

Whistleblowing Policy and Procedure

SLT Member responsible for policy	Vice Principal Finance & Resources
Date of policy	May 2026
Date approved by Board of Governors	May 2026
Date next review due	March 2027
Equality & Diversity Impact Assessment completed	May 2026

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1. Introduction

Whistleblowing is the name given to the act of the disclosure of information to the employer or the relevant authority by an individual who knows, or suspects, that the Company is responsible for or taken part in some wrongdoing.

Those making qualifying disclosures are protected against dismissal or detriment by The Public Interest Disclosure Act 1998.

Hereward College is committed to ensuring a climate of openness and dialogue where staff and workers feel free to raise concerns in a reasonable and responsible way without fear of victimisation. Whistleblowing occurs when a member of staff or worker provides certain types of information, usually about illegal or dishonest practices to the employer or a regulator, which has come to their attention through work.

Certain disclosures are prescribed by law as “qualifying disclosures”. A “qualifying disclosure” means a disclosure of information that the employee genuinely and reasonably believes is in the public interest and shows that the College has committed a “relevant failure” by:

- committing a criminal offence
- sexual harassment (unwanted conduct of a sexual nature, as defined in the Equality Act 2010)
- failing to comply with a legal obligation
- a miscarriage of justice
- endangering the health and safety of an individual
- risk or actual damage to the environment
- concealing any information relating to the above.

These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. The College will take any concerns that you may raise relating to the above matters very seriously.

The Employment Rights Act 1996, provides protection for employees who “blow the whistle” where they reasonably believe that some form of illegality, injustice or breach of health and safety has occurred, or is likely to occur. The disclosure has to be “in the public interest”.

Raising concerns can cause anxiety for staff/workers and fear of victimisation can be a major barrier for staff reporting concerns. Staff can speak with Human Resources (HR) if they have concerns and can be supported by their Trade Union Representative during any meetings they may attend under this procedure.

This document sets out the responsibilities of staff and workers when raising issues and concerns. This policy applies to governors, all staff, volunteers (including people on a work placement), contractors and agency workers.

This policy should not be used to pursue a personal grievance. A member of staff who has a concern which does not fall under the “qualifying disclosure” category should follow the College Grievance policy and procedure.

2. Policy & Procedure

The Public Interest Disclosure Act (PIDA) 1998 is known in the UK as the whistleblowing law. The Act provides that employers should not victimise any worker who blows the whistle in one of the ways set out in the legislation. PIDA provides protection against victimisation for whistleblowers provided that in the reasonable belief of the worker the disclosure is made in the public interest.

A “qualifying disclosure” means a disclosure of information by an individual that they genuinely and reasonably believe is in the public interest and shows that the College has committed a “relevant failure” by:

- committing a criminal offence
- failing to comply with a legal obligation
- a miscarriage of justice
- endangering the health and safety of an individual
- risk or actual damage to the environment or
- concealing any information relating to the above

Complaints that do not count as whistleblowing

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

An employee will be eligible for protection if they honestly think what they are reporting is true and they think they are telling the right person.

If a member of staff is found to have maliciously raised an unfounded concern, this will lead to disciplinary action. In the case of workers (e.g. contractors, volunteers), appropriate action will be taken in line with the terms of their contract.

Reporting Qualifying Disclosures

A disclosure should be made in writing where possible. Anyone making a verbal disclosure will be requested to set out their concerns in writing. If a verbal disclosure is accepted, the complainant will be asked to confirm a written record of the verbal report. All concerns will be treated as confidential. Any decision to make the matter known more widely will only be taken after discussion with the complainant.

If an employee or worker has a whistleblowing concern, in the first instance staff should raise their concerns with the Director of Governance.

Following receipt of a disclosure made under this policy, an investigation meeting will be held by a member of the Senior Leadership Team (SLT) with the employee. The purpose of this meeting is to gather as much information as possible from the employee regarding their concerns, including whether they have any supporting evidence or can identify any witnesses.

After this meeting, the investigating manager will commence a full investigation into the concerns raised. The investigation will aim to gather all relevant information including relevant documentary evidence or witness statements. The investigation should be completed within 10 working days, where reasonably possible. If this is not possible, the investigation manager will inform the employee of the delay and the reasons why.

Once the investigation is complete, the investigation manager will write to the employee confirming the outcome within 10 working days. In most cases, this should achieve a satisfactory conclusion.

On those occasions where the staff member in question believes the response to be inadequate, they should restate their concerns in writing, outlining any action already taken to have the matter resolved, the response received, and the reasons they were not satisfied with the response. This should be addressed to:

- PA to Principal, Hereward College, Bramston Crescent, Coventry, CV4 9SW

The matter will then be referred to the Director of Governance.

The Director of Governance will arrange for a full review into the issues raised and make a recommendation to the Principal on the action to be taken. The review will normally be concluded within 4 working weeks.

If still not satisfied, staff may appeal to the Chair of Governors. Concerns should be set out in writing, stating any action already taken to have the matter resolved, the response received and the reasons the individual was not satisfied with the response.

This should be addressed to:

- The Chair of Governors, care of the Director of Governance, Hereward College, Bramston Crescent, Coventry, CV4 9SW

The Chair of Governors will liaise with the staff member/worker who has raised the concern to agree the timescale for investigation and response, noting this should normally be concluded within 4 working weeks.

If the whistleblowing concern involves a member of the Senior Leadership Team or a Governor then the procedure outlined above should be followed, with referrals addressed to the Director of Governance.

Where the concern relates to the Chair of Governors, referrals should be addressed to:

- Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD

When these internal procedures are exhausted the staff member/worker may raise the matter with an appropriate government department or agency, e.g. Department for Education, the Health & Safety Executive, Fire Authority, Care Quality Commission or Environmental Health. In the case of abuse this could include Social Services or the Police.

Before taking this final course of action the complainant should consider discussing the matter with an independent third party, e.g. Protect (see below), a legal advisor or the Citizens' Advice Bureau or ACAS (Advisory, Conciliation and Arbitration Service).

Protect is an independent charity that can offer free confidential advice to staff/workers who are anxious about raising concerns or do not know how to raise a concern. Their contact details are: 020 3117 2520 or <https://protect-advice.org.uk/>

As a last resort, staff/workers may consider disclosing concerns to another body. Individuals should, however, be aware before they take this action that one of three preconditions must be met.

Preconditions

The presumption is that before any wider disclosure is made, the concern will have been raised with your employer or with a prescribed regulator. These three preconditions reflect those instances where this may not have been possible.

These are that:

- (a) you reasonably believe that you will be victimised by your employer if you make a disclosure to them or to a prescribed person; or
- (b) where there is no prescribed person, you reasonably believe there is likely to be a cover-up; or
- (c) a disclosure of substantially the same information has previously been raised to your employer or to a prescribed person.
- (d) the concern is exceptionally serious in nature

If a disclosure is made unjustifiably it may result in disciplinary action, or other appropriate action if a worker (e.g. volunteer) is involved.

Exercising Constitutional Right to Contact MP

Nothing in this policy prevents staff from seeking advice and guidance from their MP, as a constitutional right, at any time.

Contact with the Media

If staff/workers are contacted by anyone on behalf of a newspaper, radio or television company etc. they should refer them to the PA to the Principal. Only the Senior Leadership Team or Chair of Governors is authorised to express the views of the College to the media.

Protection against detrimental treatment

Everyone who raises matters of concern under this policy are protected against detrimental treatment, up to and including dismissal, because they have made a disclosure.

Bullying, harassment or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. Anyone found to have acted in such a manner will be subject to disciplinary action.

3. Responsibilities

Managers

Managers have a duty to ensure that staff are able to easily express their concerns, and deal with those concerns thoroughly and fairly. Managers should encourage staff to freely contribute their views on all aspects of the College and foster a climate of openness where staff feel their views are welcomed, appreciated and where appropriate, acted upon positively.

When staff raise concerns and issues with their manager they should:

- Take those concerns seriously
- Consider them fully and sympathetically
- Recognise that raising a concern can be a difficult experience for some staff
- Seek advice from other colleagues/professionals where appropriate
- In situations where a student or staff member is believed to be at risk, staff should report their concerns immediately and managers should take urgent action.

Where the issue can be acted upon, Managers should act promptly and notify the member of staff of the action taken. If it is not practicable or appropriate to act the staff member should be told of the reasons promptly including the action they can take if they are not satisfied with the decision. Managers who victimise or mistreat staff who seek to raise legitimate concerns may be subject to disciplinary action.

All Staff and Workers

Staff have a right and a duty to raise with their manager any concerns they may have about the delivery of care or services to students of the College. For professionally qualified staff, not reporting concerns may be a breach of their professional code of practice. In situations where a student or staff member is believed to be at risk, staff should report their concerns urgently and managers should take urgent action. Staff should also be aware of the importance of early intervention, that is, raising a concern even if the issue feels relatively minor as this can prevent situations escalating.

Staff also have a duty to safeguard all confidential information to which they have access: particularly information about students or staff, which in the majority of circumstances is strictly confidential. Unauthorised disclosure of personal information to anyone outside the College is a serious matter, which may warrant disciplinary action. This will apply even if an employee believes they are acting in the best interests of the student or other individual. Employees should also bear in mind that any disclosures, authorised or unauthorised, must always have the consent of the student concerned or their advocate.

Staff have an implied duty of confidentiality and loyalty to the College. However, this duty is not absolute. Individuals may claim they disclosed confidential information to the media in the public interest. If so, they should be prepared to defend their claim, which must be soundly based. It is in individuals' own interests to seek specialist advice before they take such a course of action, as failure to establish a public interest defence may result in a breach of this duty of confidentiality and thus make them liable to disciplinary action.

Staff must not victimise or mistreat other staff who have raised concerns. Victimisation or mistreatment of the person raising the concern (whistle blower) will lead to disciplinary action being taken.

4. Related Policies

- Young People and Adults at Risk Safeguarding Policy
- Data Protection Policy
- Disciplinary Policy and Procedure
- Staff Code of Conduct
- Anti-Bribery Policy
- Anti-Fraud Policy

Equality, Diversity and Inclusion Impact Assessment Initial Screening

Name of policy or service	Whistleblowing Policy
Author of impact assessment (name and job title)	Breda Masterson HR Advisor
Date impact assessment completed	May 2026
Is this a new or reviewed policy or service?	New policy/service ☐ Date of policy/service Reviewed policy/service ☒ Date of review May 2026

Briefly describe the aims and purpose of the policy	This policy sets out the responsibilities of staff and workers when whistleblowing and raising issues and concerns. It also sets out the procedure that should be followed by staff who wish to informally or formally pursue their concerns
Who is intended to benefit from this policy and in what way?	Staff will benefit from having their legitimate concerns listened to and acted upon
What could contribute or detract from achieving the aims and purpose of the policy?	A culture that does not enable staff to raise their legitimate concerns, failure to listen and to act
What evidence or data has been collected and used to determine the impact on equality groups. Have any data gaps been identified.	None

		Comments / Evidence
Has consultation on this policy indicated any possible concerns or issues in relation to equality, diversity and inclusion?	Yes ☐ No ☒	
Is there an opportunity to promote equality of opportunity by this policy?	Yes ☐ No ☒	

Potential impact on grounds of:

Race	Positive ☐ Negative ☐ No impact ☒	
Disability	Positive ☐ Negative ☐ No impact ☒	
Gender	Positive ☐ Negative ☐ No impact ☒	
Gender reassignment/identity	Positive ☐ Negative ☒ No impact ☒	
Age	Positive ☐ Negative ☐ No impact ☒	
Sexual orientation	Positive ☐ Negative ☐ No impact ☒	
Religion or belief	Positive ☐ Negative ☐ No impact ☒	
Marriage and civil partnerships	Positive ☐ Negative ☐ No impact ☒	
Pregnancy and maternity	Positive ☐ Negative ☐ No impact ☒	

If any potential negative impacts of this policy or service have been identified, then a full equality impact assessment form should be completed.