



SCHOOL CONFIDENTIAL REPORTING (WHISTLEBLOWING) POLICY

APRIL 2023

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Document Control

Document Title: Whistleblowing Policy

Summary

Publication Date	April 2025
Related Legislation / Applicable Section of Legislation	Public Interest Disclosure Act 1998 Employments Rights Act 1996
Related Policies, Strategies, Guideline Documents	School's Discipline Policy School's Grievance Policy Guidance for Safe Working Practice for those Working in Education and Early Years Settings Keeping Children Safe in Education The Teachers' Standards Safer Recruitment
Replaces	School Confidential Reporting (Whistleblowing) Policy (2011, 2015, 2023).
Joint Policy (Yes/No)	No
Name of Partner(s) if joint	N/A
Policy Owner (Name/Position)	Schools HR Advisory Service
Policy Author (Name/Position)	Schools HR Advisory Service
Applies to	All Teachers based in Rochdale Council, Community and Voluntary Controlled and where adopted by Voluntary Aided schools, Foundation schools and Academies

Review of Strategy

Last Review Date	
Review undertaken by	
Next Review Date	Spring term 2028 or earlier as required

Document Approvals

This document requires the following approvals.

Name	Title	Date formally noted	Version Number
Consultative Group (JCNG)	Whistleblowing Policy	7/8/2025	1
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1. INTRODUCTION

The School is committed to the highest possible standards of openness, probity and accountability. To achieve these ends it encourages freedom of speech. In line with that commitment it is expected that anyone who has a serious concerns about any aspects of the school's work or an individual's behaviour/conduct should come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

Employees are in a good position to be aware of unacceptable behaviour or practice within the School **through the Guidance for Safe Working Practice for those Working with Children in Education and Early Years Settings (Code of Conduct)**. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. Employees may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concerns rather than report what may just be suspicions of unacceptable behaviour or practice. This policy document makes it clear to employees that they can do so without fear of victimisation, subsequent discrimination or disadvantage.

This Confidential Reporting (Whistleblowing) Policy is intended to encourage and enable anyone (e.g. employees, governors, volunteers, **contractors**, visitors, parents) to raise serious concerns within the School rather than overlooking a problem or 'blowing the whistle' outside.

The Policy applies to all employees and others including (NB: this list is not exhaustive):

- governors
- volunteers
- visitors
- parents
- contractors working for the school on school premises or elsewhere
- suppliers
- those providing services under contracts with the School/Council in their own premises

From this point forward, the person raising the concerns (the Whistleblower) will be referred to as the Complainant except where specific provisions apply to employees.

The Policy and Procedure has been consulted upon with representatives of the recognised Professional Associations/Trade Unions.

2. THE LEGAL POSITION

Employees and workers who make a 'protected disclosure' are protected from being treated unfairly or being dismissed. The key piece of whistleblowing legislation is the Public Interest Disclosure Act 1998 (PIDA) which applies to almost all workers and employees who ordinarily work in Great Britain. The situations covered include criminal offences, risks to health and safety, failure to comply with a legal obligation, a miscarriage of justice and environmental damage.

The PIDA is incorporated into the Employments Rights Act 1996, which also already protects employees who take action over, or raise concerns about health and safety at work.

3. EQUALITY & DIVERSITY CONSIDERATIONS

Headteachers/Governing Boards are responsible for ensuring that they operate the procedure in line with the Council's/Schools Equality and Diversity policy to provide equality of opportunity for all employees.

The Council/School is committed to ensuring that no-one is discriminated against, disadvantaged or given preference, through membership of any particular group, particularly based on age, disability, gender reassignment, race, religion or belief, sex, sexual orientation,

marriage and civil partnership and pregnancy and maternity. This procedure will be applied equally to all employees irrespective of their background or membership of a particular group. In addition, in line with the Trade Union and Labour Relations (Consolidation) Act 1992 (TULRCA) Part 3, the Council/School is committed to ensure that employees are not disadvantaged or discriminated against by virtue of their trade union membership in the application of this policy.

The school will regularly review this procedure's impact on any equality and diversity issues, and will identify any inequalities by monitoring and will take appropriate action where necessary.

4. AIMS AND SCOPE OF THIS POLICY

This Policy aims to:

- encourage employees and others to feel confident in raising serious concerns and to question and act upon concerns about unacceptable behaviour or practice within the School;
- provide avenues for employees and others to raise those concerns and receive feedback on any action taken;
- ensure that employees and others receive a response to their concerns and that employees are aware of how to pursue them if they are not satisfied;
- reassure employees that they will be protected from possible reprisals or victimisation if employees have a reasonable belief that they have made any disclosure in ~~good faith~~ **the public interest**.

There are existing procedures for an employee to lodge a grievance relating to employment matters. The Confidential Reporting (Whistleblowing) Policy is intended to cover major concerns for example those that have a "public interest" aspect to them and potentially fall outside the scope of other policies/procedures.

Where reporting or referring concerns through the above policies/procedures is not appropriate, the Confidential Reporting (Whistleblowing) Policy should be used. This may cover concerns or disclosures:

- (a) that a criminal offence has been committed, is being committed or is likely to be committed including; racial harassment, sexual or physical abuse of clients, or other unethical conduct, safeguarding concerns e.g. harm, neglect or abuse; the unauthorised or inappropriate use of public funds; fraud, corruption and bribery;
- (b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject,
- (c) that a miscarriage of justice has occurred, is occurring or is likely to occur,
- (d) that the health or safety of any individual has been, is being or is likely to be endangered,
- (e) that the environment has been, is being or is likely to be damaged, or
- (f) that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

It is the responsibility of all persons to report all actual or suspected security breaches, that may have placed the availability, confidentiality, or integrity of information at risk and this can be pursued via this procedure.

The term "the public interest" is not defined in whistleblowing legislation. However, something which is "in the public interest" may be summarised very simply as something which **on balance** serves the interests of the public **more than it does not serve their interests**.

Thus, any serious concerns that employees and others have about any aspect of service provision or the conduct of staff/officers/governors, members of the school or others acting on behalf of the school can be reported under the Confidential Reporting (Whistleblowing) Policy.

This may be about something that:

- makes employees and others feel uncomfortable in terms of known standards, experience or the standards they believe the school subscribes to; or
- is against the school's financial standards and policies; or falls below established standards of practice examples of which are non-adherence to Keeping Children Safe in Education and the Guidance for Safe Working Practice for those Working in Education and Early Years Settings or
- amounts to improper conduct.

Any individuals who are raising concerns relating to money laundering offences or Proceeds of Crime Act 2002 are required to report these concerns directly to the Money Laundering Reporting Officer (MLRO) in line with the schools Anti Fraud and Corruption Policy (Anti Money Laundering Policy). **Contact can be made by emailing internal.audit@rochdale.gov.uk**

5. SAFEGUARDS (Harassment and Victimisation)

The school is committed to good practice and high standards and recognises that the decision to report a concern can be a difficult one to make. If what is being said is true, the Complainant should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service.

The school will not tolerate any harassment or victimisation (including informal pressures) of a person expressing a concern and will take appropriate action to protect employees when they raise a concern in good faith. Any employee found to have mistreated or victimised a person as a result of that person having made a whistleblowing disclosure will be subject to disciplinary action. Any investigation into allegations of potential unacceptable behaviour or practice will not influence or be influenced by any disciplinary or redundancy procedures that already affect employees.

The Public Interest Disclosure Act 1998 (PIDA) is known as the Whistleblowing law and is designed to encourage and enable employees to "speak out" and to report suspected wrongdoing at work. This is commonly known as "blowing the whistle".

PIDA legislation legally protects employees (including those employed in schools maintained by the Council, temporary workers and agency staff), from any detriment from their employer or colleagues that arises as a result of making a "protected disclosure" (a qualifying disclosure) in the public interest. This includes protection from harassment, victimisation or dismissal by their employer.

6. CONFIDENTIALITY

All concerns will be treated in confidence and every effort will be made not to reveal the identity of the Complainant if they so wish. At the appropriate time, however, they may need to come forward as witnesses if any action is to be taken.

The schools Whistleblowing policy seeks to protect the identity of the individual making a disclosure. This means that the employee's name will not be revealed without their consent unless the following applies.

- In alleged cases of serious wrongdoing, it must be appreciated that the school cannot guarantee that this will be maintained particularly if external legal action results from the disclosure. In some cases, an employee's concern may require further action and they may have to act as a witness and/or provide evidence, for example serious criminal offences which are referred to the Police

- if an employee's disclosure relates to a child at risk or abuse of a vulnerable adult, then the school is required to investigate this under separate procedures and this takes priority over any request for anonymity. If the employee has provided their contact details, the school will of course advise them of the action

7. ANONYMOUS ALLEGATIONS

This policy encourages the Complainant to put their name to their allegations whenever possible and share as much information, evidence, detail/specifics as possible e.g. dates, times, witnesses etc.

Concerns expressed anonymously are much less powerful as it makes it more difficult to look into the matter and feedback cannot be provided, but will be considered at the discretion of either the Headteacher or Chair of Governors and/or the Director of Children's Services or their representative, and/or Internal Audit

In exercising this discretion the factors to be taken into account include:

- the seriousness of the issues raised;
- the credibility of the concerns; and
- the likelihood of confirming the allegations from attributable sources

8. UNTRUE ALLEGATIONS

If employees make whistleblowing allegations in the public interest but it is not confirmed by the investigation, no action will be taken against them. If, however, employees make allegations frivolously, maliciously, or for personal gain, disciplinary or other action may be taken against them.

While encouraging employees to bring forward matters of concern, the School must guard against claims which are untrue. This is because of the risk of claims made to deliberately damage the reputation of other employees or the School/Council as a whole and not least because the cost of investigation is high.

If an employee makes an allegation, but it is not confirmed by the investigation, no action will be considered or taken against them. However, if an employee makes false, malicious or vexatious allegations this will be treated as a serious disciplinary offence and disciplinary action will be taken. The PIDA only offers protection from dismissal or detriment if the worker reasonably believes their disclosure was made in the public interest.

9. HOW TO RAISE A CONCERN

As a first step, the Complainant should normally raise concerns with their Headteacher of the school. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the Complainant believes that management is involved, they should approach the Chair of Governors. If a disclosure relates to the actions of the Chair of Governors, the concern should be sent to the Director of Children's Services at the Local Authority. If a complaint is received by the Director of Children's Services and the complaint does not outline concerns relating to the Headteacher or Chair of Governors, the Director or their representative will forward the complaint to the Headteacher/Chair of Governors for consideration and action in accordance with the procedure.

Once a complaint is received by the Local Authority, it will be up to them to make decisions on the next steps for dealing with the concerns, this may include taking no further action.

If the case is related to a safeguarding concern, the Complainant should raise their concerns

with the Headteacher in the first instance. If the Complainant believes that management is involved, they should approach the Chair of Governors. If a disclosure relates to the actions of the Chair of Governors, the concern should be sent to the Local Authority Designated Officer (LADO). Employees or Governors of voluntary aided schools are able to raise concerns with their Diocesan Authority.

Concerns may be raised verbally in the first instance, but would need to be followed up in writing by completing the form at Appendix A of the Management Handbook.

The earlier concerns are raised, the easier it is to take action.

Although the Complainant is not expected to prove the truth of allegations, they will need to demonstrate to the person contacted that there are reasonable grounds for their concerns.

Employees may invite their trade union or professional association representative or workplace colleague to be present during any meetings or interviews in connection with the concerns they have raised.

If a member of the public is reporting a concern under the Whistleblowing Policy then contact can be made via any of the means below.

Advice and guidance on how to pursue matters of concern may be obtained from the Schools HR Advisory Service who would act on behalf of the Director of Children's Services, or the Local Authority Delegated Officer (LADO), or in the case of voluntary aided schools contact can be made to the Schools HR Advisory Service and/or a Diocesan Advisor.

Director Children's Services: Sharon Hubber – 01706 925000 or sharon.hubber@rochdale.gov.uk

Schools HR Advisory Service: Gill Windsor 01706 925184 or gill.windsor@rochdale.gov.uk, Alison Aspinall 01706 925194 or alison.aspinall@rochdale.gov.uk, Nicky Stell 01706 925169 or nicky.stell@rochdale.gov.uk

LADO: email lado@rochdale.gov.uk

Concerns about a child safeguarding issue, e.g. that a child may have suffered harm, neglect or abuse, can be reported to the Children's Social Care Service on 0300 303 0440; or in an emergency, contact the Police directly.

Anyone who has a good reason to be unwilling to refer the matter of concern to one of the sources above, section 12 contains details of how concerns can be reported elsewhere.

10. HOW THE SCHOOL/COUNCIL WILL RESPOND

The School/Council will respond to the concerns. The Complainant should remember that testing out their concerns is not the same as either accepting or rejecting them.

In the event of an anonymous complaint the school/council will not be in position to respond directly to the concerns. Anonymous concerns may be explored to see if the concerns can be validated before reaching any further decisions

Where appropriate, the matters raised may (NB: this list is not exhaustive):

- be investigated through fact finding, internal audit, or through the school's disciplinary process;
- be referred to the police;
- be referred to the External Auditor;

- be referred to the LADO;
- be investigated by an appropriate independent person.

In order to protect individuals and those accused of misdeeds or possible malpractice, the Local Authority's Audit Service will be notified of all disclosures and they will make a determination (even where the whistleblowing complaint is received by the school) whether the concern/s should be explored further through fact-finding, investigation or onward referral.

The overriding principle which the School/Council will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures will normally be referred for consideration under those procedures.

All reasonable efforts will be made to ensure that individuals directly or indirectly involved in any initial enquiries are made aware (as far as the need to maintain confidentiality permits) why those enquiries are taking place. It is the **Headteacher's**/Governors' responsibility to ensure that any employees involved are aware and that support is available where necessary.

It is stressed that there is no presumption of guilt at any stage in the initial enquiries process. Investigating Officers are professionally bound to work independently with integrity and an open mind and are intent on examining processes and activities at this stage rather than individuals personally.

The timeframe for completing the initial enquiries cannot be specified easily, as each situation is different and in some cases, further issues may arise which require follow up. Investigating Officer's will seek to ensure that this part of the process is carried out as expediently as possible without compromising the thoroughness of the enquiry.

Some concerns may be resolved by agreed action without the need for formal investigation. If urgent action is required this will be taken before any investigation is conducted.

Within ten working days of concerns being raised, the School/Director of Children's Services (or their representative) will write to the complainant to acknowledge that the concern has been received.

Where applicable, they may also:

- indicate how it is proposed to deal with the matters raised
- give an estimate of how long it will take to provide a final response or when the next update will be provided
- indicate whether any initial enquiries have been made
- supply information on staff support mechanisms (where applicable)
- indicate whether further investigations will take place and, if not, why not
- provide regular updates to the Complainant throughout any investigation

The amount of contact between the officer considering the issues and the Complainant will depend on the nature of the matters raised, the potential difficulties involved, the confidential requirements and the clarity of the information provided. If necessary, further information will be sought from the Complainant.

Where any meeting is arranged, off school site if the employee (where the Complainant is an employee) so wishes, the employee can be accompanied by a trade union or professional association representative or a workplace colleague.

If the Complainant raises a concern and then wishes not to proceed with the disclosure, the person receiving the disclosure will be obliged to consider whether the matter should still be investigated because of the nature of the issue. The Complainant will be informed of this decision. The decision will be based on what is in the public interest.

11. DISCIPLINARY

Where an employee has been made subject to a whistleblowing disclosure and following fact finding there is a requirement for a detailed investigation to take place, the matter will be dealt with through the school's Disciplinary Policy. The complainant may be advised of any general outcomes/recommendations, but no specific outcomes linked to an individual will be provided.

12. HOW MATTERS OF CONCERN CAN BE TAKEN FURTHER

This Policy is intended to provide anyone who wishes to raise a concern with an avenue to raise them within the School/Council. The School/Council hopes that the Complainant will be satisfied.

However, if the Complainant is reluctant to raise their concern through internal school channels, or feel that matters of concern previously reported have not been dealt with satisfactorily, the following are possible contacts if they wish to take the matters further:

- Rochdale Borough Council Internal Audit Section; internal.audit@rochdale.gov.uk
- Mazars - the Council's external auditors. They are completely independent from the Council and can be contacted on 0161 238 9200 or by writing to them at 1 St. Peter's Square, Manchester, M2 3DE
- Relevant professional bodies
- Solicitors
- Greater Manchester Police – telephone number 101
- Ofsted Whistleblower hotline (0300 123 3155)
- Public Concern At Work – An independent authority which seeks to ensure that concerns about malpractice are properly raised and addressed in the workplace. Contact details are on their website at www.pcaw.org.uk.
- An independent whistleblowing authority which seeks to ensure that concerns about malpractice are properly raised and addressed in the workplace. Contact details are on their website at www.protectadvice.org.uk.
- Health and Safety Executive, contact details on their website <http://www.hse.gov.uk>
- ACAS - telephone number 0300 123 1100

If the Complainant takes matters outside the School/Authority, it will be necessary to ensure that they do not disclose confidential or legally privileged information. It is advisable to take advice before **proceeding**.

An employee might choose to approach the media with their concerns. If an employee goes to the media, they can expect in most cases to lose their whistleblowing law rights. It is only in exceptional circumstances that they can go to the media without losing their rights.

13. SUPPORT AVAILABLE FOR EMPLOYEES WHO MAKE A CONFIDENTIAL REPORT

Employees who make a confidential report under this procedure can be provided with support. This support can be provided in a variety of ways including:

- Professional Association Representative/Trade Union Representative
- Education Support Partnership www.educationsupport.org.uk or on 08000 562 561
- Employee Assistant Programme (PAM Assist) where purchased by the school
- For independent support, employees can contact an organisation called Protect on 020 3117 2520 or <https://protect-advice.org.uk>

14. DATA PROTECTION AND FREEDOM OF INFORMATION

The Freedom of Information Act 2000 gives a general right of access to all types of recorded information held by public authorities. As such the School/Council often receives requests for information under the Freedom of Information Act.

The School/Council has a legal obligation to provide the information unless it falls under one of the exemptions of the Act.

The Freedom of Information Act contains exemptions which may be applicable to permit the withholding of information identifying the whistleblower, including:

- Section 40 Personal Data;
- Section 41 Information which, if disclosed, would give rise to an actionable breach of confidence.

Many people making a disclosure to the School/Council will wish to protect their identity and the School/Council will always seek to protect the identity of individuals during the course of progressing an investigation. If the School/Council receives a request for information identifying a whistleblower, the School/Council will contact the whistleblower to seek their views beforehand and will, wherever possible, seek to comply with those views.

The principle of maintaining confidentiality should also be applied to the identity of any individual who may be the subject of a disclosure.

The School/Council will ensure that our handling of concerns meets the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000.

15. TRAINING AND AWARENESS

The Governing Board and the Headteacher are responsible for ensuring that staff are aware of the Whistleblowing Policy and that any training needs are addressed which may arise from the application of the policy. Raising awareness of the schools Whistleblowing Policy should form part of the induction training for all staff and should be addressed as refresher training for all staff in school.

Staff have a responsibility to ensure that they are aware of and understand the Schools policy in relation to Whistleblowing.

16. REVIEW

The school will continue to review its rules and procedures and will make sure that the Confidential Reporting (Whistleblowing) Policy is regularly reviewed to ensure it stays current, appropriate and effective.

MANAGERS' HANDBOOK

Appendix A - Whistleblowing Form (Reporting a Concern)

Do you wish for this referral to remain anonymous?	Yes/No
Name:	
Job Title:	
How would you like to be contacted?	
What time would you like to be contacted?	
Contact number:	
Email address:	
Name of your place of employment:	
Name of the person supporting you (i.e. Trade Union Representative):	

Including dates/times (where possible) please detail the nature of your concern?
Please detail the name(s) and job title(s) of the persons that the complaint pertains to?
Is there any historic information that you are able to provide?
Does your concern pertain to any of the matters below?
Safeguarding ☐ Financial Mismanagement ☐ Professional Malpractice ☐ Potential Criminal Activity ☐ Other ☐ State reason _____
Are there any witnesses? If so, please provide their names/job titles. Are the witnesses aware of your disclosure?
Do you believe your disclosure is within the public interest? If so, please provide details. <i>Concerns not deemed to be within the public interest may need to be managed in accordance to an alternative HR Policy</i>

Thank you for completing this form. Your concern will be treated in confidence. You will be contacted within the next 10 working days in order to provide you with an update on the concerns that you have raised.

If your complaint is anonymous, please be rest assured that all concerns will be treated in confidence. Your concern will be reviewed by a relevant senior officer who will consider potential future action. Although a complaint is anonymous there may be a need to share this form at a future point in the procedure in line with the policy.

Appendix B - Acknowledgement Of Concern To Be Issued Within 10 Working Days Of Receipt Of The Form In Appendix A

Date:

Name:

Contact Details:

Acknowledgement of Concern

I am writing to acknowledge the information you provided in reference to the concerns you had regarding _____.

I can advise you that fact finding into the concerns raised have begun. Unfortunately a time frame cannot be specified at present for when the fact finding will conclude, as there may be a requirement to seek further information, however I will update you as soon as there is further information.

either/or

I would like to inform you that an Independent Investigating Officer will be involved in the investigation process and may want to speak to you to ask questions and seek more details regarding your concerns. Their role will be to ensure that this part of the process is carried out as expediently as possible without compromising the thoroughness of the enquiry.

Please note that all discussions and communications should remain strictly confidential.

(if applicable)

As part of any investigation process information may need to be shared as determined by the investigating officer

If you feel you require any support throughout the investigation please contact _____

The following support services are available to you, we are also looking to provide additional support and details of this will follow once confirmed:

- PAM the employee assistance programme which is available 24 hours a day, 365 days of the year. They can be accessed via the website www.pamassist.co.uk (Username: rochdale, Password: RBC or on 0800 882 41042
- Education Support they can be accessed via the website www.educationsupport.org.uk or on 08000 562 561
- For independent whistleblowing advice please contact Protect on 020 3117 2520 or <https://protect-advice.org.uk>
- Your trade Union Representative

Please be rest assured that all concerns will be treated in confidence and every effort will be made not to reveal your identity as you have requested. At the appropriate time, however, you may be required to come forward as a witness if any action is to be taken.

Please feel free to contact _____ in the first instance if you wish to discuss any part of the process further.

Yours sincerely

Name And Job Title/Position

Appendix C - Update Letter To The Complainant- Appointment Of Independent Investigating Officer

Date:

Name:

Contact Details:

I write with reference to the letter I sent to you on the (insert date).

I would like to inform you that an Independent Investigating Officer has been now been appointed. A representative from (insert details) may want to speak to you to ask questions and seek more details regarding your concerns. The role of the independent investigating officer will be to ensure that this part of the process is carried out as expediently as possible without compromising the thoroughness of the enquiry. You will be notified in due course regarding the details of meeting with the Independent Investigating Officer.

(If appropriate- the investigation will take place in accordance with the School's Disciplinary Policy, and will commence _____).

Please note that all discussions and communications should remain strictly confidential.

If you feel you require any support throughout the investigation please contact _____

The following support services are available to you, we are also looking to provide additional support and details of this will follow once confirmed:

- PAM the employee assistance programme which is available 24 hours a day, 365 days of the year. They can be accessed via the website www.pamassist.co.uk (Username: rochdale, Password: RBC or on 0800 882 41042
- Education Support they can be accessed via the website www.educationsupport.org.uk or on 08000 562 561
- For independent whistleblowing advice please contact Protect on 020 3117 2520 or <https://protect-advice.org.uk>
- Your trade Union Representative

Please be rest assured that all concerns will be treated in confidence and every effort will be made not to reveal your identity as you have requested (if requested). At the appropriate time, however, you may be required to come forward as a witness if any action is to be taken.

Please feel free to contact XXXXXX in the first instance if you wish to discuss any part of the process further.

Yours sincerely

Name And Job Title/Position

Appendix D - Further Update Letter To The Complainant(S) (If Required)

Date:

Name:

Contact Details:

Dear Name

RE: Whistleblowing

I write with reference to the letters that I sent to you on the _____ and the _____

I am writing to provide you with an update following my notification to you of an independent investigation on _____.

(Provide update in relation to any investigations)

Please note that all discussions and communications should remain strictly confidential.

If you feel you require any support throughout the investigation please contact _____

The following support services are available to you, we are also looking to provide additional support and details of this will follow once confirmed:

- PAM the employee assistance programme which is available 24 hours a day, 365 days of the year. They can be accessed via the website www.pamassist.co.uk (Username: rochdale, Password: RBC or on 0800 882 41042
- Education Support they can be accessed via the website www.educationsupport.org.uk or on 08000 562 561
- For independent whistleblowing advice please contact Protect on 020 3117 2520 or <https://protect-advice.org.uk>
- Your trade Union Representative

Please be rest assured that all concerns will be treated in confidence and every effort will be made not to reveal your identity as you have requested (if requested). At the appropriate time, however, you may be required to come forward as a witness if any action is to be taken.

Please feel free to contact _____ in the first instance if you wish to discuss any part of the process further.

Yours sincerely

Name And Job Title/Position

Appendix E - Fact Finding Template

INTRODUCTION

This is a confidential conversation.

The School/Council has received a disclosure under the school's whistleblowing policy from (insert generic descriptor). The Headteacher/Council has informed the Chair of Governors and they have asked for (Local Authority Officers/School Leaders/Governors/Independent Persons) to meet with members of staff to discuss the disclosure and gain further detail if available.

Any information shared will be noted down. The notes will be considered by the Chair of Governors and they will use the information gathered from today, as they see appropriate. By having this conversation you will automatically have given your consent for the notes of this meeting to be used as the Chair deems appropriate.

As a disclosure has been made under the schools whistleblowing policy every effort will be made to maintain your identity. At the appropriate time however you may need to come forward as a witness if any action is to be taken

Do you have a copy of the schools whistleblowing procedure?
(If they do not have a copy advise that one will be sent to them)

Do you fully understand the content of the policy?

The notes will be a summary of the conversation and not verbatim.

NOTES TAKEN

SUMMARY

This is a confidential conversation. Your notes will be retained and used for the purposes described.

Frequently Asked Questions

Please see some FAQ's below from the Gov.UK website; full details can be found at:

[Whistleblowing for employees: What is a whistleblower - GOV.UK](#)

1. What Is A Whistleblower

You're a whistleblower if you're a worker and you report certain types of wrongdoing. This will usually be something you've seen at work - though not always.

The wrongdoing you disclose must be in the public interest. This means it must affect others, for example, the general public.

As a whistleblower you're protected by law - you should not be treated unfairly or lose your job because you 'blow the whistle'.

You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.

2. Who Is Protected By Law

You're protected if you're a worker, for example you're:

- an employee, such as a police officer, NHS employee, office worker, factory worker
- a trainee, such as a student nurse
- an agency worker
- a member of a Limited Liability Partnership (LLP)

Get independent advice if you're not sure you're protected, for example from Citizens' Advice.

A confidentiality clause or 'gagging clause' in a settlement agreement is not valid if you're a whistleblower.

3. Complaints That Count As Whistleblowing

You're protected by law if you report any of the following:

- a criminal offence, for example, fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, for example does not have the right insurance
- you believe someone is covering up wrongdoing

4. Complaints That Do Not Count As Whistleblowing

Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest.

Report these under your employer's grievance policy.

Contact the Advisory, Conciliation and Arbitration Service (Acas) for help and advice on resolving a workplace dispute.

5. Who To Tell And What To Expect

You can tell your employer - they may have a whistleblowing policy that tells you what to expect if you report your concern to them. You can still report your concern to them if they do not have a policy.

There are other options if you do not want to report your concern to your employer, for example you can get legal advice from a lawyer, or tell a prescribed person or body.

If you tell a prescribed person or body, it must be one that deals with the issue you're raising, for example a disclosure about wrongdoing in a care home can be made to the Care Quality Commission.

6. Making Your Claim Anonymously Or Confidentially

You can tell your employer or a prescribed person anonymously but they may not be able to take the claim further if you have not provided all the information they need.

You can give your name but request confidentiality - the person or body you tell should make every effort to protect your identity.

If you report your concern to the media, in most cases you'll lose your whistleblowing law rights.

7. What Your Employer Or A Prescribed Person Will Do

Your employer or the prescribed person will listen to your concern and decide if any action is needed. You may be asked for further information.

You must say straight away if you do not want anyone else to know it was you who raised the concern.

You will not have a say in how your concern is dealt with.

Your employer or the prescribed person can keep you informed about the action they've taken, but they cannot give you much detail if they have to keep the confidence of other people.

A prescribed person cannot help you with your relationship with your employer.

8. If You're Not Satisfied With How Your Employer Dealt With Your Concern

Tell someone else (for example a more senior member of staff) or a prescribed person or body if you believe your concern was not taken seriously or the wrongdoing is still going on.

Contact the Advisory, Conciliation and Arbitration Service (Acas), the whistleblowing charity Protect or your trade union for more guidance.

9. If You're Treated Unfairly After Whistleblowing

You can take a case to an employment tribunal if you've been treated unfairly because you've blown the whistle.

You can get further information from the Advisory, Conciliation and Arbitration Service (Acas), Citizens' Advice, the whistleblowing charity Protect or your trade union.

If you reported your concern anonymously, you may find it harder to argue that your unfair treatment was as a result of your whistleblowing.

You must raise any claim of unfair dismissal within 3 months of your employment ending.

You must notify Acas if you want to take your case to an employment tribunal.

10. What Is The Difference Between Whistleblowing And Making A Complaint Or A Grievance?

In general terms, whistleblowing occurs when an employee raises a concern about danger or illegality that affects others and which has a public interest dimension to it.

The person blowing the whistle is usually not directly, personally affected by the danger or illegality. Consequently, the whistleblower rarely has a personal interest in the outcome of any investigation into their concerns. As a result, the whistleblower should not be expected to prove their case; rather he or she raises the concern so others can address it.

A grievance or private complaint is, by contrast, a dispute about the employee's own employment position and has no additional public interest dimension. When someone complains, they are saying that they have personally been poorly treated. This poor treatment could involve a breach of their individual employment rights or bullying and the complainant is seeking redress or justice for themselves. The person making the complaint therefore has a vested interest in the outcome of the complaint, and, for this reason, is expected to be able to prove their case.

For example – bullying and discrimination issues should be dealt with under the respective policy or under grievance procedure

11. Can Concerns Be Raised Confidentially Or Anonymously?

The Council encourages whistleblowers to identify themselves and raise concerns openly. Openness makes it easier for the Council to assess the issue, work out how to investigate the matter, understand any motive and get more information. The effectiveness of any whistleblowing investigation may be limited where an individual chooses not to be identified.

An individual raises a concern confidentially if he or she gives his or her name on the condition that it is not revealed without their consent. An individual raises a concern anonymously if he or she does not give his or her name at all. Clearly, if the Council does not know who provided the information, it is not possible to reassure or protect them.

12. Does The Public Interest Disclosure Act (PIDA) Require An Employer To Keep A Whistleblower's Identity Secret?

The simple answer is no - PIDA contains no specific provision on confidentiality. The protections within the Act can be deemed to encourage employees to raise issues openly. A good whistleblowing policy will provide a confidential port of call for a worried employee and employers should respect any promise of confidentiality they make. However in some cases it will be impossible to take action on the concern without the open testimony of a whistleblower. Further it may later become necessary to waive anonymity because of the course of the investigation for example if the matter has had to be referred to the police.



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