

Whistleblowing Policy



1. Introduction & Purpose of Policy

Whistleblowing is the reporting, by those working for or on behalf of Woking College, of suspected wrongdoing on the part of employees, management or the Trustee Body. Such wrongdoing might include fraud, malpractice, breach of health and safety law or some other illegal act.

Employees and others directly involved in College activities are often the first to realise that there may be something seriously wrong within the College or may have such a matter brought to their attention by a member of the public. However, they may not want to express their concerns because they feel that speaking out would be disloyal to their colleagues or to the College. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

Woking College is committed to achieving the highest possible standards of honesty, openness and accountability and relies on its employees to help maintain these standards. In pursuit of these aims, individuals are encouraged to raise concerns which they may have about the conduct or practices of others. This policy sets out how such concerns will be dealt with. It applies to all employees, volunteers and Trustees as well as other individuals performing work on behalf of the Woking College, such as agency workers and contractors.

This policy aims to give members of staff and other individuals the confidence to raise serious concerns using the routes provided, and to reassure staff of the protection they are afforded when they have made a disclosure in good faith. It will be fairly and consistently applied in accordance with the Trustee Board's commitment to equal opportunities and, wherever possible, it will be dealt with confidentially.

This procedure is for disclosures about matters other than a breach of the employee's own contract of employment - such concerns should be raised under the College grievance procedure.

2. Key Aims and Scope of the Policy

a) Employees at the College are encouraged to come forward to raise within the College, serious concerns they may have about wrongdoing in the College, whether suspected criminal or illegal activity, professional misconduct or dangerous behaviour.

b) Provide a structure through which individuals can raise concerns and receive feedback on action taken.

c) Provided these concerns are raised in good faith, then the allegations or suspicions brought forward by an employee 'blowing the whistle' on a colleague or colleagues will be treated with due seriousness, in confidence and on a systematic basis.

d) Concerns should be raised where actions fall below generally well-established standards to which the College subscribes. These may include:

- Conduct which is an offence and/or a breach of law
- Abuse of students or other unethical conduct
- Disclosures relating to miscarriages of justice
- Health and safety risks, including risks to the public as well as employees and students
- Damage to the environment
- The unauthorised use of public funds and/or possible fraud and corruption

- Possible contravention of the College's Articles of Association, Funding Agreement and/or other College policies
- e) The Principal has overall responsibility for the maintenance and operation of this Policy and proper records will be kept.

3. Safeguards

The College is committed to good practice and high standards and is supportive of employees, Trustees and all others associated with it within the confines of College policies.

The College recognises the decision to report a concern can be difficult. Staff should feel confident that they have nothing to fear and that, in reporting a concern, they are performing a service on behalf of the College.

Employees raising concerns will not be victimised or discriminated against and are protected by the Public Interest Disclosure Act 1998.

The College will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate actions to prevent recriminations when a concern is raised in good faith. A worker who makes a qualifying disclosure has the right not to be dismissed, subjected to any other detriment or victimised because they have made the disclosure. A zero tolerance approach will be taken to any act of harassment or victimisation resulting from a member of staff raising a concern in good faith. A member of staff making an allegation within the scope of this policy will be supported when raising a concern, providing that they:

- Believe the concern to be true;
- Are not acting maliciously or making false allegations;
- Are not seeking any personal gain.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that may already be operational

Confidentiality

Wherever possible, any concerns will be treated in confidence and every effort will be made not to reveal the identity of those raising concerns. However, at an appropriate time, it may be necessary for the person raising a concern to come forward as a witness.

Anonymous Allegations

Wherever possible, we discourage anonymous allegations as concerns expressed anonymously are often much less powerful and will be considered at the discretion of the College.

In exercising this discretion the following factors would be taken into account:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

Untrue Allegations

If the allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken. If, however, an allegation considered to be vexatious, frivolous, malicious or one for personal gain was made, disciplinary action may be taken.

4. How to Raise a Concern

As a first step, a member of staff should normally raise concerns with a member of the senior leadership team or with the Chair of Trustees if the concern relates to the Principal. If the concerns relate to allegations that a member of staff or volunteer may have harmed a child or behaved in a

way that indicates they pose a risk of harm to children, the allegation should be raised with the Principal in the first instance, in accordance with the College's child protection and safeguarding policy.

Concerns may be raised verbally or in writing, but the earlier the concern is expressed the easier it is to take any required action. Where a concern is raised verbally, the person hearing it must ensure that a written statement of it is made to assist with any subsequent investigation. Senior management will take all concerns raised within the scope of this policy seriously and identify the appropriate level of investigation, taking external advice as necessary. A work colleague or trade union representative can be present at a meeting where the concern is raised verbally or at any meeting called in relation to an investigation into the matter.

The member of staff is encouraged to put their name to the allegation as raising the issue anonymously might make the claim less effective. If a worker requests that their identity be protected, it will not be disclosed unless disclosure is reasonably required by law. Whilst anonymous reports will not be rejected outright, those making them must be aware that it is considerably more difficult to investigate matters properly in such circumstances or to resolve the concern satisfactorily.

Wherever possible, the concerns raised will be treated in confidence, whilst recognising that the individual raising the concerns may need to come forward as a witness at a later date.

While members of staff are encouraged to raise their concerns internally, it is also recognised that some staff may feel unable to do this and that they may therefore wish to contact an independent, external organisation (see section 6). If the staff member is not satisfied that their concern is being treated seriously, they can raise the matter with the Chair of Trustees.

5. How the College will Respond

Preliminary enquiries will be made into the concerns raised to establish whether a formal investigation is required. Immediate action may be taken – prior to an investigation being conducted – if there are concerns for the safety or welfare of students or others.

If a formal investigation is not to be undertaken, the reasons why will be explained to the individual as soon as possible. If an investigation is undertaken, this will normally be conducted by an appropriate senior manager with no previous involvement with the concerns raised. In certain cases, this may involve trustees and/or an external independent investigator. The investigation will be conducted, where appropriate, in accordance with other relevant internal procedures which could involve the suspension of staff on normal pay whilst the investigation is being carried out. Investigations involving child protection/safeguarding issues will not commence until external advice has been sought from the Local Authority's Designated Officer (LADO).

Written records will be taken throughout the investigation and the employee will be kept informed of the likely timescale and progress of the investigation. The investigator will be responsible, where possible within 28 days, for reporting formally to the Principal and/or Trustee Board on the outcome of the investigation. The Principal and/or Trustee Board will be responsible for taking any necessary action, which may include reporting the matter – as relevant – to the local authority, appropriate government department, regulatory agency or the police, and/or taking action under internal procedures (e.g. disciplinary or bullying and harassment). On conclusion of the investigation, the worker will be informed of the outcome and the proposed action to be taken, whilst, wherever possible, respecting the confidentiality of individuals and any legal constraints.

The general aim of the College in response to whistleblowing allegations will be to ensure that any misconduct or unacceptable behaviour, if proven, is swiftly brought to an end and appropriate disciplinary action is taken against the perpetrator(s). In addition, the College will take steps to minimise any difficulties which the whistleblower may experience as a result of raising a concern.

6. How can the matter be taken further?

All staff are encouraged to make use of the internal procedure before considering referring concerns to outside organisations. If the member of staff feels that it is right to take the matter externally, contact can be made with a recognised trade union, local Citizens Advice, relevant voluntary or independent organisation or legal advisor.

The Public Interest Disclosure Act also sets out a number of bodies to which protected disclosures can be made, including:

- The College's External Auditors – Azets: www.azets.co.uk
- The College's Internal Auditors – WBG formerly Wylie Bisset (Telephone 0141 566 7000)
- A Trade Union Representative
- Relevant Professional bodies or regulatory organisations
- The whistleblowing charity 'Protect - speak up, stop harm': <https://protect-advice.org.uk/>
- The Police
- The Secretary of State for Education is the prescribed person for matters relating to whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at: www.education.gov.uk/contactus
- The Advisory, Conciliation and Arbitration Service (ACAS) www.acas.org.uk
- HM Revenues and Customs
- The Health and Safety Executive
- The Serious Fraud Office
- Ofsted
- Ofqual

Employees should be aware that going directly to the media may limit their protection under the Public Interest Disclosure Act and they could therefore be subject to disciplinary action as a result. An employee considering such a course of action is strongly advised to seek prior advice from their trade union or an independent organisation such as Protect – speak up, stop harm <https://protect-advice.org.uk/>

Related Documents:

- College Complaints Policy and Procedure
- Child Protection and Safeguarding Policy
- Disciplinary and Capability Procedures
- Staff Grievance Procedures
- Staff Code of Conduct
- Safer Recruitment Policy
- Data Protection Policy

Were changes made to the Policy when received? If YES complete the Partial Equality Analysis table.

Questions for all Policies Is it likely that the Policy Revision could have a negative impact:-		Please Tick Box	
		YES	NO
1.	On minority ethnic groups?		X
2.	Due to gender?		X
3.	Due to disability?		X
4.	Due to sexual orientation?		X
5.	Due to their religious beliefs (or none)?		X
6.	On people due to them being transgender or transsexual?		X
Additional questions for Policies relating to Staff Is it likely that the Policy Revision could have a negative impact:-			
7.	On people due to their age?		X
8.	On people due to their marital or civil partnership status?		X
9.	On people with dependants/caring responsibilities?		X
Date of Review	October 2024	Did you make changes?	X

If YES please speak with The Assistant Principal as a full Equality Analysis may be required.

NRA/Whistleblowing Policy: Oct 2024
 Last reviewed: Oct 2024
 Next review: Oct 2027