

Greenfields Community School

WHISTLE BLOWING PROCEDURE FOR MAINTAINED SCHOOLS



Document Origins		
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Document Version History		
Revision date	Author of changes	Summary of changes
September 2026	Local Authority HR Team	Comprehensive review undertaken. Updated to reflect legislative changes relating to protected disclosures. Clarified reporting routes, confidentiality provisions, anonymous disclosures, safeguarding concerns, grievance interfaces and support available to whistleblowers. Language refreshed throughout.

1. Introduction

- 1.1 This policy provides guidance on the procedure for making protected disclosures. It applies to all permanent and temporary employees of the School and Nottingham City Council, casual workers, consultants, agency workers and any other workers who are not employees of the Council, and those providing a service under a contract with the Council in their own premises.
- 1.2 In this policy and procedure, 'Whistleblowing' means the reporting of suspected misconduct, illegal acts, safety risks or failure to act with integrity within the Council. The aim of this policy is to encourage individuals who have serious concerns about any aspect of the Council's work to come forward and voice those concerns.
- 1.3 The contents of this policy reflect the protections provided under the Public Interest Disclosure Act 1998 (PIDA), which amended the Employment Rights Act 1996 (ERA). It also reflects the changes under the Employment Rights Act 2025, which makes disclosures relating to sexual harassment a qualifying disclosure for whistleblowing purposes. These laws ensure that individuals making a protected disclosure in the public interest are legally safeguarded against unlawful dismissal, detriment, or victimisation.

2. Preamble

- 2.1 As the first point of contact, employees and others working for the School and Council are often best placed to recognise when something is not right. However, they may not express their concerns because they feel that speaking up would be disloyal to other staff members or the school. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice. This code encourages individuals to raise such concerns using the internal mechanisms set out below.
- 2.2 The School and Council are dedicated to maintaining the highest standards of transparency, integrity and accountability. Employees and others connected to the Council are encouraged to raise any serious concerns about its operations.
- 2.3 Individuals can raise concerns without fear of victimisation, subsequent discrimination or disadvantages. The Council is committed to supporting those who make protected disclosures. This policy is intended to encourage and enable individuals to raise serious concerns within the school rather than overlooking a problem or 'blowing the whistle' outside.
- 2.4 The procedures in this document should be used to raise serious concerns within the Council, which are in the public interest where an individual genuinely feels there is evidence of malpractice, impropriety

or wrongdoing within the Council or by others acting on behalf of the Council. This policy is not intended to replace existing complaints procedures or normal communication channels for routine issues that may arise from day-to-day business. Where other procedures exist, they may be more appropriate for concerns relating solely to an individual's personal employment situation. However, where a concern is in public interest and meets the definition of whistleblowing (as defined in paragraph 1.2), this procedure should be used.

- 2.5 This policy has been discussed with the relevant trade unions. It does not form a collective agreement and does not form part of employees' contract of employment or other contract to provide services, and it may be amended at any time (following consultation with the relevant trade unions).

3. Aims and scope of this procedure

- 3.1 A qualifying disclosure is a disclosure of information which, in the reasonable belief of the individual, is made in public interest and tends to show one or more types of wrongdoing. From April 2026, this includes disclosures relating to sexual harassment Issues that could be covered by the Whistleblowing Procedure include:

- Conduct which is an offence or a breach of law (criminal offences and failures to comply with legal obligations)
- Favouritism, nepotism etc.
- Disclosures related to miscarriages of justice
- Health and safety risks
- Damage to the environment 3
- The unauthorised use of public funds or other assets
- Possible fraud and corruption
- Racial, sexual, disability or other discrimination
- Sexual harassment, including any unwanted conduct of a sexual nature that violates dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment
- Neglect or sexual or physical abuse of clients
- Other unethical conduct
- Institutional racism, or
- Action to conceal any of the above.

This list of 'protected disclosure' is illustrative rather than exhaustive, and other forms of wrongdoing may also qualify for consideration under the Whistleblowing Procedure where they meet the criteria for a qualifying disclosure.

3.2 Thus, any serious concerns that individuals may have about any aspect of service provision or the conduct of officers, members of the Council or others acting on behalf of the Council can be reported under this policy. This may be about something that:

- Makes the individual feel uncomfortable in terms of known standards, their experience or the standards they believe the Council subscribes to; or
- Is against the Council's Standing Orders and policies; or
- Falls below established standards of practice; or
- Amounts to improper conduct.

3.3 Concerns that are solely personal in nature should normally be addressed through the appropriate procedure. However, where a concern raises issues of wider public interest, wrongdoing, malpractice or systemic failure, it may be appropriate to raise it under this Whistleblowing Procedure. For example:

- Concerns that relate solely to an individual's personal employment circumstances should normally be addressed through the relevant employment procedure, such as the Resolution and Grievance Procedure, unless concern raises issues of wider public interest, wrongdoing or malpractice
- Concerns regarding the safety or welfare of children must be reported immediately through the school's safeguarding procedures. Where the concern also raises wider issues of wrongdoing, malpractice, concealment or systemic failure it may additionally be considered under this Whistleblowing Procedure.
- Customer complaints about Council services should be dealt with through the school's Complaints Procedure.
- Allegations against the Local Authority, including Councillors should be passed directly to the Council's Monitoring Officer.

4. Safeguards and support

4.1 The school and the Local Authority are committed to the highest standards of transparency, integrity and accountability. The school and the Local Authority aim to promote a culture in which employees feel they can raise genuine concerns without fear of subsequent victimisation, discrimination or disadvantage.

4.2 Neither the school nor the Local Authority will tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect and support individuals.

4.3 Any investigation into allegations of potential malpractice will remain independent of, and will not be influenced by, any other employment, management or HR processes involving the individual concerned.

- 4.4 Subject to any legal constraints (including confidentiality and data protection), the individual or their nominated representative will be provided with appropriate updates on the progress of the complaint, including the investigation and related matters.
- 4.5 Individuals making protected disclosures are legally protected against dismissal, detriment, or victimisation. Retaliation for whistleblowing is unlawful and any concerns about retaliation should be reported immediately to HR or the Monitoring Officer.

5. Confidentiality

- 5.1 All concerns will be treated in confidence, and every effort will be made to protect the identity of the individual, raising the concern, if requested. However, the investigation process may reveal the source of information, and a formal statement may be required as part of the evidence. Where anonymity cannot be maintained, this will be discussed with the individual before any disclosure of identity (where reasonably practicable)
- 5.2 All information relating to whistleblowing concerns will be stored securely in line with data protection legislation and the Council's Retention and Disposal Schedule. Access to these records will be limited only to those individuals who require the information to fulfil their responsibilities in managing or investigating the concern. Information will not be shared more widely than necessary and will be handled on a strict need to know basis.
- 5.3 Identity details, supporting evidence, and investigation records will be retained in a confidential format and will be protected to prevent unauthorised access, disclosure, or misuse. Where an individual has requested anonymity, additional measures will be put in place to separate identifying data from case documentation wherever possible, ensuring that disclosures and investigation materials do not reveal identity unless legally required or essential for effective investigation.

6. Anonymous allegations

- 6.1 This policy encourages individuals to attach their name to any allegation whenever possible. It is hoped that the assurances provided in this policy will offer sufficient confidence to disclose identity to those who require it.
- 6.2 Concerns can be raised anonymously and will be considered carefully and proportionately. While anonymous disclosures can present practical challenges in terms of seeking clarification or providing feedback, they will not be dismissed. They would be assessed by the Monitoring Officer, in consultation with Internal Audit, taking account of the seriousness of the issue raised, the information provided, and the ability to progress enquiries based on the available evidence.
- 6.3 In exercising this discretion the factors to be taken into account would include:

- The seriousness of the issues raised;
- The credibility of the concern;
- The likelihood of confirming the allegation from attributable sources;
- The level of detail given to allow the complaint to be investigated.

6.4 Anonymous concerns may be more difficult to investigate and it may not be possible to provide feedback where the identity of the individual is unknown.

7. **Untrue allegations**

7.1 If you make an allegation, but it is not confirmed by the investigation, no action will be taken against the individual, unless the investigation indicates the allegation was made frivolously, maliciously, or for personal gain. Disciplinary action may be taken against the individual responsible if allegations are not made in good faith.

8. **How to raise a concern**

- 8.1 The earlier a concern is expressed and the greater the level of detail provided, the easier it is to take appropriate action.
- 8.2 As an initial step, concerns should normally be raised with the immediate manager or the headteacher. However, this may vary depending on the seriousness and sensitivity of the issues involved, and the identity of the individual suspected of malpractice. For instance, if there is reason to believe that management is involved, or if the issue is sufficiently serious, the matter should be referred to the Governing Body of the School. Contact details for the Governing Body should be available within School.
- 8.3 If your concern relates to matters involving the Governing Body you should raise your concern with the Monitoring Officer at Nottingham City Council via whistleblowing@nottinghamcity.gov.uk
- 8.4 In the case of concerns relating to Nottingham City Council you should raise your concerns with the Monitoring Officer via whistleblowing@nottinghamcity.gov.uk.
- 8.5 If the concern relates to an area of work under the responsibility of the Monitoring Officer, it should be addressed to the Council's Corporate Director of Finance and Resources via whistleblowing@nottinghamcity.gov.uk.
- 8.6 Line managers and the Governing Body receiving complaints must inform the Monitoring Officer so that the complaint can be recorded, via whistleblowing@nottinghamcity.gov.uk.

8.7 When making a written disclosure, the following format is recommended:

- Provide the background and history of the concern, including relevant dates, names, locations, and other pertinent details.
- Explain the reason for particular concern regarding the situation.
- Describe any existing evidence or indicate how evidence related to the concern can be obtained
- List any individuals who have already been informed or consulted about the concerns.
- Clearly state that the concern is being raised as a whistleblowing complaint.

8.8 When raising a concern, individuals do not need proof of wrongdoing. However, they should have a reasonable belief that the information disclosed tends to show wrongdoing or malpractice and should provide as much relevant information as possible. Where possible, notes should be kept of what has been seen, heard, or felt. Notes should be dated and copies of all relevant information kept.

8.9 You may wish to obtain advice/guidance on how to pursue matters of concern or generally on the whistle blowing process. Advice can be obtained from the Council's Monitoring Officer (Director of Legal and Governance) or the Internal Audit (Audit Manager).

8.10 It may be helpful to discuss the concern with a colleague beforehand, and it may be easier to raise the matter collectively if more than one individual experienced or shares the same concern. However, confidentiality considerations must be carefully considered.

8.11 A trade union representative, professional association representative, or a work colleague may be invited to attend any meetings or interviews held in connection with the concerns raised.

8.12 Colleagues are subject to the same obligations regarding the handling of confidential information. If you are seeking advice, you may speak with your trade union or obtain independent legal advice. Please take care not to share confidential information widely than necessary. If in doubt, seek guidance from the Monitoring Officer or Internal Audit Service.

9. Whistle blowing complaints received by managers or HR colleagues

9.1 When receiving complaints, managers and HR colleagues should always consider the possibility that they might be presented with a whistle blowing issue and should remember that whistle blowing complaints have to be dealt with via a separate process.

9.2 Line Managers or HR colleagues are made aware of possible whistleblowing complaint, they must initially seek advice from the

Monitoring Officer or Internal Audit (Audit Manager) so that the complaint can be considered and a decision made on how to proceed.

- 9.3 All whistle blowing complaints will be recorded and monitored by the Monitoring Officer who is assisted by Internal Audit (Audit Manager).

10. How the school/Local Authority will respond

- 10.1 Within ten working days of a concern being raised (or as soon as reasonably practicable for complex cases), the person receiving the complaint (i.e. the line manager, Governing Body or the Monitoring Officer (or their designated representative) will write to the individual raising the concern::
- Acknowledging that the concern has been received;
 - Indicating how the matter is intended to be dealt with, where this is known;
 - An estimate of how long it will take to provide a final response;
 - Whether any initial enquiries have been made;
 - Information on support mechanisms available, and
 - Whether further investigations will take place and if not, the reasons why.
- 10.2 Where appropriate, the matters raised may:
- Be investigated by management, an appropriately trained investigator, internal audit, or through another appropriate procedure;
 - Be referred to the police;
 - Be referred to the external auditor;
 - Form the subject of an independent inquiry.
- 10.3 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 school/Local Authority will have in mind, is the public interest but will balance this with its duty of care to its employees. Concerns or allegations that fall within the scope of other specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 10.4 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.
- 10.5 The level of contact between the officers handling the matter and the individual raising the concern will depend on the nature of the issues raised, the potential complexities involved, and the clarity of the

information provided. If necessary, the school/Local Authority will seek further information, and subject to any legal constraints, make efforts to keep the individual informed throughout the process.

- 10.6 Where a meeting is arranged, including an off-site location if requested, the individual can be accompanied by a trade union representative, professional association representative or a work colleague.
- 10.7 The school/Local Authority will take steps to minimise any difficulties that may arise as a result of raising a concern. For example, if it becomes necessary to provide evidence in criminal or disciplinary proceedings appropriate advice will be arranged.
- 10.8 The school/Local Authority recognises the importance of providing assurance that the matter has been properly addressed. Therefore, subject to legal constraints, the relevant line manager, the Monitoring Officer or their designated representative will inform the individual of the outcome and/or that appropriate action has been taken and upon conclusion of the case.

11. The Responsible Officer

- 11.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this procedure. The Monitoring Officer maintains a record of concerns raised and the outcomes (but in a form which does not compromise confidentiality) and will report on an annual basis to the Standards Committee of the Council.

12. How the matter can be taken further

- 12.1 For those uncertain about whether to follow this policy and procedure, or seeking independent advice, contact may be made with the organisation Protect. Protect is a charity that operates independently of the Council and specialises in providing free and confidential legal advice on raising concerns about serious malpractice in the workplace. Protect can also offer guidance on whether a matter should be reported to an external body, such as the Police.

Protect can be contacted as follows - Telephone: 020 3117 2520; Fax: 020 7403 8823; Email: whistle@protect-advice.org.uk; Website: <https://protect-advice.org.uk>

- 12.2 In certain circumstances the **Public Interest Disclosure Act 1998 (PIDA)** provides protection to employees who make disclosures outside the organisation. While it is hoped that any action taken by the Council will resolve the concern, where employees do not feel able to raise the issue internally, they may raise the matter externally. Under PIDA, different rules apply depending on who the disclosure is made to. External disclosures may be made to:

- Prescribed Persons (Regulators)
- Legal Advisors

- Ministers of the Crown
 - Trade union representative
 - A relevant voluntary organisation
 - The Police
- 12.3 Disclosures to wider bodies can be protected under PIDA only if stricter legal tests are met, such as the employee reasonably believing that the information is substantially true, the disclosure is not made for personal gain, and it is reasonable in all the circumstances. Employees unsure about how to proceed are encouraged to seek independent advice (for example, from a trade union, Citizens Advice, or a legal adviser) before making an external disclosure.
- 12.4 Under the Public Interest Disclosure Act 1998 and the Employment Rights Act 2025, staff making “protected disclosures” are legally protected from detrimental action, unfair dismissal and redundancy, and can complain to an employment tribunal.
- 12.5 The procedure additionally covers any conduct not included above which is of an unethical nature. In these circumstances the Council will provide the same protection as set out in paragraph 4 above. However, the individual would not necessarily be protected by PIDA and may want to take separate advice on that, for example by contacting Public Concern at Work.
- 12.6 If the matter is taken externally, the individual raising the concern should avoid disclosing confidential information. They can check with the Monitoring Officer, Corporate Director of Finance or the Internal Audit (Audit Manager) about this issue.

Document history

Version number	Revision date	Summary of changes
1	June 2014	Reviewed
2	May 2018	Reviewed
3	December 2019	Reviewed
4	September 2020	Reviewed
5	November 2024	Reviewed
6	July 2026	Comprehensive review undertaken. Updated to reflect legislative changes relating to protected disclosures. Clarified reporting routes, confidentiality provisions, anonymous disclosures, safeguarding concerns, grievance interfaces and support available to whistleblowers. Language refreshed throughout.