

# **Whistleblowing Policy**

**December 2025**

# **Kirklees College Whistleblowing Policy**

## **1 Purpose and scope**

- 1.1 All colleges face the risk of things going wrong or of unknowingly harbouring malpractice. At Kirklees College, we take malpractice very seriously and are committed to conducting our institution with honesty and integrity and we expect all staff to maintain high standards too. We encourage open communication from all those who work for us and we want everyone to feel secure about raising concerns.
- 1.2 All staff have protection under whistleblowing laws if they raise concerns in the correct way. This policy is designed to give staff that opportunity and protection. It does not matter if an individual who raises a concern is mistaken about it—staff do not have to prove anything about the allegation they are making but they must reasonably believe that the disclosure is made in the public interest and that the information they have tends to show some malpractice.
- 1.3 This policy applies to all our employees, officers, consultants, contractors and to other workers including agency workers, casual workers, volunteers, interns and home workers.
- 1.4 This policy does not form part of any contract of employment or contract for services and it may be subject to change, withdrawal or replacement at any time

## **2 When to use this policy**

- 2.1 There is a difference between whistleblowing and raising a grievance:
  - whistleblowing is where an individual has a concern about a danger or illegality that has a public interest aspect to it, eg because it threatens students, third parties or the public generally; but
  - a grievance is a complaint that generally relates to an individual's own employment position or personal circumstances at work.
- 2.2 The policy does not cover matters relevant to the College's disciplinary or grievance procedures, or non-staff complaints that do not fall within the scope of a public interest disclosure (for which the College's Compliments and Complaints Procedure will apply).
- 2.3 If you have a grievance or complaint about your own personal circumstances, then you should use the College's Resolution Policy and may wish to seek advice from your trade union representative.

### **3 Malpractice covered by this policy**

3.1 Whistleblowing is the reporting of suspected malpractice, wrongdoing or dangers in relation to the activities the college undertakes. The kinds of malpractice covered by this policy include that any of the following have occurred, are occurring or are likely to occur:

- criminal offences, including those in relation to bribery and corruption and tax evasion facilitation;
- miscarriages of justice;
- danger to the health and safety of any individual;
- damage to the environment;
- breach of any legal obligation, including those in relation to bribery and corruption and tax evasion facilitation;
- deliberately concealing any of the above.

3.2 Although we refer to 'concerns' throughout this document, it is important to note that, in law, 'whistleblowing' disclosures must involve information that 'conveys facts', rather than simply raising a concern or allegation.

### **4 What if the wrongdoing I wish to report is also a safeguarding concern?**

4.1 Our Safeguarding and Child Protection Policy sets out the arrangements for reporting safeguarding concerns. If you disclose information which suggests that someone has:

- behaved in a way that has harmed or may have harmed a child, young person or vulnerable adult;
- possibly committed a criminal offence against a child, young person or vulnerable adult, or related to a child, young person or vulnerable adult; or
- behaved towards a child, young person or vulnerable adult in a way that indicates s/he is unsuitable to work with children, young people and/or vulnerable adults,

the statutory guidance contained in the Department for Education publication, Working Together to Safeguard Children 2018 and, where relevant, specific guidance given by the Secretary of State under section 175 of the Education Act 2002 will be followed, due to the specific obligations upon persons reporting concerns regarding the wellbeing of children and young people. The statutory protections for whistleblowers will still apply.

## **5 Our guarantee**

- 5.1 We are committed to the principles set out in this policy. If you use this policy to raise a concern, we give you our assurance that you will not suffer any form of retribution or detrimental treatment as a result of raising concerns. We will treat your concern seriously and act according to this policy.
- 5.2 If you ask for a matter to be treated in confidence, we will respect this request and, unless the law requires otherwise, will only make disclosures to third parties or other staff with your consent.

## **6 Procedure for raising a concern**

- 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 you feel unable to draw your concern to the attention of your line manager or another senior manager for whatever reason, or if you feel that, having done so, your concern has not been fully addressed, you should contact the Director of Governance. If the matter relates to the Director of Governance, your disclosure may be addressed to the Chair of the Corporation instead.
- 6.3 A concern can be raised by telephone, in person or in writing. It is preferable if it is made in writing. Although you are not expected to prove the truth of your concern beyond doubt or provide evidence, you will generally need to provide, as a minimum, details of the nature of the concern and why you believe it to be true, and the background and history of the concern (giving relevant dates where possible)
- 6.4 You may wish to consider discussing your concern with a colleague or trade union representative before raising it formally under this policy but remember that once you have raised a concern formally (alone or with a colleague), in the interests of everyone involved, this is a confidential process.

## **7 Responding to concerns raised**

- 7.1 We are committed to ensuring that all disclosures raised will be dealt with appropriately, consistently, fairly and professionally. The College will acknowledge receipt of a disclosure within 10 working days where reasonably practical and we will arrange a meeting as soon possible to discuss the concern raised. You may bring a colleague or trade union representative to any meeting that takes place. The companion must respect the confidentiality of the disclosure and any subsequent investigation. We may ask you for further information about the concern raised, either at this meeting or at a later stage.

- 7.2 After the meeting, we will decide how to respond. Usually this will involve making internal enquiries first, but it may be necessary to carry out an investigation at a later stage which may be formal or informal depending on the nature of the concern raised. External investigators may be brought in where necessary or the matter may be referred to the police or other relevant statutory body for investigation if this is deemed appropriate. We will endeavour to complete investigations within a reasonable time.
- 7.3 We will keep you informed of the progress of the investigation carried out and when it is completed and give you an indication of timings for any actions or next steps that we will take, but we cannot inform you of any matters which would infringe any duty of confidentiality owed to others.
- 7.4 The Director of Governance will, at every Audit Committee meeting, present a summary of all disclosures received and the material developments, findings and conclusions of investigations since the previous meeting. The Audit Committee may or may not accept such findings and conclusions. The Director of Governance will provide such additional information regarding any disclosure or investigation as may be requested by the Audit Committee.

## **8 If you are not satisfied**

- 8.1 It is not possible to guarantee any particular outcome but the College will try to deal with any concerns raised fairly and in an appropriate way. By using this procedure, you can help to achieve this.
- 8.2 It is hoped that you will be satisfied with any action taken. If you are not happy with the way in which your disclosure is handled or the outcome (if we are able to share it), you should address any complaint to the Chair, or the Chair of the Audit Committee if your complaint is about the Chair.

## **9 Confidentiality**

- 9.1 All concerns raised will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of a disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.
- 9.2 We hope that all staff will feel able to voice their concerns openly under this policy. Although a concern may be raised anonymously, we encourage you give your name when reporting your concern whenever possible. If this is not done, it may be more difficult to fully investigate the allegations, for us to protect your position or to give feedback on the outcome of investigations.

## **10 Raising your concern externally (exceptional cases)**

- 10.1 The main purpose of this policy is to give all our staff the opportunity and protection they need to raise concerns internally. We would expect that in almost all cases raising concerns internally would be the most appropriate course of action.
- 10.2 If for whatever reason, you feel you cannot raise your concerns internally and you reasonably believe the information and any allegations are substantially true, the law recognises that it may be appropriate for you to raise the matter with another prescribed person, such as a regulator (eg Ofsted/Department for Education) or professional body or an MP. A list of the relevant prescribed people and bodies for this purpose and the areas for which they are responsible is available from Protect (formerly known as Public Concern at Work) (see Clause 10), Further information and contacts, below) and on the GOV.UK website at:  
<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>
- 10.3 We strongly encourage any individual to seek appropriate advice before reporting a concern to anyone external. Protect (formerly known as Public Concern at Work) is a leading independent charity whose main objectives are to promote compliance with the law and good practice in the public, private and voluntary sectors. They are a source of further information and advice and operate a confidential helpline. See Clause 10, Further information and contacts, below.

## **11 Protection and support for those raising concerns**

- 11.1 We are committed to good practice and high standards and to being supportive to staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 11.2 Any individual raising a genuine concern must not suffer any detriment as a result of doing so. If you believe that you have suffered such treatment, you should inform the Vice Principal, People and Culture or Director of Governance Director immediately. If the matter is not dealt with to your satisfaction, you should raise it formally using our Resolution Policy.
- 11.3 No member of staff must threaten or retaliate against an individual who has raised a concern and we will not tolerate any such harassment or victimisation. Any person involved in such conduct may be subject to disciplinary action and in some cases will be liable to a claim for compensation brought against them personally.
- 11.4 To ensure the protection of all our staff, those who raise a concern frivolously, maliciously and/or for personal gain and/or make an allegation they do not reasonably believe to be true and/or made in the public interest will also be liable to disciplinary action.

## 12 Review

- 12.1 The Director of Governance shall have authority to make changes to this document to reflect changes to personnel or job roles, contact details, typographical errors or changes to legislation or related policies referenced within it. Any material changes must be approved by the Corporation.

## 13 Further information and contacts

- 13.1 If you have any queries about the application of this policy, please contact the Director of Governance.

- 13.2 Relevant regulators may include:

Name of regulator	Contact details
Her Majesty's Chief Inspector of Education, Children's Services & Skills	The Chief Inspector Ofsted Piccadilly Gate Store Street Manchester M1 WD Tel: 0300 123 3155 Email: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a>
Secretary of State for Education/Department for Education	Ministerial & Public Communications Division Department for Education Piccadilly Gate Store Street Manchester M1 2WD Tel: 0370 000 2288 Website: <a href="http://www.gov.uk/contact-dfe">www.gov.uk/contact-dfe</a>
The Health and Safety Executive	Tel: 0300 003 1647 Online form: <a href="http://www.hse.gov.uk/contact/concerns.htm">www.hse.gov.uk/contact/concerns.htm</a>

- 13.3 Other prescribed people and bodies include:-

- Secretary of State for Education (also the Charity Regulator for the FE sector)
- Office of Qualifications and Examinations Regulation (Ofqual)
- Financial Reporting Council
- The Information Commissioner (relating to GDPR and freedom of information)
- The Environment Agency
- Equality and Human Rights Commission
- The Health and Safety Executive
- Competition and Markets Authority

- 13.4 Protect (formerly known as Public Concern at Work) is a source of further information and advice at <https://protect-advice.org.uk/>. It also provides a free helpline offering confidential advice on 020 3117 2520.

## Approval

Author:	Director of Governance
Owner:	Director of Governance
Reviewer(s):	Vice Principal, People & Culture Audit Committee UCU / Unison for comment  (Director of Governance may make minor amendments to reflect changing legislation, job titles, etc.)
Review period:	Annually
Authorised by:	Corporation

## Amendment History

Version	Amendments	Approver	Date
1.0	At the request of the Audit Committee to soften the wording of the existing policy, add clarity and generally improve its effectiveness.	Corporation	21 January 2021
2.0	To update role titles and contact details; to build in provision for the Director of Governance to make corrections and other minor changes.	Corporation	31 October 2023
3.0	To update role titles and contact details.	Corporation	4 July 2024
4.0	Revision	Corporation	11 December 2025