

Whistleblowing (Public Interest Disclosure) Policy and Procedure

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Reviewer: Audit and Risk Committee

Date of Review: June 2026

Next Review: July 2027

Approved: Corporation

Date: 8th July 2026

Putting Students First

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Chronology of updates

Version	Review Date	Made by	Revision Type	Changes
V1	June 2024	Cheryl Blackley	Update	Updated policy into new format, removed duplication, job title changes, legislation definitions update and alignment to culture
V2	June 2025	Cheryl Blackley	Update	Updated definitions section, inclusion of reference to health and safety policies
V3	June 2026	Cheryl Blackley	Update	Full revision of policy and procedure to align to updated legislation, Ofsted and transparency of how to make a protected disclosure

1. Introduction

The Isle of Wight College (the “College”) is committed to operating in an ethical and principled way. This policy and procedure provides a route for raising genuine concerns about wrongdoing. For the purposes of this policy, the term “worker” includes employees, agency workers, contractors, subcontractors, volunteers, apprentices and others working on behalf of the College (including host families).

The College encourages a free and open culture in dealings between its managers, workers and all people with whom it engages in business and legal relations. In particular, the College recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and the College is able to provide outstanding learning provision for students and the community as a whole.

The College encourages workers to raise genuine concerns about suspected wrongdoing at the earliest practicable stage. This policy and procedure are intended to provide safeguards to enable workers to raise concerns about malpractice in connection with the College.

The College will take all reasonable steps to protect workers from detriment, victimisation or disadvantage when making a disclosure.

2. Policy Statement

The Public Interest Disclosure Act 1998 allows workers to raise certain concerns externally. This policy explains how to raise concerns internally and, where necessary, externally, in a way that supports confidentiality and statutory protections.

The College actively promotes a ‘speak up’ culture where all workers feel confident to raise concerns without fear.

3. Scope

This policy applies to all types of ‘workers’ which is defined as:

- All staff members of the College, including apprentices; and
- Workers, those providing services on behalf of the College by a third party
- Agency workers and volunteers engaged by the College, which include Host families

Workers might be unsure whether it is appropriate to raise their concern under this policy and procedure or whether it is a personal grievance, which is more appropriate to raise under the College’s grievance procedure. Any worker in this situation is encouraged to approach their manager, the Head of Human Resources, People and Culture, the Director of Governance, or a member of the Senior Leadership Team in confidence for advice. Where it is not appropriate to raise concerns internally through management routes, workers may contact the Director of Governance to enable escalation to the Chair of the Audit and Risk Committee/Chair of Corporation as appropriate.

Students are not within the scope of this whistleblowing procedure. However, any safeguarding concern about a student must be reported immediately in accordance with the College Safeguarding Policy and procedures (for example, to the Designated Safeguarding Lead or safeguarding team). Concerns about safeguarding practice or organisational failings may also be raised under this whistleblowing policy.

This policy covers, but is not limited to, allegations of fraud, financial irregularities, corruption, bribery, dishonesty, criminal activities, failing to comply with a legal obligation, miscarriages of justice or creating, concealing or ignoring a serious risk to health, safety or the environment.

If a worker has a complaint about their own personal circumstances, then they should refer to the Grievance Policy and Procedure. However, where a concern raises wider systemic, safeguarding or legal risks, it will be treated as a whistleblowing matter regardless of whether it also impacts the individual personally.

4. Legal and Regulatory Framework

The principles of openness and accountability which underpin legislation protecting whistleblowers are reflected in this policy.

This policy is underpinned by the Public Interest Disclosure Act 1998 and relevant provisions of the Employment Rights Act 1996. The College is also committed to compliance with the Bribery Act 2010 and applicable data protection law, including the UK GDPR and Data Protection Act 2018. The policy reflects ACAS guidance and statutory guidance for education settings, including *Keeping Children Safe in Education (KCSIE)*.

5. Definitions

Workers – are individuals either employed, volunteering, contracted or working on behalf of the College in a paid or unpaid capacity.

Whistleblowing - It covers a concern which is in the public interest and is in the reasonable belief of the individual or group of individuals.

What is not whistleblowing – Personal complaints about an individual's employment (for example bullying, harassment, contractual issues or management decisions) should normally be raised under the College's Grievance Procedure, unless the matter involves wider public interest wrongdoing (for example systemic safety failures, unlawful discrimination, or safeguarding practice concerns).

Keeping Children Safe in Education – Department of Education statutory guidance outlines the legal requirements placed on schools and Colleges when carrying out responsibilities to safeguard and promote the welfare of children under the age of 18.

General Data Protection Regulations (UK GDPR) - Governs how the College processes and stores personal data, alongside the Data Protection Act 2018.

Employment Rights Act 1996 – Consolidates and outlines the rights of staff members in the workplace, covering issues such as unfair dismissal, redundancy pay, written terms and conditions of employment, flexible working, and protection against discrimination.

Public Interest Disclosure Act 1998 – This act allows workers to raise concerns about wrongdoing in the workplace without fear of reprisal, provided that the disclosure is made in the public interest. For example, reporting criminal offences, breaches in legal obligations, miscarriages of justice, health and safety dangers, environmental damage and deliberate concealment of any of these issues.

Equality Act 2010 - Legally protects people from discrimination in the workplace and wider society. It consolidated various anti-discrimination laws into a single Act, simplifying the law and strengthening protection.

6. Policy Objectives

This policy and procedure aim to encourage workers to raise genuine concerns through internal College procedures without fear of adverse repercussions being taken against them.

This policy and procedure seek to balance the need to allow a culture of openness against the need to protect other workers against vexatious allegations or allegations which are not well-founded.

Students at the College are also encouraged to raise genuine concerns about suspected wrongdoing by making a complaint to Student Services which is covered separately under the Student Complaints Policy.

The College will ensure that workers are not subjected to detriment, victimisation or harassment for raising a genuine concern, and that concerns are handled fairly, consistently and without discrimination.

Principles of This Policy

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work.
- Everyone should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the worker who raised the issue.
- No worker will be victimised for raising a matter in good faith under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the organisation's disciplinary policy/procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a serious offence. Wilful misuse of this procedure may constitute an act of gross misconduct and will be subject to disciplinary action, which may include dismissal.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to a Senior Manager.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should refer to the College's Grievance policy.

7. Responsibilities

- 7.1** **Governors/Principal/Senior Leadership Team** have responsibility for ensuring this policy is implemented effectively, and for monitoring themes and issues raised under the policy (with appropriate reporting to the Audit Committee/Corporation).

The College will take reasonable steps to prevent harassment or victimisation of anyone who raises a genuine concern and will take action where concerns about retaliation are identified.

7.2 Managers have responsibility for:

- Taking the workers concerns seriously.
- Understanding the difficult position, a worker may be in.
- Considering the concerns carefully and seeking advice from the human resources team immediately, before taking any further action.
- Keeping the worker informed of the process.
- Monitoring and reviewing the situation and inform senior managers and the head of human resources, people and culture.
- Ensuring individuals who genuinely report concerns are not penalised.
- Managers must not investigate serious concerns in isolation and must escalate all disclosures in line with this policy.

1.3 All Workers have the responsibility for:

- Ensuring that the best standards of care are achieved.
- Reporting any concerns that something is happening which might compromise this standard to a College worker as outlined in this policy and procedure.
- Raising concerns with a reasonable belief that it is made in the public interest.
- Not raising concerns with any malicious intent.

Workers should be aware that they will be personally liable if they subject a whistleblower to detriment treatment.

8. Procedure

8.1 Protected disclosures

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

To be a protected disclosure, a disclosure must relate to a specific subject matter (see Section 8.2 below) and the disclosure must also be made in an appropriate way (see Section 8.3 below).

A 'protected disclosure' must, in the reasonable belief of the worker making it, also be made in the public interest. A protected disclosure is a disclosure of information which, in the worker's reasonable belief, is made in the public interest and tends to show wrongdoing of the type set out in section 8.2. Workers do not need to prove wrongdoing but should provide as much factual information as possible (for example what happened, dates/times, locations, and any supporting evidence).

8.2 Specific subject matter

A worker may use this policy where they reasonably believe information tends to show one or more of the following:

- A criminal offence.
- A breach of legal obligation (including statutory safeguarding duties).
- A miscarriage of justice.
- Danger to the health and safety of any individual.
- Damage to the environment.

- Deliberate concealment of any of the above.

Advice can be sought from the Head of Human Resources, People and Culture or the Director of Governance if there is uncertainty about what qualifies as a disclosure.

Advice and guidance can also be sourced externally via www.gov.uk/whistleblowing and www.acas.org.uk.

8.3 Procedure for Making a Disclosure

The College will ensure that all workers are made aware of this policy and procedure as part of their induction. This policy is available via the staff intranet and College website.

Workers should raise their concerns with their manager in the first instance by email or letter (with a copy of their disclosure being sent to the Head of Human Resources, People and Culture) so that appropriate action can be taken, for one of the reasons outlined in 8.2 above. They should clearly reference that they are making a protected disclosure as per this policy. The disclosure should contain sufficient information for the matter to be investigated by the College. As a minimum, details of the nature of the concern, and why the worker believes it to be true and the background and history of the concern, giving relevant dates and evidence where possible.

Where it is not appropriate to raise concerns with their manager (for example, due to the nature of the concern or the involvement of that manager), workers may raise the concern directly with Head of Human Resources, People and Culture. The College will acknowledge receipt, in writing, within 7 working days.

Workers are not required to copy the Head of Human Resources, People and Culture where the disclosure relates to HR. In such cases, concerns should be raised directly with the Director of Governance. Where appropriate, the Director of Governance will support escalation to the Chair of the Audit and Risk Committee or Chair of Corporation if required.

Workers are encouraged to identify themselves when making a disclosure to enable a thorough investigation and feedback. Anonymous disclosures will be considered but may be more difficult to investigate. Where an anonymous disclosure is made, the College will not be in a position to notify the individual making the disclosure of the outcome of the action taken by the College. Workers are encouraged to provide a confidential means of communication with them when disclosures are made anonymously to allow the College to provide updates. The College will assess anonymous disclosures based on:

- The seriousness of the concern.
- The credibility of the information provided.
- The likelihood that the concern can be investigated.

Workers may seek confidential advice from the Head of Human Resources, People and Culture or the Director of Governance before making a disclosure.

8.4 Procedure for Investigation of a Disclosure

All disclosures will be acknowledged within 7 working days.

The College will assess within 15 working days whether the disclosure has sufficient substance to warrant further investigation. This review will consider whether the procedure

was followed correctly, whether conclusions were reasonable, and whether further investigation is required.

Where it is determined that no further action is required, the worker will be informed of the reasons, subject to confidentiality considerations.

Where a concern warrants investigation, the College will take appropriate action, which may include:

- An internal investigation.
- Referral to auditors.
- Referral to an external body (e.g. police, Health and Safety Executive, Information Commissioner's Office, or safeguarding partners).

Investigations will be carried out by an appropriate person who is independent of the matter, or by an external investigator where necessary. Where possible the investigations will be completed within 25 working days.

The College will agree an appropriate confidential method of communication with the worker and will provide updates where possible, including an indicative timeframe.

On conclusion, the worker will be informed whether the concern has been upheld and what general action has been taken or is proposed, subject to confidentiality and the rights of others.

If the worker is not satisfied that their concern has been appropriately addressed, they may request a review within 7 working days by writing to:

- The Principal or;
 - The Chair of Corporation (where the concern relates to the Principal)
- Any review will be conducted by a person not previously involved in the matter.

8.5 Safeguards for Workers Making a Disclosure

The College is committed to protecting workers who raise genuine concerns.

A worker who makes a disclosure in accordance with this policy can expect:

- Their concern to be taken seriously.
- Their identity to be kept confidential, where possible.
- Protection from victimisation, harassment or detriment.

The College will take all reasonable steps to ensure that documentation and reports do not identify the worker without their consent, unless required by law or necessary for legal proceedings.

Workers are not required to prove that wrongdoing has occurred. A reasonable belief that the information disclosed is true and in the public interest is sufficient.

Deliberately false, malicious or vexatious allegations may be addressed under the College's Disciplinary Procedure.

Any worker who subjects a whistleblower to detrimental treatment may face disciplinary action.

8.6 Disclosure to External Bodies (exceptional cases)

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases workers should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for workers to report concerns to an external body, such as a regulator. It will very rarely, if ever, be appropriate to alert the media. The College strongly encourages workers to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, [Protect](#) (previously known as Public Concern at Work), operates a confidential helpline.

Workers may make a disclosure to an appropriate external body prescribed by the law. A list of the relevant prescribed people and bodies for this purpose and the areas for which they are responsible is available from Protect and on the GOV.UK website at: [Whistleblowing: list of prescribed people and bodies](#).

Nothing in this policy prevents a worker from making a direct referral to children's social care, the Local Authority Designated Officer (LADO), or other safeguarding agencies where appropriate.

Workers should ensure that any external disclosure is made in accordance with the Public Interest Disclosure Act 1998 and relevant confidentiality obligations.

8.7 Accountability

The College will maintain a secure record of all disclosures made under this policy, including:

- Concerns raised.
- Actions taken.
- Outcomes (including where no action is required).

8.8 Concerns Relating to Safeguarding Practices

Safeguarding concerns must always be treated as a priority.

Where a worker has a concern about the safety or welfare of a student, they must follow the College's Safeguarding Policy and procedures and report concerns immediately to:

- The Designated Safeguarding Lead (DSL) or;
- The safeguarding team

Where a worker has concerns about safeguarding practice, culture, systems, or how safeguarding concerns are being managed within the College, they may also raise these concerns under this whistleblowing policy.

The College will not tolerate any victimisation or disadvantage resulting from raising safeguarding concerns.

Where workers feel unable to raise safeguarding concerns internally, they may contact:

- The NSPCC Whistleblowing Helpline (0800 028 0285).
- ACAS.
- Protect.

Workers may also access confidential support through the College's occupational health or employee support services.

8.9 Further assistance for workers

The College will not tolerate any harassment or victimisation of workers who make disclosures. If, at any stage of this procedure a worker feels that they are being subject to informal pressures, bullying or harassment due to making a disclosure, they should raise this matter, in writing, to the Head of HR, People and Culture; or the Principal; or Director of Governance.

Staff must not threaten or retaliate against whistleblowers in any way and workers who are found to be involved in such conduct may be subject to disciplinary action.

A worker making a disclosure may want to confidentially request counselling or other support from the College's occupational health service (or similar). Any such request for counselling or support services should be addressed to the Head of HR, People and Culture. Requests will be treated in confidence.

Workers can also contact the charity [Protect](#) for confidential advice on whistleblowing issues.

9. Training and Awareness

All workers will be made aware of this policy during induction. Managers and senior staff who may receive disclosures will receive periodic guidance/training on how to respond appropriately, including confidentiality, record keeping and escalation routes.

This policy and procedure must be read in conjunction with:

- Grievance Policy.
- Financial Regulations and Procedures.
- Equal Opportunities Policy.
- Health and Safety Policies and Procedures.
- Safeguarding Policy and Procedures.

10. Monitoring and Review

The Human Resources team will maintain records (or support records being maintained where the Director of Governance is the case lead) and will review the effectiveness of the policy after each case to identify learning and any required improvements.

11. Confidentiality

Information will be handled in accordance with the Public Interest Disclosure Act 1998 and the College's data protection obligations under UK GDPR and the Data Protection Act 2018.

12. Record Keeping

Records will be retained securely in line with the College Retention Policy and Procedure, UK GDPR/Data Protection Act 2018 requirements, and access will be restricted to those with a legitimate need to know.

13. Communication

This policy and procedure will be available to all workers via the College's intranet site, this will be included in a worker's induction.

14. Evaluation and Reporting

The Head of Human Resources, People and Culture will provide an anonymised annual report for the Principal and the Audit Committee/ Corporation. This will include:

- The number of disclosures.
- The nature of concerns raised.
- Themes and trends.
- Actions taken and lessons learned.

15. Review and Amendment History

Please see the Chronology earlier in this document.