



Whistleblowing Policy

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1. Aims

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all staff in the, trust, including those based at The Richmond upon Thames School, know how to raise concerns about potential wrongdoing in or by the school
- Set clear procedures for how the school will respond to such concerns
- Let all staff know the protection available to them if they raise a whistleblowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the school in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

2. Legislation

The requirement to have clear whistleblowing procedures in place is set out in the [Academy Trust Handbook](#).

This policy has been written in line with the above document, as well as [government guidance on whistleblowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

This policy complies with our funding agreement and articles of association.

3. Definition of whistle-blowing

Whistleblowing covers concerns made about wrongdoing, risk or malpractice in the public interest. These are concerns that go beyond personal or individual employment matters.

Examples of whistleblowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the school count as whistleblowing. Where a concern relates only to an individual's own employment position and does not have a wider public interest element, this is likely to be dealt with under the staff grievance policy or other relevant HR procedure rather than under this whistle-blowing policy.

If staff are unsure whether their concern is a whistle-blowing matter or would be better handled under another procedure, they should seek advice from their line manager, Head Teacher, or the Head Teacher's line manager, the Chair of Trustees.

Staff can also obtain independent, confidential advice from [Protect](#), the UK's whistleblowing charity (formerly Public Concern at Work), which provides guidance on the difference between a whistleblowing concern and a personal grievance and on how best to raise concerns safely.

4. Procedure for staff to raise a whistle-blowing concern

4.1 When to raise a concern

Staff should consider the examples in section 3 when deciding whether their concern is of a whistleblowing nature. Consider whether the incident(s) were illegal, breached statutory or trust/school procedures, put people in danger or were an attempt to cover any such activity up.

4.2 Who to report to

School-based staff should report their concern to the Head Teacher (Head@rts.richmond.sch.uk 0208 891 2985). If the concern is about the Head Teacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the chair of the board of trustees (currently Jason Hughes (CoT@rts.richmond.sch.uk Tel: 020 8891 2985)). These individuals are the trust's nominated contacts for whistleblowing concerns, in line with the Academy Trust Handbook.

4.3 How to raise the concern

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

5. School procedure for responding to a whistle-blowing concern

5.1 Investigating the concern

When a concern is received by the Head Teacher, chair of the board of trustees or other nominated person – referred to from here as the 'recipient' – they will:

- Acknowledge receipt of the concern within a reasonable timeframe
- Meet with the person raising the concern within a reasonable time to clarify the concern and the circumstances. The person raising the concern may be joined by a colleague, trade union representative or professional association representative
- Get as much detail as possible about the concern at this meeting, including:
 - What has happened
 - When and where it took place
 - Who was involved
 - Whether there are any witnesses or supporting evidence
 - What outcome the person raising the concern is seeking
- Explain how the concern will be handled and which policy or procedure will apply (for example, this whistle-blowing policy, the staff disciplinary policy, safeguarding procedures or another relevant policy)
- Reiterate, at this meeting, that they are protected from detrimental treatment and victimisation for doing so under this policy and the Public Interest Disclosure Act 1998, provided the concern is raised in good faith

- Make clear that deliberately false, vexatious or malicious allegations may be treated as a disciplinary matter (see section 6 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is, the recipient will:
 - Decide the most appropriate form of investigation which may include fact-finding by a senior leader, an investigation by an external person or agency, or referral to another process (for example, a safeguarding or financial irregularity process)
 - Ensure that anyone asked to carry out an investigation is suitably independent, has appropriate expertise and is not implicated in the concern
 - Set clear terms of reference and an indicative timescale for the investigation, proportionate to the nature and seriousness of the concern

The person who raised the concern should be informed of how the concern will be taken forward and given an estimated timeframe for when they will be updated on the next steps, recognising that specific details may be limited by confidentiality and data protection obligations.

5.2 Outcome of the investigation

Once the investigation – whether this limited fact-finding or more detailed inquiry - is complete, the recipient (or a senior leader/trustee nominated by them) will:

Decide whether the concern is:

- Substantiated
- Partially substantiated
- Not substantiated

Determine what action, if any, is appropriate. This may include:

- Taking action under the staff disciplinary policy or capability procedures
- Providing additional training, supervision or guidance
- Reviewing or strengthening existing procedures and controls
- Referring the matter to an external organisation, such as the local authority designated officer (LADO), the DfE, the police or another regulatory or safeguarding body, where this is required or appropriate
- Deciding that no further action is required where the concern is not substantiated

They will inform the person who raised the concern of the outcome in general terms, and, where possible, outline what action is being taken. However, certain details may need to be restricted to protect the confidentiality and privacy of individuals, or to comply with legal and data protection requirements.

A confidential record of the concern, the investigation and its outcome will be kept securely by the trust in line with our data protection policy, record retention schedule and any relevant regulatory requirements.

6. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to be genuine wrongdoing, risk or malpractice. Where concerns are raised **in good faith**, even if they are not upheld following investigation, **no action will be taken against the member of staff who raised the concern.**

If, however, an allegation is shown to be deliberately invented, vexatious or malicious, this may be treated as a disciplinary matter and the **trust will consider what action is appropriate against the person making the allegation.**

7. Escalating concerns beyond the school

The trust encourages staff to raise their concerns internally, in the first instance, so that issues can be addressed and resolved as early and effectively as possible.

If a member of staff:

- Is not satisfied with the way their concern has been handled, or
- Reasonably believes that the Head Teacher and/or chair of trustees may be involved in the suspected wrongdoing,

they may raise their concern with an appropriate external person or body (a 'prescribed person' or body under whistle-blowing legislation).

Examples relevant to academy trusts include (non-exhaustive):

- The local authority designated officer (LADO) for safeguarding concerns about staff, via Achieving for Children - Tel : 07774332675 LADO@achievingforchildren.org.uk
- The Department for Education (DfE), for concerns about financial management or governance in academies
- Ofsted, for concerns about safeguarding or the quality of education and leadership
- The police, where a criminal offence may have been committed

Staff should check the current government list of prescribed persons and bodies to ensure they contact the most appropriate organisation for their concern, and may seek independent, confidential advice from Protect (see section 3) before doing so.

8. Approval

This policy will be reviewed every three years or sooner if there is a significant change in relevant legislation or statutory guidance on whistle-blowing or academy trust governance.

These procedures have been agreed by the board of trustees, who will approve them whenever reviewed.

9. Links with other policies/procedures

This policy links with our policies on:

- Staff grievance policy
- Staff disciplinary policy
- Complaints procedure
- Safeguarding and child protection policy
- Staff code of conduct
- Data protection and handling personal information