

# **Whistleblowing / Public Interest Disclosure Policy**

Policy Title	Whistleblowing/Public Interest Disclosure Policy
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# 1. Purpose

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.

All staff have protection under whistleblowing laws if they raise concerns in the correct way and meet the criteria (see definitions). 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

# 2. Scope

This policy applies to all our employees, officers, and to other workers including agency workers, casual workers, volunteers, interns and home workers. The policy also applies to consultants and contractors so long as it relates to practice within the College rather than their own organisation.

# 3. Definitions

The law allows workers to raise what it defines as a 'protected disclosure'. In order to be a protected disclosure, a disclosure must relate to a specific subject matter and the disclosure must also be made in an appropriate way. A 'protected disclosure' must, in the reasonable belief of the worker making it, also be made in the public interest. A protected disclosure must consist of information and not merely be allegations of suspected malpractice.

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:

- criminal offences, including those in relation to bribery and corruption, tax evasion facilitation and failure to prevent fraud;
- miscarriages of justice;
- danger to the health and safety of any individual;
- damage to the environment;
- breach of any legal obligation, including those in relation to bribery and corruption, tax evasion facilitation and failure to prevent fraud (under the Economic Crime and Corporate Transparency Act 2023);
- The Employment Rights Act / Employments Rights Bill includes Sexual Harassment as a protected disclosure from April 2026
- deliberately concealing any of the above.

There is a difference between whistleblowing and raising a grievance:

- 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
- A grievance is a complaint that generally relates to an individual's own employment position or personal circumstances at work.

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 Policy in the first instance.

## **4. Legislative and Regulatory Framework**

The Public Interest Disclosure Act 1998 (as part of the Employment Rights Act 1996) provides protection for workers who make “protected disclosures” about wrongdoing. The Act protects workers from detrimental treatment or victimisation from their employer if, in the public interest, they blow the whistle on wrongdoing. Colleges must therefore have systems that allow such disclosures to be made properly and safely. The Employment Rights Act / Employments Rights Bill includes Sexual Harassment as a protected disclosure from April 2026

## **5. Policy Statement**

The College is committed to operating in an ethical and principled way. The aim of this policy is to provide employees and workers (referred to as ‘workers’ in this policy and includes casual workers, volunteers and contractors) with a means for raising genuine concerns of suspected bribery, fraud, breaches of the law, suspected cases of Safeguarding and Prevent alongside other wrongdoings related to subjects which may be in the public interest.

The College encourages workers to raise genuine concerns about suspected wrongdoing at the earliest practicable stage. This policy is intended to provide safeguards to enable members of staff to raise concerns about malpractice in connection with the College.

The law protects workers who, out of a sense of public duty, want to reveal suspected wrongdoing or malpractice at work.

The law allows workers to raise such concerns externally and this policy informs workers how they can do so. However, a failure to raise a concern under this procedure may result in a disclosure losing its protected status under the law.

Learners at the College are also encouraged to raise genuine concerns about suspected wrongdoing by making a complaint to the Senior Management Team. This policy and procedure are designed for the use of workers of the College.

We are committed to the principles set out in this policy. If you use this policy to raise a concern, the College will not tolerate any form of retribution or detrimental treatment. It will treat your concern seriously and act according to this policy.

## **6. Policy Arrangements**

### **Specific Subject Matter**

A worker must reasonably believe that the disclosure tends to show past, present or future wrongdoing falling into one of the following categories:

- Criminal offences (this may include types of financial impropriety such as fraud);
- Failure to comply with an obligation set out by law
- Miscarriage/s of justice
- Endangering of someone’s health and safety
- Damage to the environment

- Covering up wrongdoing in the above categories
- Be a response to concerns regarding Safeguarding and/or Prevent where the individual does not feel they are able to raise concerns regarding failures internally
- Improper conduct or unethical behaviour / practices

## **Procedure for Making a Disclosure**

Information which a worker reasonably believes tends to show one or more of the situations above should promptly be disclosed to the Director of Human Resources (DoPS) or the Whistleblowing email address [whistleblowing@abingdon-witney.ac.uk](mailto:whistleblowing@abingdon-witney.ac.uk) or via a Union Representative so that any appropriate action can be taken. In the absence of the DoPS, or if the disclosure is about the DoPS, the disclosure should be made to the Principal.

If the disclosure relates to the Principal and Chief Executive, a worker can raise the issue with the Clerk to the Corporation. The Board may also act as an escalation point for individuals who feel unable to raise concerns with management but whistleblowers are encouraged to follow the above internal escalation procedure where possible. The Board may be contacted by emailing the Clerk.

In the event that the disclosure relates to the Clerk of the Corporation, a worker can raise the issue with the Chair of the Board of Governors, the DoPS or the Principal.

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 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). Once you have raised a concern formally (alone or with a colleague), in the interests of everyone involved, this is a confidential process.

Workers are encouraged to identify themselves when making a disclosure. If an anonymous disclosure is made, the College will not be in a position to notify the individual making the disclosure of the outcome of action taken by the College. Anonymity also means that the College will have difficulty in investigating such a concern. However, in order to protect an individual's anonymity an exception to this will be if reported on their behalf by their trade union. The College reserves the right to determine whether to apply this procedure in respect of an anonymised disclosure in light of the following considerations:

- The seriousness of the issues raised in the disclosure;
- The credibility of the concern; and
- How likely it is that the concern can be confirmed from attributable sources.

For further guidance in relation to this policy and procedure, or concerning the use of the disclosure procedure generally, employees should speak in confidence to the DoPS and / or your union representative.

## **Procedure for investigation of a disclosure**

When a worker makes a disclosure, the College will acknowledge its receipt, in writing, within five working days. If it has not been acknowledged within five working days, the employee should contact the DoPS for a follow-up.

We are committed to ensuring that all disclosures raised will be dealt with appropriately, consistently, fairly and professionally. We will arrange a meeting as soon possible to discuss the concern raised. You may bring a colleague or trade union representative to any meeting that takes place. The companion must respect the confidentiality of the disclosure and any subsequent investigation. We may ask you for further information about the concern raised, either at this meeting or at a later stage.

After the meeting, we will decide how to respond. Usually this will involve making internal enquiries first, but it may be necessary to conduct an investigation at a later stage which may be formal or informal depending on the nature of the concern raised. External investigators may be brought in where necessary. We will endeavour to complete investigations within a reasonable time.

The College, through an investigation by a member of the College Leadership Team, will then determine whether or not it believes that the disclosure is wholly without substance or merit. If the College considers that the disclosure does not have sufficient merit to warrant further action, the worker will be notified in writing of the reasons for the College's decision and advised that no further action will be taken by the College under this policy and procedure. Considerations to be taken into account when making this determination may include the following:

- i. If the College is satisfied that a worker does not have a reasonable belief that suspected malpractice is occurring; or
- ii. If the matter is already the subject of legal proceedings or appropriate action by an external body; or
- iii. If the matter is already subject to another, appropriate College procedure.

When a worker makes a disclosure which has sufficient substance or merit warranting further action, the College will take action it deems appropriate (including action under any other applicable College policy or procedure). Possible actions could include internal investigation; referral to the College's auditors; or referral to relevant external bodies such as the police, OFSTED, Local Authority Designated Officer (LADO), Channel Panel, NSPCC, Social Services, Trade Unions, Health and Safety Executive or the Information Commissioner's Office.

All disclosures of sufficient substance or merit to warrant further action are notified by the College to the Chair of the Audit Committee and the relevant funding body where appropriate.

If appropriate, any internal investigation would be conducted by a manager of the College without any direct association where a conflict of interest (or potential conflict) has been identified with the individual to whom the disclosure relates, or by an external investigator appointed by the College as appropriate.

Depending on the seriousness of the concern raised and the seniority of the worker making the disclosure, it would be appropriate for a senior manager or a designated officer, such as the Clerk of the Corporation, to investigate the concern.

If the worker is required to attend any further meetings about the disclosure, they may be accompanied by a companion or union representative, if they wish to do so.

Any recommendations for further action made by the College will be addressed to the Principal as appropriate in the circumstances. The recipient will take all steps within their power to ensure the recommendations are implemented unless there are good reasons for not doing so.

The worker making the disclosure will be notified of the outcome of any action taken by the College under this policy and procedure within a reasonable period of time, not exceeding three months from the date when the disclosure was acknowledged. We cannot, however, inform you of any matters

which would infringe any duty of confidentiality owed to others.

If the worker is not satisfied that their concern has been appropriately addressed, they can appeal against the outcome by raising the issue with the Principal within 10 working days. The Principal will make a final decision on action to be taken and notify the worker making the disclosure.

All communications with the worker making the disclosure should be in writing and sent to the worker's home address or private email rather than through the College's internal mail. If investigations into the concern are prolonged, the College should keep the worker concerned updated as to the progress of the investigation and an estimated timeframe for its conclusion.

### **Safeguards for workers making a disclosure**

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.

A worker making a disclosure under this procedure can expect their matter to be treated confidentially by the College and, their name will not be disclosed to anyone implicated in the suspected wrongdoing, without their prior approval.

For confidentiality purposes, if the worker requests to raise their concern verbally, the College will allow the worker to do so.

The College will take all reasonable steps to ensure that any report of recommendations, or other relevant documentation, produced by the College does not identify the worker making the disclosure without their written consent, or unless the College is legally obliged to do so, or for the purposes of seeking legal advice.

A worker will not suffer dismissal or any detrimental action or omission of any type (including informal pressure or any form of victimisation) by the College for making a disclosure in accordance with this policy and procedure. If you believe that you have suffered such treatment, you should inform the Clerk or Director of People Services immediately. If the matter is not dealt with to your satisfaction, you should raise it formally using our Grievance Procedure.

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.

Such protection also extends to the following individuals:

- Workers who acquire information about breaches related to practice within the College;
- The worker's family members who are also employed by the College;
- Job applicants who have made a disclosure.

No formal disciplinary action will be taken against a worker on the grounds of making a disclosure made under this policy or procedure.

To ensure the protection of all our staff however, those who raise a concern frivolously or which they do not reasonably believe to be true may be liable to disciplinary action.

### **Disclosure to external bodies**

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 will be the most appropriate course of action.

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 or Department for Education) or 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 (formerly known as Public Concern at Work). Further information and contacts are set out below and on the GOV.UK website at:

Whistleblowing: list of prescribed people and bodies - GOV.UK

If a worker seeks advice outside of the College, they must be careful not to breach any confidentiality obligations or damage the College's reputation in so doing. We strongly encourage any individual to seek appropriate advice before reporting a concern to anyone external. Protect (formerly known as Public Concern at Work) 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.

A worker may lose their whistleblowing protection rights if they choose to disclose/approach the media with their concerns before the College has followed and completed the procedure of disclosure for investigation.

## **7. Roles and Responsibilities**

A worker making a disclosure is responsible for raising concerns honestly, with a reasonable belief that wrongdoing has occurred, is occurring, or is likely to occur. They are responsible for providing information relevant to the concern while understanding they are not responsible for investigating the matter.

The Director of People Services is responsible for receiving disclosures formally and ensuring an impartial, fair and timely investigation. They can advise staff on whether an issue falls under whistleblowing or another policy. They should ensure that the whistleblower is kept updated on progress as appropriate.

The nominated investigator is responsible for conducting fact-finding or a full investigation in line with College procedures, ensuring evidence is collected impartially and confidentially, and producing an investigation report.

The Principal is responsible for ensuring that adequate resources are made available in line with legal obligations and ensuring action is taken when wrongdoing is found. They are also responsible for reporting significant matters to the governing body.

The Corporation Board, usually through its Audit Committee is responsible for ensuring the College has an appropriate whistleblowing policy, receiving reports on whistleblowing and ensuring independence and accountability in how disclosures are handled. The Board may also act as an escalation point for individuals who feel unable to raise concerns with management.

## **8. Monitoring and Review**

The College will keep a record of all concerns raised under this policy and procedure (including cases where the College deems that there is no case to answer and therefore that no action should be taken) and will report to the Audit Committee on an annual basis as appropriate.

## 9. Further Assistance for Workers

A worker making a disclosure may want to confidentially request counselling or other support from the College's occupational health service or Employee Assistance Programme. Any such request for counselling or support services should be addressed to the DoPS. Such a request would be made in confidence.

Workers can also contact the charity Protect (formerly Public Concern at Work) for confidential advice on whistleblowing issues. Contact details are as follows:

Mezzanine  
7-14 Great Dover St London  
SE1 4YR

Whistleblowing Advice Line: 020 3117 2520 [Protect - Speak up stop harm](#)

[- Whistleblowing Homepage](#)

Workers with concerns about Safeguarding and /or Prevent within the college but who feel unable to speak to anyone within the leadership team with this specific responsibility, can contact the appropriate prescribed body/person (referenced in section 8.2) such as:

NSPCC – whistleblowing helpline 0800 028 0285 open Monday to Friday 8.00am to 8.00pm or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

## 10. Related Documents

[The following policies may be read in conjunction with the Whistleblowing Policy:](#)

- [Professional Standards Guidelines](#)
- [Grievance Policy](#)
- [Disciplinary Policy](#)
- [Dignity at Work Policy](#)
- [Anti-Bribery Policy](#)
- [Fraud Prevention Policy](#)
- [Data Protection Policy](#)
- [Financial Regulations](#)
- [Health and Safety Policy](#)
- [Safeguarding Policy](#)
- [Compliments & Complaints Procedure](#)

## 11. Acknowledgements

- Gov.uk website on 'Guidance for employers and Code of Practice'
- Eversheds Sutherland model FE and Sixth Form Whistleblowing Policy template
- Ofsted
- ACAS
- Department for Education – 'Keeping children safe in education', statutory guidance for schools and colleges September 2022
- HM Government – Channel Duty Guidance 'Protecting vulnerable people from being

drawn into terrorism'