

Transitions Education

Whistleblowing Policy

Signed by:

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Directors

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Statement of intent

Transitions Education is committed to maintaining the highest standards of honesty, openness, and accountability across all areas of our provision. We encourage a culture where concerns about malpractice, safeguarding, or wrongdoing can be raised without fear, and where staff, volunteers, students, parents and others feel confident to speak up.

Whistleblowing plays a vital role in ensuring the safety and wellbeing of our students—particularly vulnerable learners with Special Educational Needs and Disabilities (SEND)—and in protecting the integrity of our organisation.

This policy sets out how concerns should be raised, how they will be handled, and the protections available to whistleblowers under UK law.

- **1. Legal Framework**

This policy has due regard to all relevant legislation, statutory guidance, and case law, including but not limited to:

- **Legislation**
- **Public Interest Disclosure Act 1998 (PIDA)**
Protects workers who “blow the whistle” on malpractice.
- **Employment Rights Act 1996** (as amended by PIDA)
Defines worker protections and rights.
- **The Enterprise and Regulatory Reform Act 2013**
Requires disclosures to be made “in the public interest”.
- **The Education Act 2002**
Places duties on provisions to safeguard and promote the welfare of children.
- **Keeping Children Safe in Education (KCSIE)** (DfE, updated annually)
Includes whistleblowing expectations around safeguarding.
- **Working Together to Safeguard Children (2018, updated)**
Requires professionals to be clear about processes for raising concerns.
- **Key Legal Definitions**

Whistleblowing:

Raising a concern about wrongdoing that is in the **public interest**, such as safeguarding failures, illegal activity, or risks to students, staff, or the wider public.

Worker:

PIDA protects employees, agency staff, trainees, contractors, and volunteers.

Qualifying Disclosure (PIDA):

A disclosure of information that the whistleblower reasonably believes shows:

- A criminal offence
- A breach of legal obligation
- A miscarriage of justice
- A danger to health and safety
- Damage to the environment
- Deliberate concealment of wrongdoing

Public Interest Test:

The whistleblower must reasonably believe their disclosure benefits the public (e.g., protects students or staff).

Protected Disclosure:

A qualifying disclosure made to an appropriate person (e.g., line manager, Director, governing board, Ofsted). Protects the whistleblower from dismissal or detriment.

2. Roles and Responsibilities

The Provision is responsible for:

- Creating a transparent culture where concerns can be raised and are taken seriously.
- Ensuring all staff, students, volunteers, and visitors know how to report concerns.
- Protecting whistleblowers from victimisation or detriment.
- Investigating concerns promptly, fairly, and confidentially.
- Ensuring appropriate actions are taken following an investigation.
- Ensuring safeguarding concerns follow statutory procedures.

The Director is responsible for:

- The overall implementation of this policy.
- Acting as the primary contact for whistleblowing concerns.
- Ensuring concerns are investigated or referred appropriately.

- Ensuring confidentiality is maintained wherever possible.
- Reporting serious concerns (e.g., safeguarding, criminal activity) to external authorities such as Ofsted, the Police, the Local Authority Designated Officer (LADO), or the ICO (for data breaches).
- Ensuring whistleblowers do not experience detriment or discrimination.

The Directors are responsible for:

- Acting as an alternative whistleblowing contact where concerns involve senior leaders.
- Monitoring patterns of whistleblowing concerns to ensure organisational transparency.
- Ensuring proper procedures are followed during investigations.

All Staff (including volunteers and contractors) are responsible for:

- Raising concerns promptly if they suspect wrongdoing.
- Acting in good faith and in the best interests of the provision and its students.
- Maintaining confidentiality and following reporting procedures.
- Not victimising or retaliating against whistleblowers.

Students are encouraged to:

- Speak to a trusted adult or Designated Safeguarding Lead if they feel unsafe or witness wrongdoing.
- Understand that raising concerns helps keep everyone safe.

Parents and Carers are encouraged to:

- Raise concerns using the provision's complaints or whistleblowing channels.
- Support their child to speak up if they feel something is wrong.

3. What Concerns Should Be Reported?

Concerns may include, but are not limited to:

- Safeguarding failures or neglect
- Financial mismanagement or fraud
- Criminal activity
- Bullying, harassment, or discrimination
- Health and safety risks
- Damage to the environment

- Breach of statutory duties
- Misuse of provision resources
- Concealment of wrongdoing
- Persistent breaches of SEND regulations or poor practice affecting vulnerable learners
- Unethical behaviour by staff, volunteers, governors, or contractors

Whistleblowing is not the same as a personal complaint or grievance, which should be raised under the Complaints Policy.

4. How to Raise a Concern

Concerns should be raised as soon as the individual becomes aware of an issue. Disclosures can be made:

Internally

1. **Line Manager**
2. **Director (Whistleblowing Lead)**
3. **Designated Safeguarding Lead (for safeguarding concerns)**

Concerns can be raised:

- Verbally
- In writing
- Via email
- Confidential meeting request

What to Include:

- What the concern is
- When it happened
- Who was involved
- Any evidence or observations
- Whether the issue is ongoing
- Whether anyone may be at risk

External Reporting (if internal reporting is not appropriate)

Protected disclosures may also be made to:

- **Ofsted**
- **Local Authority Designated Officer (LADO)**
- **Police**
- **Health and Safety Executive (HSE)**
- **Information Commissioner's Office (ICO)**
- **A recognised trade union**

Whistleblowers are legally protected if they reasonably believe the disclosure is true and made in the public interest.

5. Confidentiality and Anonymity

- All disclosures will be handled sensitively and confidentially.
 - Whistleblowers can request anonymity; however, this may limit the investigation.
 - Personal information will be shared only where necessary and in accordance with the Data Protection Act 2018.
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6. Investigation Process

Once a concern is raised, the Director or governing board will:

1. Acknowledge receipt of the concern.
2. Conduct an initial assessment to determine the level of risk.
3. Decide on the appropriate investigatory process.
4. Appoint an independent investigator if required.
5. Keep the whistleblower informed (where appropriate).
6. Take action based on findings, which may include:
 - Staff disciplinary procedures
 - Safeguarding referrals
 - Reporting to external agencies
 - Review of provision policies or practices

If evidence substantiates wrongdoing, corrective measures will be implemented promptly.

7. Protection for Whistleblowers

Under PIDA, whistleblowers are legally protected from:

- Dismissal
- Demotion
- Harassment
- Victimisation
- Any detrimental treatment

Transitions Education will take disciplinary action against any individual who retaliates against or intimidates a whistleblower.

8. Malicious or Vexatious Allegations

While genuine concerns raised in good faith are always protected, deliberately false or malicious allegations may result in disciplinary action.

9. Training and Awareness

The provision will ensure:

- All staff receive induction training on whistleblowing procedures.
 - Annual refreshers highlight the importance of reporting concerns.
 - Students are educated, at an age-appropriate level, about speaking up and staying safe.
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10. Monitoring and Review

- The Director will review this policy annually.
- Themes or patterns of concerns (not individual details) will be monitored to identify organisational improvements.
- Any changes to legislation will be incorporated into the policy promptly.
- Staff must familiarise themselves with this policy and adhere to its requirements.