Is there anything you need from us — support, adjustments, or a particular way of being contacted?

Official use only

Date received	
Received by	
Acknowledgement sent (date)	
Treated under this policy / redirected to	
Investigating officer appointed	
Target date for written response	
Outcome	
Date closed	
Logged in whistleblowing register	

Appendix B — At a glance

Where does my concern go?

Your concern	Where it goes
A child is being harmed or is at risk	Designated Safeguarding Lead — now
An adult who works with children may have harmed a child	Headteacher as case manager; LADO within one working day
Adult behaviour below the Code of Conduct, but not an allegation	Low-level concerns procedure
Wrongdoing, risk or malpractice affecting others	This policy
Something about my own treatment at work	Grievance Procedure
Sexual harassment, of me or of anyone else	Either route — this policy or the Grievance Procedure. Both are protected
A parent or member of the public is unhappy	Complaints Policy

Timescales

Step	Timescale
Written acknowledgement	Within 5 working days
Offer of a meeting	Within 10 working days
Written response	Within 20 working days
Interim update if longer is needed	Before the 20-day deadline, then at least every 20 working days
Retention of the record	6 years from conclusion
Qualifying period before you are protected	None — protection applies from day 1

If you cannot raise it inside the Federation

Who	Contact
Lincolnshire County Council	0800 085 3716 · whistleblowing@lincolnshire.gov.uk
NSPCC Whistleblowing Advice Line	0800 028 0285 · help@nspcc.org.uk
Ofsted	0300 123 3155 · whistleblowing@ofsted.gov.uk
Protect (independent advice)	020 3117 2520 · whistle@protect-advice.org.uk
Department for Education	www.education.gov.uk/contactus
Police	101, or 999 in an emergency