



# Whistleblowing

Whistleblowing is when someone raises concerns, usually relating to misconduct or malpractice that has happened in the past, is happening now or they fear may happen in the future either within the organisation they work for or externally.

The Public Interest Disclosure Act 1998 protects workers from any detriment from their employer (e.g. bullying or termination of contract) if they disclose information that they reasonably believe is made in the public interest and relates to:

- A criminal offence
- A failure to comply with a legal obligation
- A miscarriage of justice
- Health and safety
- Environment damage
- Information concerning the above has been or is likely to be deliberately concealed.

**All organisations should have a clear whistleblowing procedure that is referenced in training and their behaviour policy.**

Furthermore there should be an organisational culture that:

- Encourages a safe environment that welcomes the raising of concerns, the resolution of conflict and the building of trust
- Understands the benefit of addressing issues
- Supports staff to reflect about their practice
- Responds to concerns quickly, proportionately, fairly and without reprisal
- Values regular staff learning and training

Whistleblowing is different from a complaint or a grievance - a **grievance** is when an employee has a dispute about their employment & this is dealt with by their organisations' internal procedures.

A **complaint** is usually about someone being poorly treated and seeking redress or justice. Ofsted has limited powers to deal with complaints e.g. about settings that Ofsted regulates such as childcare providers and children's homes.

In the case of maintained schools Ofsted can consider complaints relating to standards of education, pupil achievement, pupil needs not being met and poor management practice.

**If you are concerned about your (or any other) organisations practice about safeguarding children or vulnerable adults:**

- Raise your concern internally, e.g. with your line manager
- If you feel unable to do this (e.g. your concern relates to them), raise your concern with one of the specified people in your organisation's whistleblowing policy
- If you have raised your concern but feel that the matter has not been dealt with appropriately, your whistleblowing policy should tell you how to escalate that concern
- If you are worried about how to raise a concern, seek independent advice e.g. through your trade union, professional body or the independent whistleblowing advice lines (see below)

In some circumstances your identity can be kept confidential, but this is not always appropriate and may limit an investigation. Anonymous allegations must be taken seriously, but information about a child or vulnerable adult being at risk must be passed to Social Care to be investigated and any anonymity may be lost.

**Useful resources:**

- **'Whistleblowing to Ofsted about safeguarding in local authority children's services', Ofsted April 2014**
- **Public Concern at Work**, tel. **020 7404 6609** or email: **whistle@pcaw.org.uk**
- **Ofsted Whistleblowing Hotline** tel. **0300 1233155**, 8am to 6pm, Monday to Friday, or email: **whistleblowing@ofsted.gov.uk** or write to **WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD**
- Sir Robert Francis's **'Freedom to Speak Up Review'**
- **'Whistleblowing procedure for maintained schools', DFE 2014**
- **NSPCC Whistleblowing Advice Line**, tel. **0800 028 0285**