



WHISTLEBLOWING POLICY 2026-2028

West Nottinghamshire College seeks to achieve the highest possible standards of probity and honesty in all of its activities.

The college is committed to the delivery of its vision and mission and, in doing so, must demonstrate full accountability. Whilst the college has in place rules, regulations, quality standards and procedures to ensure that the highest standards of conduct and commitment are followed, irregularities, wrongdoing or serious failures in standards may occur.

Whistleblowing is the disclosure of information which, in the reasonable belief of the whistleblower, relates to wrongdoing or dangers in relation to the college's activities and is made in the public interest. A whistleblowing disclosure tends to show that, at the time of its submission, there was reasonable belief that one or more of the following has occurred, is occurring, or is likely to occur:

- a criminal offence (this may include, for example, types of financial impropriety such as bribery or fraud)
- a breach of a legal or professional obligation
- a miscarriage of justice
- danger to the health or safety of any individual
- damage to the environment
- deliberate covering up of wrongdoing in the above categories.

The college is committed to identifying and removing such malpractice in the delivery of its responsibilities and to treating all disclosures consistently and fairly. The greatest deterrent to malpractice or wrongdoing is the probability that it will be reported and investigated vigorously, that those who are responsible for it will be punished, and that the matter will be promptly remedied. Any suspected wrongdoing should be reported as soon as possible.

This policy sets out a clear statement that any malpractice or wrongdoing by members of the Corporation Board, employees or third parties (including subcontractors) reported to the college will be swiftly and thoroughly investigated. The college will also look at ways to ensure that such malpractice or wrongdoing can be prevented for the future.

Section 1: Policy statement

1.1 This policy aims to:

- enable and encourage any individual, whether or not they are an employee of West Nottinghamshire College or Vision Business Support Services, to raise concerns relating to the college and/or its subsidiary company (*see section 2 for more information as to whom this policy applies*)
- provide a framework within which to raise concerns
- provide assurance that concerns will be investigated in a timely and effective manner and that feedback will be provided in relation to outcomes and actions taken

- provide assurance that whistleblowers will be protected from reprisals and victimisation as a result of whistleblowing.
- 1.2 The policy recognises an individual's legal rights to make a protected disclosure to certain prescribed persons or bodies under the Public Interest Disclosure Act 1998 and any subsequent legislation. For those employed by the college or its subsidiary in any capacity, it should be noted that these rights are incorporated into the Employment Rights Act 1996.
 - 1.3 The college is committed to creating a safe, open and transparent workplace culture, where employees or other college affiliates are encouraged to raise concerns at the earliest opportunity. The college recognises that such individuals are often the first to realise that there may be something seriously wrong within an organisation.
 - 1.4 It is important that any fraud, misconduct or wrongdoing by employees or governors of the organisation is reported and properly dealt with. The college is committed to tackle malpractice and wrongdoing. Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. If any cases of wrongdoing are upheld, they will be dealt with seriously.
 - 1.5 The college encourages staff to use internal mechanisms for reporting malpractice or illegal acts or omissions by members of the Corporation Board, third parties (including subcontractors), employees, or ex-employees. Employees will be listened to and serious concerns will be investigated.
 - 1.6 The college encourages individuals external to the college to also use appropriate mechanisms for reporting malpractice or illegal acts or omissions. Again, such individuals will be listened to and serious concerns will be investigated.
 - 1.7 Adequate resources will be made available to fulfil the aims of this policy. The policy will be widely promoted, and copies will be freely available through STAFFnet, the college's website, or by contacting the head of governance.
 - 1.8 This policy allows individuals to take the matter further if they are dissatisfied with the response and aims to reassure any individual, including those employed by or affiliated with the college, that they will be protected from harassment or victimisation for raising concerns.

Section 2: Definitions and scope

- 2.1 This policy applies to all individuals, including but not limited to:
 - West Nottinghamshire College and Vision Business Support Services employees; temporary, casual and/or sessional workers; agency workers; those undertaking work experience or placement activity; trainees; apprentices
 - other individuals who work or have worked within the organisation, such as former staff; volunteers; the self-employed; contractors and subcontractors; members of the college's governing body; subsidiary directors; committee co-optees; and board advisors
 - any external individual affiliated with the college who may have cause to be aware of potential wrongdoing within the college or its subsidiary.
- 2.2 For the purpose of this policy, the college recognises that whistleblowing is the passing on of information about wrongdoing within an organisation. The whistleblower must reasonably believe that they are acting in the public interest.
- 2.3 The statutory categories for wrongdoing are:

- a criminal offence (such as insurance fraud or illegal tax evasion)
 - a breach of any legal obligation
 - a miscarriage of justice
 - endangering an individual's health and safety
 - damage to the environment
 - sexual harassment
 - deliberate concealment of information about any of the above.
- 2.5 Examples of wrongdoing might include (but are not restricted to):
- unsafe working conditions
 - lack of, or poor, response to a reported safety incident
 - inadequate induction or training for staff
 - suspicions of fraud, bribery and/or financial wrongdoing
 - a bullying culture (across a team or organisation rather than individual instances of bullying)
 - safeguarding issues
 - deliberate infringement of regulations.
- 2.6 It is not necessary for the individual to have proof that wrongdoing is being, has been, or is likely to be committed. A reasonable belief is sufficient to disclose the concern. The member of staff has no responsibility for investigating the wrongdoing: it is the organisation's responsibility to ensure that an investigation takes place.
- 2.7 A member of staff who makes such a protected disclosure has the right not to be dismissed, victimised or subjected to any other detriment because they have made a disclosure. All reasonable steps will be taken to prevent detriment.
- 2.8 The college recognises that any so-called 'gagging' or confidentiality clauses in settlement agreements or non-disclosure agreements with individuals do not prevent members of staff from making disclosures in the public interest and are void in such circumstances.
- 2.9 This policy is intended to supplement rather than replace the existing grievance procedures whereby individuals may already raise complaints or matters of genuine concern. If the wrongdoing that the individual wants to disclose is not included in the list above, advice may be sought from the head of governance or from a trade union representative on the use of the appropriate policy.
- 2.10 This policy is not for staff with concerns about their employment that affect only them – that type of concern is better suited to the Fairness at Work Procedure for Employees, which can be found on STAFFnet.
- 2.11 This policy is not a vehicle for handling complaints against senior managers or governors for actions not covered by this policy. Such complaints should be made via the general complaints procedure or the complaints against senior postholders procedure, depending on the individual against which the complaint is being made.
- 2.12 The college recognises that employees may wish to seek advice from and/or be represented by their trade union(s) officers when using the provisions in this policy.
- 2.13 This policy does not form any part of any employee's contract of employment, and the college may amend it at any time. Any such ad-hoc amendments will only be carried out in consultation with the Executive team, trade unions and the Corporation Board.

- 2.14 This policy will be reviewed biennially from date of issue by the head of governance (see section 4 below) in conjunction with the Executive team, trade union representatives, and the Corporation Board.
- 2.15 Where review is necessary due to legislative change, this will happen immediately and will not require further sign-off other than by the Executive team (although any such updates will be drawn to the attention of the Corporation Board and trade union representatives, along with the details of the supporting legislation).

Section 3: Roles and responsibilities

- 3.1 The senior management team and Corporation Board are responsible and accountable for this Whistleblowing Policy and Procedure. They will:
- demonstrate commitment to developing an open culture within the organisation, through actions and strategy
 - receive and review reports on whistleblowing activity as and when it occurs.
- 3.2 All staff have a duty to report wrongdoing (whistleblow) under the circumstances set out in section 2 of this policy and to raise concerns appropriately with the correct designated person, as set out in section 4.
- 3.3 Line managers are responsible for:
- ensuring all staff are aware of this policy and procedure and their responsibilities
 - fostering an open culture within their teams
 - ensuring any whistleblower is not subject to detriment
 - escalating issues and engaging the support of the appropriate designated person, where an issue has been disclosed to them which they feel should be handled via the whistleblowing procedure.
- 3.4 Designated people are responsible for:
- investigating issues raised promptly and thoroughly
 - ensuring learning from whistleblowing cases is fed back to the wider organisation
 - ensuring the head of governance is kept informed of all disclosures, investigations and outcomes so that these can be reported appropriately to governors.
 - facilitating representation of the employee(s) when raising a whistleblowing complaint by providing the right to be represented by a trade union representative throughout the investigation process.
- 3.5 The head of governance has lead responsibility for the whistleblowing procedure and for dealing with issues raised. The head of governance will:
- oversee and review the whistleblowing policy and procedure
 - provide advice and support to managers and employees
 - inform all reported disclosures to the Audit Committee and the chair of the Corporation Board, along with the actions being taken
 - ensure the process is monitored and improved where required
 - provide reports on whistleblowing activity to the Audit Committee and Corporation Board.
- 3.6 Where a whistleblowing disclosure involves the head of governance, the reporting responsibilities described in clause 3.5 will be picked up by the most senior manager within the college who is not implicated in the disclosure. To avoid more people becoming aware than appropriate, this should be submitted in hard copy. The hard copy complaint will be acknowledged in writing to either the postal

address or email address included within the complaint, whichever the complainant prefers. The ‘most senior manager’ referred to is most likely to be the principal or the chair of the Corporation Board but will be the chair of the Audit Committee if either or both of those individuals have been implicated within the disclosure. If the chair of the Audit Committee is also implicated, the complaint will be picked up by any other committee chair or Corporation Board member who is not implicated.

3.7 Trade union representatives will:

- support their members through the procedure as requested
- help ensure that all staff are aware of this policy and procedure and their responsibilities
- be consulted on the review, monitoring and improvement of the policy and procedure where required, except in relation to any changes which are necessary as a result of legislative developments.

Section 4: How to raise a concern

4.1 In many circumstances, the easiest way for an individual to have their concern resolved will be to raise it with the appropriate designated person, as detailed below. This may be done directly or, if preferred, via an individual within the staff member’s line management hierarchy. The designated person will then confirm how the matter will be investigated. It is not appropriate for any individual to attempt to undertake their own investigation.

4.2 The procedure allows for referral to a number of specified postholders so that, if necessary, an allegation can be made against any member of staff or the Corporation. Whistleblowers should ensure that they contact the appropriate designated person as detailed in the table below:

Allegation against	Designated person
Any committee of the Corporation	The chair of the Audit Committee (via the head of governance – Eloise.Hopkinson@wnc.ac.uk or in hard copy to the college’s Derby Road postal address: West Nottinghamshire College, Derby Road, Mansfield, Nottinghamshire, NG18 5BH)
The chair of the Corporation Board	The chair of the Audit Committee (via the head of governance)
Any individual member of the Corporation (excluding the chair of the board)	The chair of the Corporation Board (via the head of governance)
The principal and chief executive officer	The chair of the Corporation Board (via the head of governance)
Any other member of the Executive team	The principal and chief executive officer
The head of governance	<u>Via hard copy</u> to the most senior person within the college who is not implicated in the disclosure
Any other member of staff	The Executive team member with oversight of the staff member, OR the director: human resources and organisational development

4.3 Any individual who wants to raise a concern that is potentially of public interest is encouraged to get advice where appropriate, such as through their trade union, via Acas, or through the charity Protect (see section 9, ‘More information and support’, below).

- 4.4 If, for any reason, the individual does not feel comfortable raising their concern internally, they can raise concerns externally with 'prescribed bodies' (see section 7 below) if they feel this is necessary and in the public interest. Note that an external hotline provider would not normally investigate concerns and would simply report them to the college so that they can be followed up. However, the external hotline would treat information confidentially and in line with data protection requirements.
- 4.5 Concerns should preferably be raised in writing (including via email, except in the case of being against the head of governance, which should be submitted in hard copy). The correspondence should set out the background and history of the concerns, giving names, dates and places where possible, and the reason why the member of staff is making the disclosure.
- 4.6 If an individual wishes to make an allegation orally, the full details of the statement and the allegation made will be recorded in writing by the designated person. They will sign the statement and receive a copy of the allegation.
- 4.7 When any meetings are arranged with an individual who is making or has made a protected disclosure, they have a right to be accompanied by a trade union representative. Meetings can be held in an appropriate neutral location or remotely (via MS Teams or Zoom), if requested, but in-person meetings must be within 25 miles of the college's Derby Road campus.
- 4.8 The individual raising concerns does not have to prove the allegation, but they must demonstrate that there are sufficient grounds for concern.
- 4.9 If the individual wants to raise the matter confidentially, they should say at the outset so that appropriate arrangements can be made. All reasonable steps to maintain the confidentiality of the whistleblower will be taken.
- 4.10 It is best to raise a concern openly, because that makes it easier for the college to follow it up. The whistleblower's identity will not be disclosed without their consent unless a disclosure of identity is needed due to cross-examination of the individual as a witness to any subsequent procedure or there are legal reasons that require them to disclose their identity. This might be, for example, where their information is about a child or vulnerable adult who is at risk, or where there is a possible criminal offence. If this is the case, the college may have to tell the police or another official body, if required to do so by a court. The college will let the individual know if it has to identify them to another body. The college will maintain confidentiality as far as is possible.
- 4.11 Individuals may, if they wish, disclose information anonymously. However, it should be noted that, in such circumstances, the college will not be able to contact the complainant to discuss their concern or ask them for further information, nor will it be possible to give any feedback about any action taken, although anonymous whistleblowers may seek feedback through a telephone appointment or by using an anonymised email address.

Section 5: How West Nottinghamshire College will respond

- 5.1 Any concern raised under this policy will be investigated thoroughly, promptly and confidentially.
- 5.2 Any approach to designated people (including if this is made via a line manager) will be treated with the strictest confidence, and the individual's identity will not be disclosed without their prior consent. All individuals will be treated with respect at all times.

- 5.3 There may be a meeting with the individual who has raised the issue to ensure that the investigating officer fully understands the particular concern.
- 5.4 When any meetings are arranged with an employee who has made a protected disclosure, they have a right to be accompanied by a trade union representative. The meeting can be held in an appropriate neutral location or remotely (via MS Teams or Zoom), if requested, but in-person meetings must be within 25 miles of the college's Derby Road campus.
- 5.5 When an individual makes a disclosure, any personal data collected as part of the investigation will be processed in line with the college's data protection policy (<https://wnc.ac.uk/About-Us/Policies-and-procedures/>), ensuring that the data is stored securely and is only accessed by those individuals who are dealing with the disclosure.
- 5.6 Upon receipt of the allegation, the designated person shall satisfy themselves that it is a whistleblowing allegation in accordance with this policy. They will decide whether the disclosure should be dealt with under the "complaints against senior postholders policy" (or other appropriate college policy), rather than the Whistleblowing Policy. In such cases, the person making the disclosure will be informed promptly of this decision and the rationale for it and will be given an opportunity to challenge that decision.
- 5.7 If satisfied that the issue should be dealt with via the Whistleblowing Policy, the designated person will then immediately inform the chair of the Audit Committee, via the head of governance, that an allegation has been made, providing brief details of the nature of the allegation. If the allegation is against the chair of the Audit Committee, the designated person shall instead inform the chair of the Corporation Board (again, via the head of governance). If the allegation is against the head of governance, the designated person shall verbally inform the most senior individual within the college who is not implicated in the complaint and follow this disclosure with confirmation in hard copy.
- 5.8 Within three working days of a concern being raised, the appropriate designated person will write to the whistleblower – via their postal or email address, depending on the method via which the concern was received, unless the individual has stated a different preference – with the following:
- Acknowledgement that the concern has been received, the date upon which it was received, whether the person who raised the concern has requested confidentiality, and a summary of the concern. Complaints received outside of working hours (08:30-17:00 Monday-Thursday and 08:30-16:30 on Fridays) will be deemed as having been received on the next working day.
 - Confirmation of whether or not the matter will be dealt with as a whistleblowing issue.
 - Where a concern was raised orally, the whistleblower will be sent the written record of the disclosure, as captured by the designated person, so that the whistleblower can confirm that the details have been noted accurately.
 - Details of how the matter will be dealt with and by whom, and how they can be contacted.
 - Confirmation of whom the individual can contact for advice and to answer queries about the process.
 - Confirmation that an investigation has or is to be started (and a timeframe of the commencement, if the latter) and whether further assistance will be needed from the whistleblower.
- 5.9 Once a concern or allegation has been formally raised with the designated person, a prompt and impartial investigation will be conducted. The designated person is responsible for the investigation and will have access to the principal, the head of governance, and the governing body as appropriate. The designated person will decide the most appropriate method of investigation – they may:
- choose to act as investigating officer

- appoint as investigating officer one (or no more than two) senior employee(s) with appropriate professional or technical qualifications and who is/are not directly involved in or compromised by the investigation
 - refer the investigation to an external, independent body or individual.
- 5.10 The individual who has raised the concern will be told how long to expect the investigation to take and will be kept up to date with its progress. Investigations will be undertaken by the college as quickly as possible to ensure that any wrongdoing is dealt with as soon as possible. Every effort will be made to complete the investigation within 20 working days of the date upon which the allegation was received.
- 5.11 Matters raised will usually be investigated internally. However, in some cases, it may be deemed more appropriate for an external investigating officer to be appointed. Where this is the case, the college will ensure that the individual selected is suitably independent and properly trained. Where investigations have to be handled by an external, it is important to note that that individual's availability may unavoidably prolong the process. However, the whistleblower will be kept informed throughout, and every effort will be made to minimise delays.
- 5.12 The person making the allegation may be accompanied by a colleague or trade union representative at any interviews that are arranged in relation to the allegation. Any such companion must respect the confidentiality of the disclosure and any subsequent investigation.
- 5.13 The investigation will be objective and evidence-based, and a report will be produced that focuses on identifying and rectifying any issues and learning lessons to prevent problems recurring. Again, the investigator may decide that the concern would be better looked at under another process. If so, this will be discussed with the whistleblower.
- 5.14 In the event that misconduct is discovered as a result of any investigation under this policy, the disciplinary policy and procedure will be invoked.
- 5.15 On conclusion of any investigation, the outcomes and actions to be taken will be confirmed in a letter to the individual's preferred postal or email address. If no action is to be taken, the reason for this will be explained. For confidentiality and to protect others involved in the investigation, it would usually be inappropriate to share the full, detailed report with the whistleblower.
- 5.16 If an individual is not satisfied with the response received and any subsequent action taken, they should put their concerns in writing to the designated person, who will refer the matter to the next most senior, appropriate member of the college or Corporation Board. That person will send a written response to the individual concerned.
- 5.17 More serious disclosures may be referred to an external prescribed person or body, and/or the police, and may form the subject of an independent inquiry.
- 5.18 The college will keep a record of all disclosures made under this procedure in order to monitor the effectiveness of the policy, including any action taken and any confidentiality requests the discloser may have made. The record must be in line with all data protection requirements and kept for no longer than is necessary, with access strictly limited to only necessary staff.
- 5.19 With the exclusion of any governor against whom an allegation was made, the outcome of any investigation undertaken will be reported via email to the Audit Committee and the chair of the Corporation Board immediately upon conclusion and then to the remainder of the Corporation Board members at their next meeting.

Section 6: Harassment and victimisation

- 6.1 The college understands that raising a concern can be difficult for individuals, especially if they fear reprisal from those responsible for the malpractice.
- 6.2 Harassment and victimisation of anyone raising a concern will not be tolerated, and there must be no impact or detriment on the continued employment and opportunities for future promotion or training of anyone raising a concern. Any such behaviour is a serious breach of our values as an organisation and, if upheld following investigation, could result in disciplinary action potentially leading to dismissal.
- 6.3 Furthermore, the college will not tolerate any attempt to bully anyone into not raising any such concern. Any such behaviour is a breach of our values as an organisation and, if upheld following investigation, could result in disciplinary action potentially leading to dismissal.
- 6.4 If a member of staff thinks they may suffer (or have suffered) detrimental treatment as a result of raising a concern, they should contact the head of governance or the Human Resources team.
- 6.5 This policy encourages all individuals to put their name to their concerns. Concerns expressed anonymously are harder to follow up and achieve an effective outcome.
- 6.6 If an individual makes an allegation in good faith but the allegation is not confirmed by the investigation, no action will be taken against that individual, whether they are external to the college or a member of staff. They will not be at risk of losing their job (if employed by the college) or suffering any other form of reprisal as a result. Nor will making a disclosure threaten any future opportunities to work with or study at the college. Provided that the individual is acting honestly, it does not matter if they are mistaken or if there is an innocent explanation for their concerns.
- 6.7 However, if the college concludes that a staff member has made false allegations maliciously or with a view to personal gain, or if a whistleblower is found to be behaving unprofessionally toward an individual as a result of concerns raised (e.g. by discussing their concerns with others outside of this procedure or by treating an individual negatively due to a perceived issue), the whistleblower may be subject to disciplinary action (if employed by the college).

Section 7: Reporting a concern to an external body – additional information and support

- 7.1 This policy is intended to provide a route by which individuals can raise concerns directly with the college. However, if an individual is unhappy with the outcome of an investigation or if, for any reason, they do not feel comfortable raising their concern internally/directly with the college, they are free to take the matter outside of the organisation to a prescribed person or body or to their Member of Parliament (MP).
- 7.2 The full list of prescribed persons and bodies can be found on the UK government website at www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies.
- 7.3 The college strongly encourages individuals to seek advice before reporting a concern externally:
- Protect is the UK's whistleblowing charity that aims to stop harm by encouraging safe whistleblowing. It provides a legal advice service offering free expert and confidential advice on

how best to raise a concern and protection as whistleblower: <https://protect-advice.org.uk>.
Protect Advice Line: 020 3117 2520 or <https://protect.tfaforms.net/f/Contact-the-Advice-Line>.

- UK government advice can be obtained via www.gov.uk/whistleblowing ('Whistleblowing for employees').
- Concerns about safeguarding practice can be raised directly to the Nottinghamshire LADO, details available via the safeguarding policy.
- Acas guidance on 'Whistleblowing at work' can be found via www.acas.org.uk/whistleblowing-at-work.
- Confidential support is available for individual college employees from the employee assistance programme. This may include counselling if appropriate, in addition to practical information and advice. (Note that this service is only available for those employed on a West Nottinghamshire College or Vision Business Support Services contract.)