Willow School Policy

Whistle-Blowing Policy

Date: November 2026

Review Date: November 2027

Aims

Willow School is committed to the highest standards of openness, honesty and accountability. Our pupils have complex special educational needs, many communicate in different ways and some may not be able to tell anyone if something is wrong. This makes it especially important that the adults around them feel safe to speak up. This policy aims to:

- Encourage staff to report suspected wrongdoing as soon as possible, knowing that their concerns will be taken seriously, investigated properly and handled confidentially
- Make sure everyone who works at or for the school knows how to raise a concern about potential wrongdoing in or by the school, and who to raise it with
- Set out clear procedures and timescales for how the school will respond
- Explain the legal protection available to staff who raise a whistle-blowing concern
- Assure staff that they will not be victimised or treated unfairly for raising a genuine concern, even if it turns out to be mistaken
- Make clear how whistle-blowing links with our safeguarding, grievance and complaints procedures, so that concerns go to the right place quickly

Who This Policy Applies To

This policy applies to everyone who works at or for Willow School across all of our sites, including:

- Employees, whether permanent, fixed-term or temporary
- Agency and supply staff
- Self-employed consultants and contractors who provide services to the school personally
- Trainees, students on placement and work experience volunteers
- Volunteers

Some of these groups (for example, volunteers) may not be covered by whistle-blowing law. The school will still apply this policy to them in full and will not tolerate anyone being treated unfairly for raising a genuine concern.

This policy does not form part of any employee's contract of employment and may be amended at any time.

Legislation and Guidance

This policy is written in line with the following legislation and guidance:

Legislation or Guidance	What It Means for This Policy
Employment Rights Act 1996, Part IVA (Inserted by the Public Interest Disclosure Act 1998)	Sets out what counts as a protected disclosure and protects workers from dismissal or detriment for making one.
Enterprise and Regulatory Reform Act 2013	A disclosure must be made in the reasonable belief that it is in the public interest to be protected.
Employment Rights Act 2025	From 6 April 2026, reporting sexual harassment is a protected disclosure in its own right.

Legislation or Guidance	What It Means for This Policy
Victims and Prisoners Act 2024 (Section 17)	From 1 October 2025, a non-disclosure agreement cannot stop a victim of crime reporting it to the police, a regulator, a lawyer or other permitted people.
Equality Act 2010	Includes the duty on employers to take reasonable steps to prevent sexual harassment of their staff.
Keeping Children Safe in Education (KCSIE) 2026	Proprietors must ensure appropriate whistle-blowing procedures are in place, that staff can raise concerns about poor or unsafe practice and potential failures in the school's safeguarding regime, and that staff know about the NSPCC Whistleblowing Advice Line.
Education (Independent School Standards) Regulations 2014	Part 3, paragraph 7 (safeguarding arrangements that have regard to KCSIE) and Part 8, paragraph 34 (leadership and management, including the Proprietors ensuring the Standards are met consistently).
UK GDPR and Data Protection Act 2018	Govern how information about concerns, and the people involved, is recorded, shared and kept.
GOV.UK Whistleblowing Guidance	Government guidance for employees and the list of prescribed people and bodies.

What Is Whistle-Blowing?

Whistle-blowing is when a worker passes on information that they reasonably believe is in the public interest and shows that one or more of the following has happened, is happening or is likely to happen:

- A criminal offence, such as fraud, theft, bribery or corruption
- A failure to comply with a legal obligation or statutory requirement
- A miscarriage of justice
- The health or safety of any person (pupils, staff or others) being put in danger
- Damage to the environment
- Sexual harassment
- A deliberate attempt to conceal any of the above

In our setting, examples could include:

- Fraud or misuse of school funds, including local authority placement or EHCP funding
- Offering or accepting bribes or inappropriate gifts (see our Anti-bribery Policy)
- Failures in the school's safeguarding systems, or poor or unsafe practice with pupils, such as unsafe physical intervention or intimate care that does not follow policy
- Safer recruitment checks not being carried out, or the Single Central Record being inaccurate
- The school not meeting the Independent School Standards, or giving misleading information to Ofsted, the Department for Education or a local authority

- Serious or deliberately hidden data protection breaches
- Health and safety dangers, such as fire safety failings or unsafe premises at any of our sites
- Sexual harassment of a member of staff or anyone else connected with the school
- Any attempt to cover up the above

Staff do not need proof that wrongdoing has taken place. A reasonable belief is enough. Staff should not try to investigate the matter themselves.

Concerns and Reporting Procedures

Not every concern is a whistle-blowing concern. Using the right procedure means the concern is dealt with quickly and properly. If you are unsure, raise it with the Headteacher, or seek free, confidential advice from Protect (see Raising Concerns Outside the School).

Type of Concern	Which Procedure to Use
A concern about a child's safety or welfare	Report immediately to the DSL, Miss Hemming, or a Deputy DSL (Mrs Miller or Miss McNeil), under the Child Protection and Safeguarding Policy. Do not wait to use this policy.
A concern or allegation about how an adult has behaved towards a child (including low-level concerns)	Report immediately to the Headteacher under the Child Protection and Safeguarding Policy. If the concern is about the Headteacher, report it to James Mackay, Proprietor, who will contact the LADO. Staff can contact the LADO directly at any time.
A concern about the school's safeguarding systems or practice more widely	This policy, alongside informing the DSL. The NSPCC Whistleblowing Advice Line is available if you do not feel able to raise it internally or feel it has not been dealt with.
Sexual Harassment	This can be raised under this policy or the Grievance Policy. Either way, you are protected from unfair treatment for raising it.
A personal employment issue (your pay, contract, workload or how you are treated)	Grievance Policy. Bullying or harassment that affects you as an individual is usually a grievance, unless it shows a wider risk to others.
Suspected bribery, fraud or financial wrongdoing	This policy and the Anti-bribery Policy.
A complaint from a parent, carer or member of the public	Complaints Policy and Procedure.

How to Raise a Whistle-Blowing Concern

Who to Report To

Situation	Raise Your Concern With
Most Concerns	Mrs Miller, Headteacher and Proprietor.

Situation	Raise Your Concern With
The concern is about the headteacher, or she may be involved	James Mackay, Proprietor. Concerns can be passed in writing via the school office in a sealed envelope marked "Private and Confidential – for James Mackay only".
The concern is about both proprietors	Contact the school's HR provider, Jennetts HR Solutions, who will arrange an independent investigation, or raise the concern with an external body (see Raising Concerns Outside the School).
The concern is about safeguarding practice	The DSL, Miss Hemming, or the Headteacher. Where the concern is about the DSL, raise it with the Headteacher.

How to Raise the Concern

- Concerns should be made in writing wherever possible, but can be raised verbally. Where a concern is raised verbally, the person receiving it will write it down and ask you to check and confirm the record
- Include as much detail as you can: what happened, names of those involved, dates, places, any evidence and why you are concerned
- Tell us about any personal interest you have in the matter
- Mark any written concern "Whistle-blowing – Private and Confidential"

You may be accompanied at any meeting about your concern by a work colleague or a trade union or professional association representative.

Confidentiality and Anonymous Concerns

We will treat every concern confidentially. Your identity will only be shared with those who need to know in order to investigate. In rare cases, for example where the police become involved or the matter goes to a court or tribunal, it may not be possible to keep your identity confidential. If this happens, we will discuss it with you first wherever we can.

We encourage staff to put their name to a concern, because this makes it much easier to investigate and to give feedback. Anonymous concerns will still be considered. The Headteacher, or James Mackay where appropriate, will decide whether to investigate, taking into account how serious the concern is, how credible it is and whether it can be confirmed from other sources. Any anonymous concern that suggests a child may be at risk will always be acted on.

Staff raising a concern, and anyone involved in an investigation, should not discuss it with colleagues, parents or carers, or on social media.

How the School Will Respond

The person who receives the concern (the 'recipient') will follow these steps:

Step	What Happens	Timescale
Acknowledge	Confirm in writing that the concern has been received and who is dealing with it.	Within 5 working days
Meet	Meet with you to understand the concern fully, record the details and confirm that you are protected from unfair treatment for raising it.	Within 10 working days of the concern being received
Assess	Decide whether the concern is a whistle-blowing matter and whether it needs investigating. If it belongs under another procedure, it will be passed to that procedure and you will be told. Any safeguarding element is referred straight away to the DSL and, where the threshold is met, the LADO or children's services. Possible criminal offences are reported to the police. These referrals are not delayed by this process.	At or shortly after the meeting
Investigate	The recipient arranges an investigation by someone with no involvement in the matter. This may be a Proprietor, a senior leader, Jennetts HR Solutions or another independent body (for example, an external accountant for financial concerns). You will be told how the matter is being investigated and roughly how long it will take.	Aim to conclude within 3 months, with updates at least monthly if it takes longer
Report	The investigator prepares a written report setting out findings, whether wrongdoing occurred, recommendations, and any referrals needed (for example, to the LADO, police, DBS, Teaching Regulation Agency, Department for Education or the ICO).	At the end of the investigation
Feedback	You will be told the outcome. Some details may need to be withheld for confidentiality or legal reasons.	Within 5 working days of the report
Learn	The Headteacher and Proprietors review relevant policies, procedures and training to stop the same thing happening again.	Following the outcome

We cannot always guarantee the outcome you want, but we will deal with your concern fairly and properly. If you are not satisfied with how your concern has been handled, you can raise it with James Mackay, Proprietor (if he has not already been involved), or with one of the external bodies listed in this policy.

Protection and Support for Staff Who Raise Concerns

- No one will be dismissed, disciplined or treated less favourably for raising a genuine concern, even if it turns out to be mistaken

- Bullying, harassing or victimising anyone who has raised a concern, or trying to stop someone from raising one, is a breach of the Code of Conduct and will be dealt with under the Disciplinary Policy, and may amount to gross misconduct
- Workers who make a protected disclosure have legal protection from dismissal and detriment under the Employment Rights Act 1996
- Nothing in any contract, settlement agreement or non-disclosure agreement can stop a member of staff from making a protected disclosure, or from reporting a crime they have experienced to the police, a regulator or other permitted people
- Staff who raise a concern will be offered support throughout the process, and the Headteacher or Proprietor will check in with them regularly

False or Malicious Concerns

If a concern is raised genuinely but the investigation finds no wrongdoing, no action will be taken against the person who raised it. If a concern is shown to be deliberately false or malicious, the school will consider whether action is appropriate under the Disciplinary Policy.

Raising Concerns Outside the School

We hope staff will feel able to raise concerns internally, but we recognise that this is not always possible or appropriate. Staff can contact the following organisations:

Organisation	When to Use	Contact
NSPCC Whistleblowing Advice Line	Safeguarding concerns you do not feel able to raise in school, or that you feel have not been dealt with properly.	0800 028 0285 help@nspcc.org.uk
Lincolnshire LADO	Allegations or concerns about an adult who works with children.	01522 554674 LSCP_LADO@lincolnshire.gov.uk
Lincolnshire Children's Services	Where a child may be at risk of harm. In an emergency, call 999.	01522 782111
Secretary of State for Education (Department for Education)	The prescribed person for whistle-blowing about independent schools, including concerns about the school meeting the Independent School Standards.	0370 000 2288 www.gov.uk/contact-dfe
Ofsted	Ofsted inspects Willow School. Concerns about the school's standards can be shared with Ofsted, but for non-residential independent schools the Department for Education is the prescribed person under whistle-blowing law.	www.gov.uk/government/organisations/ofsted

Organisation	When to Use	Contact
Health and Safety Executive	Serious health and safety risks to staff, pupils or the public.	0300 003 1647 www.hse.gov.uk/contact
Information Commissioner's Office	Serious breaches of data protection law.	0303 123 1113 icocasework@ico.org.uk
Protect	Free, confidential advice on whether and how to raise a concern.	protect-advice.org.uk
Police	Suspected criminal offences.	101, or 999 in an emergency

To be legally protected when reporting to a prescribed person, you must reasonably believe that the information is substantially true and that it falls within that body's remit. Disclosures to the media or on social media are only protected in very limited circumstances, so staff are strongly advised to seek advice from Protect before considering this.

Training and Awareness

- All staff, volunteers and contractors read this policy as part of their induction through The National College
- Annual safeguarding training reminds staff how to raise concerns about poor or unsafe practice and about the NSPCC Whistleblowing Advice Line
- A summary of this policy (Appendix 1) is displayed in the staff room at each site
- Senior leaders who may receive concerns are trained to recognise a whistle-blowing concern and to respond in line with this policy

Record Keeping

All whistle-blowing concerns, investigations and outcomes are recorded and stored securely and confidentially by the Headteacher, or by James Mackay where the concern relates to the Headteacher. Records are kept separately from staff personnel files unless they lead to formal action, and are retained in line with our records retention schedule and Data Protection Policy. The Proprietors review an anonymised summary of concerns each year to identify any patterns or lessons for the school.

Roles and Responsibilities

Role	Responsibilities
Proprietors	Make sure this policy is in place, meets legal requirements and KCSIE, and is followed. James Mackay receives concerns about the Headteacher. Review the annual summary of concerns.

Role	Responsibilities
Headteacher	Receives and responds to concerns, makes sure staff know about this policy and that no one who raises a concern is treated unfairly.
Designated Safeguarding Lead	Acts on any safeguarding element of a concern without delay, and makes sure safeguarding training covers whistle-blowing.
All Staff, Volunteers and Contractors	Raise genuine concerns promptly, follow this policy and treat colleagues who raise concerns with respect.

Monitoring and Review

This policy is reviewed annually by the Headteacher and approved by the Proprietors. It will be reviewed sooner if legislation or statutory guidance changes, including any outcome of the government's 2026 consultation on reforming whistle-blowing law.

Links With Other Policies

This policy links with our:

- Child Protection and Safeguarding Policy
- Code of Conduct
- Grievance Policy
- Disciplinary Policy
- Complaints Policy and Procedure
- Anti-bribery Policy
- Data Protection Policy
- Equality and Diversity Policy
- Recruitment Policy
- Volunteering Policy

Appendix 1: Whistle-Blowing at a Glance

If you are worried that something is wrong at Willow School, speak up. You will be listened to and you will not be treated unfairly for raising a genuine concern.

Step	What to Do
A Child Is at Risk	Tell the DSL, Miss Hemming, or a Deputy DSL (Mrs Miller or Miss McNeil) straight away. In an emergency, call 999.
Concern About an Adult's Behaviour With a Child	Tell Mrs Miller, Headteacher. If it is about Mrs Miller, tell James Mackay, Proprietor. You can also contact the LADO on 01522 554674.
Other Wrongdoing	Raise it with Mrs Miller, Headteacher, in writing if possible. If it involves Mrs Miller, raise it with James Mackay, Proprietor, via the school office marked "Private and Confidential".
What Happens Next	You will get a written acknowledgement within 5 working days and a meeting within 10 working days. We aim to complete investigations within 3 months.
If You Cannot Raise It in School	NSPCC Whistleblowing Advice Line: 0800 028 0285 or help@nspcc.org.uk Department for Education: 0370 000 2288 or www.gov.uk/contact-dfe Free advice: Protect, protect-advice.org.uk