



HR Policy

Whistleblowing Policy

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<i>Designated Owner</i>	<i>Director of Human Resources & Corporate Development</i>
<i>Approving body</i>	<ul style="list-style-type: none">• <i>Policy and Procedure Panel</i>• <i>SLT</i>• <i>Governing Board</i>
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<i>Linked policies and procedures</i>	<ul style="list-style-type: none">• <i>Grievance Procedure</i>• <i>Staff Disciplinary Procedure</i>• <i>Health and Safety Policy</i>• <i>Financial Regulations</i>• <i>Safeguarding Children & Vulnerable Adults and Prevent</i>
<i>Date of next review</i>	<i>April 2028</i>

1. Introduction

- 1.1 The aim of this Policy is to encourage individuals who have serious concerns about any aspect of HRC's work to come forward and voice those concerns.
- 1.2 This policy applies to individuals, workers, agency staff, contractors, volunteers, governors and others working for or on behalf of HRC.
- 1.3 It is important that any fraud, misconduct or wrongdoing by individuals employed or engaged by HRC is reported and properly dealt with. HRC therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.
- 1.4 HRC ensure that all partner organisations have their own Whistleblowing Policy prior to the signing of any contracts. Individuals engaged by partner organisations should use the partner organisations policy in the first instance unless they feel it is inappropriate / they are involved in the suspected wrongdoing.

2. Background

2.1 The law provides protection for individuals who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an individual who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act of sexual harassment, including where it forms part of a wider culture, systemic failure, or failure to prevent harassment; an act creating risk to health and safety;
- an act causing damage to the environment
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the individual to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The individual has no responsibility for investigating the matter - it is the organisation's responsibility to ensure that an investigation takes place.

2.2 An individual who makes such a qualifying disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

2.3 HRC encourages individuals to raise their concerns under this policy in the first instance. If an individual is not sure whether or not to raise a concern, he/she should discuss the issue with his/her line manager or the HR Services Department.

3. Principles

3.1 Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Individuals should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

3.2 Any matter raised under this policy will be investigated thoroughly, promptly and confidentially. All concerns will be treated in confidence and the outcome of the investigation reported back to the individual who raised the issue. While anonymous disclosures will be considered, anonymity may limit our ability to investigate fully or provide feedback. Confidentiality will be maintained wherever possible.

3.3 No individual will be victimised for raising a matter under this policy. This means that the continued employment and opportunities for future promotion or training of the individual will not be prejudiced because he/she has raised a legitimate concern.

3.4 Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.

3.5 If misconduct is discovered as a result of any investigation under this policy HRC's disciplinary procedure will be used, in addition to any appropriate external measures.

3.6 Maliciously making a false allegation is a disciplinary offence.

3.7 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, individuals

should not agree to remain silent. They should report the matter to their line manager or a member of the Senior Leadership team (SLT).

- 3.8 Some matters may fall under both the grievance and whistleblowing procedures. Where this occurs, the College will determine the most appropriate process¹, or may run elements in parallel, to ensure concerns are addressed fairly and lawfully.
- 3.9 HRC operate within the principles of the Nolan Principles of Public Life - 1995 (Appendix 1) and any whistleblowing should take these principles into consideration.
- 3.10 No individual will suffer any detriment as a result of raising a concern in good faith. This includes, but is not limited to, dismissal, disciplinary action, loss of work, changes to duties, intimidation, threats, or any form of disadvantage.

4. Raising a concern – the procedure

- 4.1 This will depend on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. You should normally raise concerns with:
- The line manager (unless the individual reasonably believes his/her line manager to be involved in the wrongdoing)
 - The line manager's line manager
 - The HR Services team – hr@hrc.ac.uk

4.2 Step 1

Where possible you should raise any matter of concern, serious or otherwise with your line manager. This may be done either verbally or in writing.

Step 2

If you feel unable, for whatever reason, to raise the matter with your line manager, you may go to your line manager's line manager.

Step 3

If these steps have been followed and you still feel you have concerns, or that they have not been addressed, or that you cannot discuss the matter with any of the above then you should contact – the Director of HR and Corporate Development.

- 4.3 When raising your concern, it is helpful for you to provide an explanation with as much detail as possible including dates and times of incidents, any eyewitness details and any supporting documents that you have. Please complete the form detailed Appendix 2.

5. Raising What happens next

- 5.1 The person who you raise the concern to will listen to and consider your concern in full and determine whether any action is needed. This may mean reporting it to a more senior member of staff.
- 5.2 The College will acknowledge receipt of a disclosure within 5 working days and provide an update on next steps.

¹ For example, matters relating to a breach of an individual's own contract of employment or if an individual is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the organisation's grievance procedure.

- 5.3 Where a disclosure concerns a Senior Post Holder or the Principal the matter may be referred to the Clerk to the Corporation or an external investigator.
- 5.4 We will try to keep you informed about the actions that we are taking in relation to the concern including how we propose to deal with the matter, whether we need further assistance from you, any action that is taken and the outcome of the investigation. However, we may not be able to provide you with much detail where we have a duty to keep the confidence of other people.
- 5.5 If on conclusion of stages 1, 2 and 3 and where attempts to raise matters internally have been unsuccessful or, exceptionally, you feel you cannot raise your concerns internally, you may consider raising the matter with the relevant regulatory authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:
- HM Revenue & Customs;
 - the Financial Conduct Authority (formerly the Financial Services Authority);
 - the Competition and Markets Authority;
 - the Health and Safety Executive;
 - the Environment Agency;
 - the Independent Office for Police Conduct; and
 - the Serious Fraud Office.
 - Information Commissioner's Office (ICO) Awarding Bodies

6. Support for whistleblowers

- 6.1 Whistleblowing may be very difficult. We will take every step to ensure we protect and support whistleblowers internally. However, we recognise that people may feel more comfortable seeking external support in this situation.
- 6.2 If you are an employee of the college, we would encourage whistleblowers to contact the free, confidential employee assistance programme – Telus – for external support at any time before, during or after whistleblowing. You can access Telus in 3 ways:
- Telephone: 0800 169 1920
 - Online: <https://login.lifeworks.com>
 - By mobile app for iPhone and Android download the App via
- 6.3 Individuals may also seek independent advice from organisations such as Protect (the whistleblowing charity) before making an external disclosure. <https://protect-advice.org.uk/>

7. Data Protection

- 7.1 When an individual makes a disclosure, HRC will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.
- 7.2 This procedure will be periodically reviewed by the owner. Any amendment to it will be notified to individuals in writing by HRC's HR Services team and such written advice will inform individuals as to the date when any amendment comes into effect. This may be by means of the organisation's intranet.

Appendix 1 – The Seven Principles of Public Life (The Nolan Principles)

The Principles are:

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

Appendix 2 – Making a public interest disclosure (whistleblowing)

Making a public interest disclosure (whistleblowing)	
<p>This form is intended for use by any individual working for HRC or engaged by HRC (including contractors, agency workers and volunteers) who wishes to raise an issue about wrongdoing.</p> <p>This form should be used to raise concerns about wrongdoing, risk, or failure within the College that is in the public interest. This may include (but is not limited to) financial irregularities, health and safety concerns, safeguarding issues, or sexual harassment where there is a wider public interest or systemic concern.</p> <p>Some matters may overlap with the grievance procedure. Where this occurs, the College will determine the most appropriate process to ensure the concern is addressed fairly and lawfully. If you are unsure about whether your concerns are best dealt with under the HRC's whistleblowing policy or grievance procedure, please read the whistleblowing policy, which provides examples of the issues that should be reported using this form. If, having read the whistleblowing policy, you remain unsure about which procedure to use, please consult with the Director of HR and Corporate Development for further advice.</p> <p>Once you have submitted this form, HRC's whistleblowing policy will be invoked. This will result in an investigation, which will not involve anyone (for example, your line manager) you may have implicated below.</p> <p>In certain circumstances, you can request that your concerns be kept anonymous. Where possible, the college will respect a request for anonymity but cannot guarantee that it will be able to do so.</p> <p>This form should be completed and delivered to the Director of HR and Corporate Development in an envelope marked "confidential" or sent as an email attachment with "confidential" in the subject line.</p>	
Formal public interest disclosure (whistleblowing)	
Your name:	
Your job title:	
Your department name:	
Date:	
Does your public interest disclosure relate to your line manager?	Yes/No
Type of concern (tick all that apply):	<ul style="list-style-type: none"> • <input type="checkbox"/> Financial / fraud • <input type="checkbox"/> Health & safety • <input type="checkbox"/> Safeguarding • <input type="checkbox"/> Sexual harassment • <input type="checkbox"/> Breach of legal obligation • <input type="checkbox"/> Environmental concern

	<ul style="list-style-type: none"> <input type="checkbox"/> Other (please specify)
<p><i>Do you believe this disclosure is made in the public interest?</i></p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Unsure</p>
<p>Summary of disclosure:</p>	
<p>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.</p>	
<p>Individuals involved:</p>	
<p>Please provide the names and contact details of any people involved in your concerns, including witnesses.</p>	
<p>Outcome requested:</p>	
<p>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.</p>	

Declaration:	
I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that, if I knowingly make false allegations, this may result in the organisation taking disciplinary action against me.	
Form completed by:	
Signature:	
For completion by the organisation:	
Date form received by the organisation:	
Name of recipient and job role:	
Signature:	