

PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWING) POLICY 2025-2028

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1 Purpose and scope

- 1.1 All colleges face the risk of things going wrong or of unknowingly harbouring malpractice. We take malpractice very seriously and are committed to conducting our institution with honesty and integrity and we expect all staff to maintain high standards too. We encourage open communication from all those who work for us and we want everyone to feel secure about raising concerns.
- 1.2 All staff have protection under whistleblowing laws if they raise concerns in the correct way. This policy is designed to give staff that opportunity and protection. It does not matter if an individual who raises a concern is mistaken about it – staff do not have to prove anything about the allegation they are making but they must reasonably believe that the disclosure is made in the public interest and that the information they have tends to show some malpractice.
- 1.3 This policy applies to all our employees, officers, consultants, contractors and to other workers including agency workers, casual workers, volunteers, interns and home workers.
- 1.4 This policy does not form part of any contract of employment and we may amend it at any time.

2 When to use this policy

- 2.1 There is a difference between whistleblowing and raising a grievance:
 - 2.1.1 Whistleblowing is where an individual has a concern about a danger or illegality that has a public interest aspect to it, e.g. because it threatens students, third parties or the public generally; but
 - 2.1.2 A grievance is a complaint that generally relates to an individual's own employment position or personal circumstances at work.
- 2.2 This policy does not set out the procedure that applies to general grievances. If you have a complaint about your own personal circumstances, then you should use our Grievance Procedure in the first instance.

3 Malpractice covered by this policy

- 3.1 Whistleblowing is the reporting of suspected malpractice, wrongdoing or dangers in relation to the activities the college undertakes. The kinds of malpractice covered by this policy include that any of the following have occurred, are occurring or are likely to occur:
 - 3.1.1 Criminal offences, including those in relation to bribery and corruption and tax evasion facilitation and safeguarding.
 - 3.1.2 Miscarriages of justice.
 - 3.1.3 Danger to the health and safety of any individual.
 - 3.1.4 Damage to the environment.
 - 3.1.5 Breach of any legal obligation, including those in relation to bribery and corruption and tax evasion facilitation.
 - 3.1.6 Deliberately concealing any of the above.

4 Our guarantee

- 4.1 We are committed to the principles set out in this policy. If you use this policy to raise a concern, we give you our assurance that you will not suffer any form of retribution or detrimental treatment. We will treat your concern seriously and act according to this policy.

- 4.2 If you ask for a matter to be treated in confidence, we will respect this request and, unless the law requires otherwise, will only make disclosures to third parties or other staff with your consent.

5 Procedure for raising a concern

- 5.1 The procedure for raising a whistleblowing concern is appended to this policy.
- 5.2 If you are concerned about any form of malpractice covered by this policy, you should normally raise the issue with your line manager.
- 5.3 A concern can be raised by telephone, in person or in writing. It is preferable if it is made in writing. Although you are not expected to prove the truth of your concern beyond doubt or provide evidence, you will generally need to provide, as a minimum, details of the nature of the concern and why you believe it to be true, and the background and history of the concern (giving relevant dates where possible).
- 5.4 You may wish to consider discussing your concern with a colleague or trade union representative before raising it formally under this policy but remember that once you have raised a concern formally (alone or with a colleague), in the interests of everyone involved, this is a confidential process.

6 Responding to concerns raised

- 6.1 We are committed to ensuring that all disclosures raised will be dealt with appropriately, consistently, fairly and professionally. The procedures appended to this policy set out how a concern will be investigated.
- 6.2 We will keep you informed of the progress of the investigation carried out and when it is completed and give you an indication of timings for any actions or next steps that we will take, but we cannot inform you of any matters which would infringe any duty of confidentiality owed to others.

7 Confidentiality

- 7.1 All concerns raised will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of a disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.
- 7.2 We hope that all staff will feel able to voice their concerns openly under this policy. Although a concern may be raised anonymously, we encourage you give your name when reporting your concern whenever possible. If this is not done, it may be more difficult to fully investigate the allegations, for us to protect your position or to give feedback on the outcome of investigations.

8 Raising your concern externally (exceptional cases)

- 8.1 The main purpose of this policy is to give all our staff the opportunity and protection they need to raise concerns internally. We would expect that in almost all cases raising concerns internally would be the most appropriate course of action.

8.2 If for whatever reason, you feel you cannot raise your concerns internally and you reasonably believe the information and any allegations are substantially true, the law recognises that it may be appropriate for you to raise the matter with another prescribed person, such as a regulator (e.g. Ofsted/Department for Education), professional body or an MP. A list of the relevant prescribed people and bodies for this purpose and the areas for which they are responsible is available from Protect (see below) and on the GOV.UK website at:
<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>

8.3 We strongly encourage any individual to seek appropriate advice before reporting a concern to anyone external. Protect is a leading independent charity whose main objectives are to promote compliance with the law and good practice in the public, private and voluntary sectors. They are a source of further information and advice and operate a confidential helpline. See further information and contacts below.

9 Protection and support for those raising concerns

9.1 We are committed to good practice and high standards and to being supportive to staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

9.2 Any individual raising a genuine concern must not suffer any detriment as a result of doing so. If you believe that you have suffered such treatment, you should inform the Director of People & Organisational Development or Director of Governance immediately. If the matter is not dealt with to your satisfaction, you should raise it formally using our *Grievance Procedure*.

9.3 No member of staff must threaten or retaliate against an individual who has raised a concern and we will not tolerate any such harassment or victimisation. Any person involved in such conduct may be subject to disciplinary action and in some cases will be liable to a claim for compensation brought against them personally.

9.4 To ensure the protection of all our staff, those who raise a concern frivolously, maliciously and/or for personal gain and/or make an allegation they do not reasonably believe to be true and/or made in the public interest will also be liable to disciplinary action.

10 Further information and contacts

10.1 If you have any queries about the application of this policy, please contact *the HR department* in the first instance.

10.2 Relevant regulators may include:

Name of regulator	Contact details
His Majesty's Chief Inspector of Education, Children's Services and Skills	The Chief Inspector Ofsted Piccadilly Gate Store Street Manchester M1 2WD Tel: 0300 123 3155 Email: whistleblowing@ofsted.gov.uk

Secretary of State for Education	Ministerial & Public Communications Division Department for Education Piccadilly Gate Store Street Manchester M1 2WD Tel: 0370 000 2288 Website: www.gov.uk/contact-dfe
The Health & Safety Executive	Tel: 0300 003 1747 https://www.hse.gov.uk/contact/index.htm

- 10.3 Protect (formerly known as Public Concern at Work) is a source of further information and advice at <https://protect-advice.org.uk/>. It also provides a free helpline offering confidential advice on 020 3117 2520.

Whistleblowing Procedures

These procedures must be read in conjunction with the whistleblowing policy.

Stage 1 - Disclosure

Where an employee wishes to raise a concern, they should ordinarily discuss this with their line manager and, at the same time, advise them that the matter is one to be dealt with under this policy and procedure and that they therefore wish to be offered protection under the policy. However, in circumstances where these concerns relate to their line manager or where the employee so chooses, the matter may be raised with the Director of People & Organisational Development or Director of Governance. If they wish, the employee may be accompanied by a work colleague or trade union representative.

If the matter relates to a member of the Senior Management Team other than the Principal & CEO, it should be raised with the Principal & CEO.

The employee may contact the Director of Governance or Chair of Corporation if their concerns:

- Relate to a senior postholder (Principal & CEO, COO, Deputy Principal & CEO Curriculum & Quality and Director of Governance) [suggest giving the titles of the designated SPHs for clarity]
- Relate to an individual governor or to the governing body (Corporation)
- Relate to exceptional circumstances, for example, where an employee feels that the raising of the concern within the College could lead to the destruction of evidence of criminal activity.

The Director of Governance or Chair of Corporation will deal with such matters under Stage 2, including informing the Chair of the Audit Committee.

In all cases the matter will be handled in the strictest confidence. The person with whom the matter is being raised will meet the employee and will take notes that do not identify the individual raising the concern.

This policy and procedure has been implemented to allow employees to raise disclosures internally in the first instance. Any employee seeking outside advice must ensure they do not breach confidentiality obligations or deliberately set out to damage the College's reputation. An employee has the right to make a disclosure outside of the College where there are reasonable grounds to do so and in accordance with the law. The employee must make the disclosure to an appropriate external body prescribed by law. Information and contact details for prescribed bodies are set out in paragraphs 8 & 10 of the whistleblowing policy.

Stage 2 – Investigation

Where the concern relates to other than a member of the Senior Management Team or Corporation the manager with whom the concern has been raised will inform the Principal & CEO who will arrange for the matter to be investigated by an independent person. The Principal & CEO will also inform the Chair of the Audit Committee of the allegation(s) as soon as possible.

The appointed investigating officer will follow an evidence-based process and will be able to offer information about support. Where relevant, they will inform the member(s) of staff against whom the complaint is made as soon as is reasonably practicable. The member(s) of staff will be informed of their right to be accompanied by a trade union representative or work colleague at any future interview or

hearing held under the provision of this or any other procedure. The investigating officer will ensure that evidence is secured appropriately and where necessary provided to external bodies.

If the matter was raised with the Director of Governance or Chair of Corporation due to the seniority of the subject of the complaint or the particular circumstances of the concerns, the Director of Governance will arrange for an appropriate person to undertake the investigation.

The College will determine, having taken advice where necessary, whether or not it believes that the disclosure is with or without substance or merit.

If the College considers that the disclosure does not have sufficient merit to warrant further action, the employee will be notified in writing of the reasons for the decision and advised that no further action will be taken under this policy and procedure.

Where an employee makes a disclosure that has sufficient substance or merit warranting further action, the College will take the action it deems appropriate (including action under another College policy and procedure such as the disciplinary policy). Possible actions may include internal investigation, referral to the College's Internal Audit Service, referral to external bodies for example Ofsted, Health & Safety Executive or the Police should criminal activity be suspected.

The employee will have the right to raise the matter under Stage 3 of this procedure if they are not satisfied that the matter is being dealt with properly.

Stage 3

Should the employee regard the matter as unresolved and wishes to raise the issue with the governing body, they may do so by contacting the Director of Governance within 10 days. The Director of Governance will arrange a meeting with the employee and will gather all of the evidence available. If they wish, the employee may be accompanied at such an interview by a work colleague or trade union representative. The Director of Governance will then arrange for the matter to be brought to the attention of the Chair of the Audit Committee. If the disclosure has been made direct to the Director of Governance and is of a criminal nature the Director of Governance may also notify the Police.

The Chair of the Audit Committee will review the action taken by management in relation to the concern raised and decide whether further investigation or action is required. In doing so, the Chair of the Audit Committee may interview the employee and any persons previously involved in dealing with the matter. If they wish, the employees may be accompanied at such interviews by a work colleague or trade union representative. The Chair of the Audit Committee may commission such further investigation as they consider is warranted and may refer the matter to the Chair of Corporation or to the Audit Committee for further action if appropriate.

If the concern reported to the Director of Governance is one which affects the whole governing body, the Director of Governance may seek advice from relevant regulatory bodies as to the steps to be taken to deal with the matter. In this eventuality, the Director of Governance must inform the Chair of Corporation and the Principal & CEO that this has been done.

The Director of Governance will advise the employee, in writing to their home address and subject to normal confidentiality obligations, of the outcome of the Stage 3 review procedure and any further action(s) (to be) taken to resolve the issue.

Monitoring

The Director of Governance will report all incidences of whistleblowing to the Audit Committee, along with any actions that have been identified as a result of the policy having been triggered and will summarise annually to the Audit Committee whistleblowing concerns raised in the previous 12 months.

Linked policies & procedures

This policy links to other policies and procedures including, but not limited to:

- Staff disciplinary policy & procedure
- Staff Code of Conduct
- Dignity at work: grievance, harassment and bullying policy & procedure
- Anti-fraud, bribery & corruption policy

