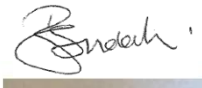
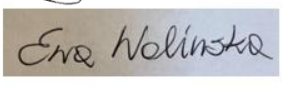
Whistleblowing Policy and Procedures

Approved by: **B.Suddhi**		**Date:**	September 2026
Last reviewed on:	September 2026		
Next review due by:	September 2027		

Signed by:



Headteacher Date: September 2026



Chair of governors Date: September 2026

Statement of Intent

Pear Tree Infant and Nursery School is committed to maintaining the highest standards of openness, integrity, probity and accountability.

The school encourages staff and others working with the school to raise genuine concerns about serious wrongdoing, unsafe practice or other matters of public interest. The school recognises that raising a concern can be difficult, particularly where the concern relates to a colleague, manager or senior member of staff.

The purpose of this policy is to ensure that individuals know:

- what whistleblowing means;
- what types of concerns can be raised;
- how to raise a concern;
- who they can speak to;
- how the school will respond;
- what protection is available to people who raise concerns; and
- where to obtain independent advice or raise a concern externally.

The school will not tolerate harassment, victimisation or other detrimental treatment of an individual because they have raised a concern in accordance with this policy or made a protected disclosure under the law.

Where this policy requires personal or special category data to be processed, this will be carried out in accordance with the school's Data Protection Policy and applicable data protection legislation.

This policy should not be confused with the school's Grievance Policy, Disciplinary Policy, Anti-Bullying and Harassment procedures or Child Protection and Safeguarding Policy. The appropriate procedure will depend upon the nature of the concern.

1. Legal and Guidance Framework

This policy has regard to:

- Employment Rights Act 1996, Part IVA – Protected Disclosures;
- Public Interest Disclosure Act 1998;
- Employment Rights Act 2025 provisions relating to protection for disclosures concerning sexual harassment, in force from 6 April 2026;
- Equality Act 2010;
- Keeping Children Safe in Education 2026;
- relevant Department for Education guidance;
- relevant Acas guidance on whistleblowing; and
- the current Government list of prescribed persons and bodies.

This policy should be read alongside the school's:

- Child Protection and Safeguarding Policy;
- Grievance Policy;
- Disciplinary Policy and Procedure;
- Anti-Bullying and Harassment Policy;
- Complaints Policy;
- Health and Safety Policy; and
- Data Protection Policy.

2. Purpose of the Policy

The purpose of this policy is to:

- encourage individuals to raise concerns at an early stage;
- provide clear and accessible routes for reporting concerns;
- ensure concerns are taken seriously and dealt with appropriately;
- ensure concerns are investigated where appropriate;
- provide appropriate feedback to the person raising the concern;
- protect individuals from detriment, victimisation or retaliation where the law provides protection;
- provide a clear route for concerns involving senior staff, the Headteacher or Governing Body; and
- explain when it may be appropriate to raise a concern outside the school.

The school will seek to deal with concerns internally wherever appropriate. However, individuals are not required to raise a concern internally where there is a legitimate reason why this is inappropriate or where the circumstances mean that an external disclosure may be appropriate.

3. What is Whistleblowing?

Whistleblowing is when a worker or other individual raises information about suspected wrongdoing or a serious concern affecting others, normally in the public interest.

Under the Employment Rights Act 1996, a qualifying disclosure is a disclosure of information which the person making it reasonably believes is in the public interest and which tends to show one or more specified types of wrongdoing.

These include information which tends to show that:

- a criminal offence has been committed, is being committed or is likely to be committed;
- a person has failed, is failing or is likely to fail to comply with a legal obligation;
- 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;
- sexual harassment has occurred, is occurring or is likely to occur;
- the environment has been, is being or is likely to be damaged; or
- information relating to any of the above has been, is being or is likely to be deliberately concealed.

The legal protection for whistleblowing depends upon the circumstances and the requirements of the legislation.

A person does not have to prove that the concern is true before raising it. They should have a reasonable belief that the information disclosed tends to show wrongdoing and that making the disclosure is in the public interest.

The school will consider concerns raised under this policy even where it is subsequently established that the concern was not substantiated, provided the person raising it had a genuine and reasonable basis for doing so.

4. Who Can Raise a Concern?

The school encourages concerns to be raised by people working in or with the school, including, where applicable:

- employees;
- agency workers;
- temporary or casual workers;
- trainees and student teachers;
- contractors;
- consultants;
- volunteers; and
- other individuals working on behalf of or within the school.

Not everyone who is able to raise a concern under this policy will necessarily have the same statutory employment protection. Legal protection depends upon the individual's circumstances and the requirements of the relevant legislation.

The school may nevertheless consider concerns raised by individuals who are not legally protected whistleblowers where it is appropriate to do so.

5. What Concerns Should Be Raised Under This Policy?

Examples of concerns which may be appropriate for this policy include:

- suspected criminal activity;
- fraud, financial irregularity or serious financial mismanagement;
- serious breaches of legal or regulatory requirements;
- serious health and safety concerns;
- serious safeguarding or child protection concerns;
- sexual harassment;
- deliberate concealment of wrongdoing;
- serious misuse of school resources;
- serious corruption or bribery;
- serious abuse of authority;
- serious professional misconduct;
- deliberate attempts to conceal any of the above; or
- other serious wrongdoing affecting pupils, staff, the school or the wider public.

This list is not exhaustive.

The school may also consider other serious concerns under this procedure where it is appropriate to do so, even if the concern does not ultimately meet the statutory definition of a protected disclosure.

6. Whistleblowing, Grievances and Safeguarding

It is important that concerns are raised under the correct procedure.

Concern	Appropriate Procedure
A personal employment issue affecting the individual raising it	Grievance or appropriate employment procedure
A personal complaint about treatment at work	Grievance / Anti-Bullying and Harassment procedure
Serious wrongdoing affecting others or the public interest	Whistleblowing
A concern about the safety or welfare of a child	Child Protection and Safeguarding procedures
An allegation or concern about the behaviour of a member of staff towards a child	Child Protection / Managing Allegations procedures
A concern about the school's handling of safeguarding	Safeguarding procedures and, where appropriate, whistleblowing

Where there is uncertainty about which procedure should be followed, the person raising the concern should seek advice from their line manager, Headteacher, Designated Safeguarding Lead, Chair of Governors or designated whistleblowing governor, as appropriate.

Where a concern could fall under more than one procedure, the school will determine the most appropriate way of dealing with it and will ensure that safeguarding concerns are dealt with without delay.

7. Safeguarding Concerns

Safeguarding is everyone's responsibility.

Any concern about the safety or welfare of a child must be reported without delay in accordance with the school's Child Protection and Safeguarding Policy.

Staff should normally report safeguarding concerns to the Designated Safeguarding Lead (DSL) or Deputy DSL.

Where the concern relates to the DSL, Deputy DSL, Headteacher or another member of staff, the alternative reporting route set out in the school's safeguarding procedures must be followed.

A concern or allegation about a member of staff, volunteer, contractor, supply staff member or trainee involving the safety or welfare of a child must be managed under the school's safeguarding and managing allegations procedures.

If an individual has a concern about safeguarding practice and feels unable to raise the concern internally, they can contact the **NSPCC Whistleblowing Advice Line** on 0800 028 0285 or help@nspcc.org.uk

If a child is in immediate danger, the appropriate emergency services should be contacted.

8. Before Raising a Concern

Individuals are encouraged to raise concerns as soon as possible.

Where appropriate, day-to-day issues or requests for clarification should first be discussed with the individual's line manager.

However, individuals should not raise a concern with someone who is involved in the matter being reported.

The individual should consider:

- what they have seen, heard or been told;
- when and where the concern occurred;
- who was involved;
- whether there are witnesses or supporting information;
- why they believe the matter is serious; and
- whether there is an immediate risk to anyone.

An individual is not expected to investigate the matter themselves or prove that wrongdoing has occurred.

They should not attempt to obtain evidence unlawfully, access information they are not authorised to access or place themselves or others at risk.

9. How to Raise a Concern

A concern should normally be raised with one of the following:

- the Headteacher;
- the Chair of Governors;
- another appropriate senior person where the circumstances require this.
- Designated whistleblowing contacts

Headteacher:
Mrs Bindy Suddhi, Head Teacher – head@peartreei.derby.sch.uk

Chair of Governors:
Mrs Ewa Wolinska – e.wolinska@peartreei.derby.sch.uk

If the concern involves the Headteacher, the individual should normally raise the concern with the Chair of Governors.

If the concern involves the Chair of Governors or Governing Body, the individual should raise it with the Headteacher where appropriate or seek external advice.

If the individual believes that the Headteacher and Governing Body are both involved in the concern, they should seek independent advice and may consider raising the matter with an appropriate external body.

10. Raising a Concern in Writing

Concerns are normally best raised in writing.

The individual should provide as much information as reasonably possible, including:

- the background and nature of the concern;
- relevant dates and locations;
- the names of people involved, where known;
- details of any witnesses;
- any supporting information that can lawfully be provided; and
- why the individual believes the matter is a serious concern.

The individual should make clear that they are raising the matter under the school's Whistleblowing Policy.

A concern may also be raised verbally where an individual does not feel able to put it in writing. In these circumstances, the person receiving the concern should make an appropriate written record and provide the individual with an opportunity to confirm that the record accurately reflects their concern.

11. Confidentiality

The school will treat whistleblowing concerns sensitively and will make reasonable efforts to protect the identity of the person raising the concern.

Where an individual requests confidentiality, the school will discuss with them how their identity will be protected.

However, confidentiality cannot always be guaranteed. There may be circumstances where the individual's identity needs to be disclosed, for example where disclosure is required by law, is necessary for a fair investigation or is required for legal or safeguarding reasons.

Where reasonably practicable, the school will discuss this with the individual before their identity is disclosed.

Information relating to the concern will only be shared with those who need to know for the purpose of dealing with the concern, subject to legal and safeguarding requirements.

12. Anonymous Concerns

Individuals are encouraged to provide their name when raising a concern because this generally makes it easier for the school to investigate and ask follow-up questions.

Anonymous concerns will nevertheless be considered where appropriate.

When deciding whether and how to investigate an anonymous concern, the school may consider:

- the seriousness of the concern;
- the credibility of the information provided;
- whether there is sufficient information to investigate;
- the potential risk to pupils, staff or others;
- whether the concern can be corroborated from other sources; and
- whether further information can reasonably be obtained.

The school will not disregard an anonymous concern simply because the person raising it cannot be identified.

13. How the School Will Respond

The person receiving the concern will:

- acknowledge receipt of the concern where contact details are available;
- consider whether the matter falls within this policy or another school procedure;
- assess whether any immediate action is required;
- consider whether safeguarding, health and safety, financial or other specialist advice is required;
- determine whether an investigation is appropriate;
- identify who should undertake the investigation;
- consider whether the matter should be referred to an external organisation, regulator, police or other appropriate body; and
- keep an appropriate record of decisions and actions.

The school will normally acknowledge a concern within 10 working days.

The acknowledgement will, where possible, explain:

- that the concern has been received;
- how the school proposes to deal with it;

- who will be responsible for dealing with it;
- whether any initial enquiries have been undertaken;
- whether further investigation is expected; and
- when the individual can reasonably expect a further update.

The school will aim to deal with concerns as promptly as possible. The timescale will depend upon the nature and complexity of the matter.

14. Investigation

An investigation may be carried out internally or, where appropriate, by an independent person or external organisation.

Depending on the circumstances, a concern may be:

- investigated internally;
- referred to the police;
- referred to the Local Authority;
- referred to an appropriate regulator or prescribed person;
- referred to an external auditor or other specialist;
- dealt with under safeguarding procedures;
- dealt with under the school's disciplinary or grievance procedures; or
- subject to an independent investigation.

The person raising the concern may be asked to provide further information or participate in meetings.

They may be accompanied at meetings under this policy by a workplace colleague or recognised trade union representative where appropriate.

The companion should respect the confidentiality of the concern and any subsequent investigation.

15. Feedback

The school will provide appropriate feedback to the person who raised the concern, subject to confidentiality, data protection and legal restrictions.

The school may be unable to provide specific information about:

- disciplinary action taken against another individual;
- confidential employment matters;
- personal information relating to other people; or
- details which could compromise an investigation.

Where the concern is substantiated, the school will take appropriate action.

Where the concern is not substantiated, the school will explain, where possible, that the matter has been considered and concluded.

16. Protection from Detriment and Victimisation

The school will not tolerate harassment, victimisation, retaliation or other detrimental treatment because an individual has raised a genuine concern under this policy.

Where an individual makes a protected disclosure under the Employment Rights Act 1996, they may have legal protection against detriment and dismissal.

Anyone who believes they have experienced detrimental treatment because they raised a whistleblowing concern should report this to the Headteacher, Chair of Governors or designated whistleblowing governor, as appropriate.

Where the concern involves one of those individuals, an alternative reporting route should be used.

This protection does not prevent the school from taking legitimate action under another procedure where that action is unrelated to the whistleblowing disclosure.

For example, raising a whistleblowing concern does not automatically stop an existing disciplinary, capability, absence or other employment process.

17. Genuine, Unsubstantiated and Malicious Concerns

A concern will not result in disciplinary action simply because it is investigated and found to be unsubstantiated.

Individuals are encouraged to raise concerns where they reasonably believe that something may be wrong.

However, deliberately making a false allegation, or raising a concern dishonestly, maliciously or for personal gain, may result in action under the school's disciplinary procedures.

The fact that a concern is not substantiated does not, by itself, mean that the person raising it acted improperly.

18. Concerns About Senior Leaders or the Governing Body

Where a concern involves the Headteacher, the individual should normally report the concern to the Chair of Governors.

Where a concern involves the Chair of Governors, the Governing Body or the Governing Body collectively, the individual should seek advice from an appropriate alternative person or external organisation.

Where an individual believes that the school's internal arrangements are inappropriate or have failed to address a serious concern, they may seek independent advice or consider making an external disclosure.

Individuals should not be discouraged from seeking appropriate external advice.

19. Raising a Concern Externally

The school encourages individuals, wherever appropriate, to raise concerns internally so that the school has an opportunity to investigate and address them.

However, there may be circumstances in which it is appropriate to make a disclosure externally.

External disclosures may be made to an appropriate prescribed person or body, depending on the nature of the concern.

The Government maintains a current list of prescribed persons and bodies for whistleblowing. Individuals should check the current list and the relevant body's remit before making an external disclosure.

Examples of organisations which may be relevant to school-related concerns include:

- the Department for Education;
- Ofsted, where the concern falls within its remit;
- the Local Authority;
- the police;
- the Health and Safety Executive;
- the Information Commissioner's Office;
- the NSPCC, in relation to child welfare and protection concerns; and
- an appropriate professional or regulatory body.

The appropriate organisation will depend upon the nature of the concern.

Individuals should be aware that the legal protection available for an external disclosure can depend upon who the disclosure is made to and the circumstances in which it is made.

Individuals considering an external disclosure are encouraged to obtain independent advice, where appropriate.

The school does not require an individual to obtain the school's permission before seeking independent advice or making a disclosure where the law permits them to do so.

20. Independent Advice and Support

Individuals may seek advice from:

- their recognised trade union;
- Acas;
- Protect, an independent whistleblowing charity;
- a solicitor or other appropriately qualified adviser; or
- an appropriate regulator or prescribed person.

Staff should not be discouraged from obtaining independent advice about their rights or the appropriate way to raise a concern.

21. Records and Data Protection

The school will maintain appropriate records of whistleblowing concerns, investigations and actions taken.

Records will be kept securely and access will be restricted to those who need access for legitimate purposes.

Personal data will be processed in accordance with the school's Data Protection Policy and applicable data protection legislation.

Records will be retained in accordance with the school's retention arrangements.

22. Monitoring and Review

The Headteacher, supported by the Governing Body, will monitor the implementation and effectiveness of this policy.

The policy will be reviewed annually, or sooner where:

- legislation or statutory guidance changes;
- relevant government or regulatory guidance changes;
- there are significant changes to the school's structure or procedures; or
- experience indicates that amendments are required.

The Governing Body will approve any significant amendments to the policy.

Review: September 2027

Appendix 1 – Quick Guide for Staff

"I am worried about something. What should I do?"

1. Is someone in immediate danger?

Take immediate action and contact the appropriate emergency service or safeguarding route.

2. Is the concern about a child?

Follow the Child Protection and Safeguarding Policy and report it to the DSL or Deputy DSL without delay.

3. Is it a personal employment issue affecting you?

Consider the Grievance, Anti-Bullying and Harassment or another appropriate employment procedure.

4. Is it serious wrongdoing affecting other people or the public interest?

Consider raising the matter under this Whistleblowing Policy.

5. Who can I speak to?

You can normally speak to:

- the Headteacher;
- the Chair of Governors;
- another appropriate person where the concern involves one of the above.

6. What if I am worried about raising it internally?

You can seek independent advice from your trade union, Acas, Protect, a solicitor or an appropriate prescribed person or regulator.

7. What if my concern is about safeguarding practice and I cannot raise it internally?

Contact the NSPCC Whistleblowing Advice Line: 0800 028 0285 or help@nspcc.org.uk.

Appendix 2 – Key Contacts

Headteacher:
Mrs Bindy Suddhi – head@peartreei.derby.sch.uk

Designated Safeguarding Lead:
Mrs Bindy Suddhi – head@peartreei.derby.sch.uk

Deputy Designated Safeguarding Lead:
Mrs Shazia Khan – s.khan@peartreei.derby.sch.uk

Chair of Governors:
Mrs Ewa Wolinska – e.wolinska@peartreei.derby.sch.uk

Local Authority:
Emily Feenan Tel: 01332 643611 - emily.feenan@derby.gov.uk

NSPCC Whistleblowing Advice Line:
0800 028 0285
help@nspcc.org.uk

Acas:
0300 123 1100

Protect:
Independent whistleblowing advice and support.
Info@protect-advice.org.uk
020 117 2520