



WHISTLEBLOWING POLICY & PROCEDURE

VERSION:

Final

AUTHOR:

Director of Governance

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IMPACT ASSESSMENT COMPLETED

YES

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April 2027

SIGNED OFF BY SLT

Ruth Tomlinson

Equality Impact Assessment Form

The completion of the Equality Impact Assessment (EIA) will help us to ensure that our policies, procedures and practices do not discriminate or disadvantage people and also improve or promote equality.

In relation to: age; disability; ethnicity or gender	
1.	Please explain if you identified any inequalities or possible discrimination in the policy, procedure or practice?
None identified. Alongside other policies and procedures such as: Dealing with Bullying & Harassment, Grievance, Discipline, Slavery and Human Trafficking Statement etc, the Whistleblowing Policy and Procedure supports all staff in undertaking their duties and their ability to raise concerns without fear of victimisation.	
2.	If identified, how have you changed the policy, procedure or practice to remove or mitigate the inequality or discrimination?
Not applicable	
3.	Any follow up actions required?
None identified	

WHISTLEBLOWING POLICY AND PROCEDURE

1. Purpose

- 1.1 The College is committed to operating in an ethical and principled way. The aim of this Policy and Procedure is to provide employees and workers (referred to as 'colleagues' in this Policy) with a means for raising genuine concerns of suspected bribery, breaches of the law and other serious wrongdoings, so that any issues can be addressed.
- 1.2 The College encourages colleagues to raise genuine concerns about suspected wrongdoing at the earliest practicable stage. This Policy and Procedure is intended to provide safeguards to enable members of staff to raise concerns about malpractice in connection with the College.
- 1.3 This Policy and Procedure also aims to encourage colleagues to raise genuine concerns through internal College procedures without fear of adverse repercussions being taken against them. The law allows colleagues to raise such concerns externally and this Policy informs colleagues 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.
- 1.4 This Policy and Procedure seeks to promote a culture of openness while making clear that concerns must be raised on the basis of a reasonable belief, and that knowingly false allegations may be treated as misconduct
- 1.5 The principles of openness and accountability which underpin legislation protecting whistle-blowers are reflected in this Policy and Procedure. The College is also committed to ensuring compliance with the Bribery Act 2010.

2. Scope

- 2.1 This Policy applies to all employees of Shipley College, governors, contractors, and to other colleagues including agency workers, casual workers, and volunteers. It is not directed at learners who can instead raise genuine concerns about suspected wrongdoing by making a complaint according to the Compliments and Complaints Procedure.

3. Responsibility

- 3.1 SLT and College Managers are responsible for ensuring the implementation of this Policy.

4. Protected disclosures

- 4.1 The law protects colleagues who want to reveal suspected wrongdoing or malpractice.
- 4.2 The law allows colleagues 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 (See Section 5 below) and the disclosure must also be made in an appropriate way (See Section 6). A 'protected disclosure' must, in the reasonable belief of the colleague making it, also be made in the public interest. A protected disclosure must consist of information and not merely be

allegations of suspected malpractice.

5. Specific Subject Matter

- 5.1 If, in the course of employment, a colleague becomes aware of information which they reasonably believe tends to show one or more of the following, they are encouraged to use this Policy and Procedure to disclose:
- That a criminal offence has been committed, is being committed or is likely to be committed;
 - That an individual has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
 - That a miscarriage of justice has occurred, is occurring, or is likely to occur.
 - That the health or safety of any individual has been, is being, or is likely to be, endangered.
 - That the environment has been, is being, or is likely to be damaged.
 - That there are concerns suggesting that there are risks related to modern slavery or human trafficking in the College's business or supply chains.
 - That information tending to show any of the above, is being, or is likely to be, deliberately concealed.

6. Procedure for making a disclosure

- 6.1 We hope that in most cases, concerns will be raised with, and addressed by, line managers or other senior managers. It should normally be possible to agree a way of resolving concerns quickly and effectively without using the Whistleblowing Procedure.
- 6.2 If a colleague feels unable to draw a concern to the attention of their line manager or another senior manager for whatever reason, or if they feel that, having done so, the concern has not been fully addressed, they should complete and send the whistleblowing submission form (Appendix A) to the Principal. If the matter relates to the Principal, the disclosure may be sent to a member of the Senior Leadership Team or the Manager of People and Culture instead. The concern will then be allocated to an independent person, who will manage the concern. The earlier a concern is expressed, the easier it is to take action.
- 6.3 If the complaint is in relation to the College's governing body, then one of the individuals identified on the list of prescribed people and bodies should be contacted in the first instance.
- 6.4 This Policy and Procedure has been implemented to allow colleagues to raise disclosures internally within the College and in most cases, we hope you will not find it necessary to refer concerns to anyone outside the College. However, we recognise that in some circumstances it may be appropriate to do so. The Government publishes a document entitled "Whistleblowing: list of prescribed people and bodies" which details the persons and bodies you can make a disclosure to: [Whistleblowing: list of prescribed people and bodies - GOV.UK](#). It will rarely be considered appropriate to alert the media.
- 6.4 This Policy and Procedure has been implemented to allow colleagues to raise disclosures internally within the College. A colleague 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.

- 6.5 As the statutory protections for whistle-blowers only apply in certain prescribed circumstances, colleagues are strongly encouraged to seek advice before making an external disclosure.

7. Procedure for investigation of a disclosure

- 7.1 When a colleague makes a disclosure, the College will acknowledge its receipt, in writing, within a reasonable timescale.
- 7.2 The College will then investigate the disclosure. If the College considers that the disclosure does not have sufficient merit to warrant further action, the colleague 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:
- If the College is satisfied that a colleague does not have a reasonable belief that suspected malpractice is occurring; or
 - If the matter is already the subject of legal proceedings or appropriate action by an external body; or
 - If the matter is already subject to another, appropriate College procedure.
- 7.3 When a colleague makes a disclosure 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, Health and Safety Executive or the Information Commissioner's Office.
- 7.4 If appropriate, any internal investigation would be conducted by a senior leader of the College without any direct association with the alleged offence the disclosure relates to, or by an external investigator appointed by the College, as appropriate. The Investigation Report will be sent to the Director of Governance unless they are the subject of the Investigation. In such a case, the report will be sent to the Chair of the Corporation.
- 7.5 Any recommendations for further action made by the College will be addressed to the Principal or Chair of the Corporation as appropriate in the circumstances. The recipient will take all steps to ensure the recommendations are implemented unless there are good reasons for not doing so.
- 7.6 The colleague 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. If the colleague is not satisfied that their concern has been appropriately addressed, they can appeal against the outcome by raising the issue with the Principal or Chair of the Corporation, as appropriate, within 10 working days. The Principal or Chair of the Corporation, as appropriate, will make a final decision on action to be taken and notify the colleague making the disclosure.

8. Safeguards for colleagues making a disclosure

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

- 8.2 No formal disciplinary investigation/proceedings will be taken against a colleague on the grounds of making a disclosure made under this Policy or Procedure. This does not prevent the College from bringing disciplinary investigation/proceedings where a colleague knowingly makes a false allegation, or where a disclosure is made outside the College without reasonable grounds. Concerns reported to the media or on social media are protected only in exceptional cases, so colleagues may risk losing legal protection if they chose those routes.
- 8.4 A colleague 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. Equally, where a colleague is threatened, bullied, pressured or victimised by a colleague for making a disclosure, disciplinary investigation will be instigated by the College against the colleague in question, which may result in formal disciplinary proceedings.

9. Monitoring and reporting

- 9.1 The College will keep a record of all disclosures made under this Policy and Procedure. The Policy will be monitored by the Director of Governance with an annual report to the Audit Committee and the outcome of the report included in the annual report on fraud to the Corporation.
- 9.2 All significant cases of fraud or suspected fraud or irregularity will be reported to the appropriate funding body. Significant fraud is usually where one or more of the following factors are involved:
- there is likely to be great public interest because of the nature of the fraud or the people involved
 - the sums of money are in excess of £10,000
 - the particulars of the fraud are novel or complex
- 9.3 Any risks to the solvency or financial viability of the College will be reported to the appropriate funding body.

10. Further assistance for colleagues

- 10.1 The College will not tolerate any harassment or victimisation of colleagues who make disclosures. If, at any stage of this Procedure, a colleague feels that they are being subject to informal pressures, bullying or harassment due to making a disclosure, they should raise this matter to a member of the SLT.
- 10.2 A colleague making a disclosure may contact the People and Culture team for counselling or other support from the College's occupational health service. Any such request would remain confidential.
- 10.3 Colleagues can also contact the Charity Protect (formerly known as Public Concern at Work) for confidential advice on whistleblowing issues. Contact details are as follows:

The Green House
244-254 Cambridge Heath Road
London E2 9DA

Protect Advice line:

- Email: whistle@protect-advice.org.uk
- Telephone: 020 3117 2520 (* option 1)
- Website: <https://protect-advice.org.uk/>

Related to other Policies or Procedures

This Policy relates to:

- Dealing with Bullying & Harassment Policy and Procedure
- Equality Policy
- Grievance Procedure
- Disciplinary Procedure
- Data Protection Policy
- Payment Card Information Security Policy
- Health and Safety Policies/Procedures
- Compliments and Complaints Procedure
- Slavery and Human Trafficking Statement

Making a public interest disclosure (whistleblowing)

This form is intended for use by any individual working for the College (including contractors, agency workers and volunteers) who wish to raise an issue about alleged wrongdoing.

This form should be used to report wrongdoing within the College (for example, financial irregularities or health and safety concerns), rather than to raise a personal grievance (for example, if you would like to make an allegation of bullying or harassment, or are complaining that your contract of employment has been breached).

If you are unsure about whether your concerns are best dealt with under the College's Whistleblowing Policy or Grievance Policy, please read those Policies for guidance. If, having read the Whistleblowing Policy, you remain unsure about which Procedure to use, please consult the People and Culture Manager for further advice.

Once you have submitted this form, the College's Whistleblowing Policy will be invoked. This may result in an investigation, which will be undertaken by an independent person and not by anyone named in your disclosure.

You can request that your concerns be kept confidential. Where possible, the College will respect a request for confidentiality, but cannot guarantee that it will be able to do so.

This form should be completed and delivered to the Principal in an envelope marked "confidential" or sent as an email attachment with "confidential" in the subject line.

Formal public interest disclosure (whistleblowing)

Employee's name:	
Employee's job title:	
Employee's department:	
Date:	
Does your public interest disclosure relate to your line manager?	Yes/No

Whistleblowing Submission Form - Appendix A

Summary of disclosure:	
<i>Please set out the details of the issue that you wish to raise, providing examples where possible, particularly dates, times, locations and the identities of those involved. You may attach additional sheets if required.</i>	
Individuals involved:	
<i>Please provide the names and contact details of any people involved in your concerns, including witnesses.</i>	
Outcome requested:	
<i>Please set out how you would like to see the issue dealt with, and why and how you believe that this will resolve the issue.</i>	
Declaration:	
I confirm that the above statements are true to the best of my knowledge, information and belief.	
Form completed by:	
Signature:	
For completion by the College:	
Date form received by the College:	
Name of recipient and job role:	
Signature:	