# Whistleblowing (Public Interest Disclosure) Procedure

HARROW, RICHMOND AND UXBRIDGE COLLEGES POLICY AND PROCEDURES

HRUC

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| **Policy No:** | G12 |
| **Subject:** | Whistleblowing (Public Interest Disclosure) Procedure |
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| **Person responsible:** | Director of Governance |
| **Approved by:** | Audit and Risk Committee |
| **For action by:** | All Staff |
| **For information to:** | All Staff |

## 1. Introduction

1.1 An effective way of encouraging propriety throughout an organisation is to have a policy which encourages staff to raise genuine concerns about suspected malpractice internally as soon as possible, and in a confidential fashion without fear of reprisals.

1.2 HRUC is committed to operating in an ethical and principled way. The aim of this policy is to provide employees with a means for raising genuine concerns of public interest or breaches of the law and other serious wrongdoings.

1.3 This policy covers all employees, contractors, agency workers, apprentices, volunteers and casual workers.

1.4 This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standard Institute and Public Concern at Work, Public Interest Disclosure Act 1998 (PIDA), updates via the Enterprise and Regulatory Reform Act 2013, British Standards Institute (BSI) Whistleblowing Code of Practice and Freedom of Speech Act 2023 (relevant to FE/HE institutions).

1.5 This policy meets the requirements of the Office for Students (OfS) Higher Education conditions.

1.6 This procedure is not meant to be used for employees to raise private grievances and complaints, in such cases staff should refer to the College’s Grievance Policy and Procedure or the Complaints Policy & Procedure.

1.7 The College seeks to tackle malpractice in the following ways:-

a. Corporation members will set the tone of the College and commit themselves to tackle malpractice. The Corporation itself has adopted a Code of Conduct and a Register of Members' Interests.

b. The Corporation and Executive Management Team (EMT) will monitor the use of this procedure to enable employees to raise their concerns without fear

c. The College will ensure there is an alternative to line management if staff wish to raise concerns about suspected malpractice.

## 2. Scope of the Procedure

2.1 The College will enable members of staff to raise genuine concerns about malpractice, which is taken seriously by the College.

2.2 This procedure is, accordingly, intended to provide safeguards to enable members of staff to raise concerns about malpractice in connection with the College. The aim is to provide a mechanism under which genuine concerns can be raised internally, and, subsequently if necessary, externally. It is also intended to promote throughout the College a culture of openness and a shared sense of integrity by inviting all employees to act responsibly in order to uphold the reputation of the College and maintain public confidence.

2.3 This procedure also seeks to balance the need to provide safeguards for members of staff who raise genuine concerns about malpractice, against the need to protect other members of staff, members of the Corporation, students and the College against false, uninformed, malicious or vexatious allegations which can cause damage to innocent individuals.

## 3. Definition of Whistleblowing

3.1 Whistleblowing is the disclosure of information which relates to suspected malpractice or dangers at work. Examples of whistleblowing under the Public Interest Disclosure Act 1998 may include:

a. Fraud or financial irregularity.
b. Bribery or blackmail.
c. Criminal offences.
d. Failure to comply with a legal or regulatory obligation.
e. Miscarriages of justice.
f. Endangering the health or safety of any individual.
g. Endangering the environment.
h. Serious financial maladministration arising from the deliberate commission of improper conduct.
i. Breach of our internal policies and procedures.
j. Conduct likely to damage our reputation.
k. Unauthorised disclosure of confidential information.
l. Negligence.
m. The deliberate concealment of any of the above.
n. Concerns around Safeguarding and/or Prevent, and the individual does not feel able to raise concerns regarding failures internally.
o. Ethical concerns, such as bullying, discrimination, or abuse of authority.
p. All forms of harassment including sexual harassment.
q. Inappropriate relationships between staff (and Governors) and students where conflict of interest is not disclosed or managed.

3.2 A "whistleblower" is a person who raises a genuine concern relating to any of the above. If you have any concerns related to suspected wrongdoing or danger affecting any of the College's activities (a "whistleblowing concern") staff should report it under this policy.

3.3 Where a disclosure relates to sexual harassment, in line with the Sexual Harassment Policy, the College will determine whether it is appropriate to follow this Whistleblowing Policy, the Disciplinary Policy or the Grievance Policy. Disclosure of sexual harassment will be managed confidentially and in line with the Disciplinary Policy and Procedure. Disclosures that raise wider concerns that are in the public interest will be addressed through this Whistleblowing Policy (for example, concerns about a culture of sexual harassment). Complaints that relate to an individual's personal treatment are more likely to be addressed under the Grievance policy. The College will make this decision based on the nature and circumstances of the disclosure.

3.4 Fraud Prevention Measures

a. Failure to prevent fraud legislation came into force on 1 September 2025, as part of the Economic Crime and Corporate Transparency Act 2023. HRUC fosters a strong anti-fraud corporate culture and has adopted reasonable procedures to prevent fraud from occurring. This includes staff training, monitoring and due diligence checks.
b. In line with this duty, staff are encouraged to report concerns about fraud or weaknesses in fraud prevention through the whistleblowing channels.
c. Staff must remain alert to fraud risks and report any suspected fraud, attempted fraud, or weaknesses in fraud prevention.
d. All concerns raised in good faith will be treated confidentially, investigated appropriately, and will not result in detrimental treatment.

## 4. Designated Assessors

4.4 The Chief Executive of the College will ensure that four members of staff of appropriate experience, standing and training within the College are designated at any time for the purposes of this procedure as Designated Assessors, and that one of the members shall be designated as the Lead Assessor.

At the date of the adoption of this procedure the Designated Assessors will be the following, or equivalent level postholder, or their approved delegate:

**The Lead Assessor**
Group Executive Principal

**(Second) Designated Assessor**
College Principal

**(Third) Designated Assessor**
A member of Senior Leadership Team, for example an Assistant Principal

**(Fourth) Designated Assessor**
A senior member of Student Services team

4.5 If a member of staff is uncertain as to whether something is within the scope of this policy, they should seek advice from the Lead Assessor (or a Designated Assessor).

4.6 The Chief Executive may revoke any such designation from time to time and appoint new Designated Assessors. The Chief Executive will report any such revocation to the next meeting of the Corporation, together with brief reasons for the revocation.

4.7 Any of the Designated Assessors may consult the Chief People Officer (CPO) about confidential matters relating to a disclosure in order to seek appropriate advice. Where the Chief People Officer is the subject of any disclosure, the relevant Designated Assessor will instead seek external advice as appropriate, having first complied with any applicable internal procedure i.e. Grievance or Disciplinary.

4.8 If a whistleblowing concern involves the Lead Assessor then a member of the Governing Body appointed by the Chair will take over the role of the Lead Assessor and they will be supported by the Chief People Officer. If allegations concern the Lead Assessor, the Discloser should write to the Director of Governance.

## 5. Disclosure – Speak Up Service

5.4 The College has partnered with Health Assured Wisdom Wellbeing to provide a confidential Speak Up Service which is available to all individuals to access 24 hours a day and every day of the year. The helpline is a free, independent, impartial and non-judgmental service where individuals can speak to a trained advisor to report matters without fear and encouraging a culture of transparency in the workplace. The helpline telephone number is 0800 047 4037.

5.5 The College will seek to ensure all staff are made aware of the Whistleblowing Policy and procedures, the Speak Up Service and the identified contact points listed under 4.1. Communication and advice on Whistleblowing will include, the Speak Up Service poster (see Appendix 1), the Staff or Agency handbook, staff induction activity, as part of the College's communications processes and relevant information made readily available to all staff on the Staff intranet site.

5.6 The person making the disclosure (the Discloser) should contact the Speak Up Service to report incidents of suspected fraud, malpractice, wrongdoing, bullying harassment or discrimination that they suspect has taken place at work (examples of whistleblowing malpractice and dangers are provided in 3.1).

5.7 Disclosers will be securely forwarded to a named individual within the Chief Executive's or Group Executive Principal's office. On receipt of the disclosure by the College, the Lead Assessor or member of the Governing Body will assess the nature of the complaint to determine the choice of Designated Assessor who will investigate the disclosure,

5.5 If a Discloser wishes to raise a concern confidentially, they can use the Speak Up Service. The College will make every effort to keep the Discloser's identity secret during any subsequent investigation. If it is necessary for anyone investigating the disclosure to know the Discloser's identity, the College will discuss this with the Discloser.

5.6 Proper investigation may be difficult or impossible if the College cannot obtain further information from the Discloser. It may also be more difficult to establish the basis of any allegations.

5.7 Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Lead Assessor and appropriate measures can be taken to preserve confidentiality.

5.8 On receipt of the disclosure, the Designated Assessor may interview the Discloser in confidence (where the Disclosers contact details have been provided). The interview should take place as soon as practicable, after the initial disclosure (usually within 7 to 10 days). The purpose of the interview will be for the Designated Assessor to obtain as much information as possible from the Discloser about the grounds for their whistleblowing concern. The Discloser may be accompanied by a trade union representative or work colleague at the interview who should respect the confidentiality of the disclosure and any subsequent investigation. The Designated Assessor may be accompanied by an administrative assistant who will be subject to a duty of confidentiality to take notes which will not identify the Discloser.

## 6 Further Steps

6.1 As soon as practicable, after the initial disclosure, the Designated Assessor will recommend what further steps should be taken, and where appropriate, will keep the Discloser informed of progress. Such recommendations may include one or more of the following:

a. That no further action should be taken.
b. That the matter should be reported to the police.
c. That the matter should be reported to the Department for Education, Health and Safety Executive, the National Audit Office or other appropriate public authority.
d. That the matter should be investigated either internally by the College, by a committee of the Corporation, by internal or external auditors or by an independent external investigator appointed by the College or the Governing Body.

6.2 Any recommendations made under this procedure will be made by the Designated Assessor to the Chief Executive unless it is alleged that the Chief Executive is involved in the alleged malpractice, in which case the recommendations will be made to the Chair or one of the Vice-Chairs of the Corporation. The Chief Executive or Chair or Vice Chair of the Corporation will ensure recommendations of the Designated Assessor are implemented.

6.3 Once the Chief Executive (or other recipient) has decided what further steps (if any) should be taken, the Designated Assessor will inform the Discloser (where known) of the decision. If no further steps are proposed, the Designated Assessor will give the reasons for this.

6.4 If a Discloser is not satisfied with the way in which their concern has been handled, the Discloser can raise it with one of the other Assessors. Alternatively, they may contact the Chief People Officer. Contact details are set out at the end of this policy.

## 7 External Disclosure

7.1 The aim of this Whistleblowing policy and Speak Up Service is to provide an internal mechanism for reporting, investigating and remedying any malpractice in the workplace. In most cases staff should not find it necessary to alert anyone externally.

7.2 The law recognises that in some circumstances it may be appropriate for staff to report whistleblowing concerns to an external body such as a regulator. (If, having followed this procedure, the Discloser is not satisfied, the Discloser may raise the matter concerned on a confidential basis directly with the police, the Department for Education, The Inland Revenue, The Financial Services Authority, a Member of Parliament or other appropriate public authority such as the NSPCC.) Public Concern at Work operates a confidential helpline. Their contact details are at the end of this policy. Before taking such action, the Discloser is encouraged to inform a Designated Assessor or the Lead Assessor in writing.

7.3 The Discloser may at any time disclose the matter on a confidential basis to a professionally qualified lawyer for the purpose of taking legal advice.

7.4 If an individual seeks advice outside of the College, they must be careful not to breach any confidentiality obligations or damage the College's reputation in so doing.

## 8 Protection of Disclosers – Safeguards

8.1 Any report or recommendations by the Designated Assessor in relation to the matter will not identify the Discloser except where:

a. The Discloser consents in writing.
b. The Designated Assessor is under a legal obligation to disclose the identity of the Discloser.
c. The information is already in the public domain.
d. It is necessary in order to undertake an investigation into the matters disclosed, and these

matters cannot be investigated unless the name of the Discloser is revealed.

e. It is necessary to disclose on a strictly confidential basis to the Designated Assessor's administrative assistant.
f. It is necessary on a strictly confidential basis for the Chief Executive, Chief People Officer or Director of Governance to obtain legal advice from a professionally qualified lawyer.

8.2 Any documentation relating to the matter will be kept secure by the Designated Assessor and/or the Chief People Officer. Access to physical and digital files is limited to authorised personnel through role-based permissions. As far as practicable, any documentation prepared by the Designated Assessor will not reveal the identity of the individual as the Discloser of information under this procedure.

8.3 Where the Discloser involves a local trade union representative or work colleague in this procedure, the Discloser will be under an obligation to use all reasonable endeavours to ensure that the representative or work colleague keeps this matter strictly confidential except, as permitted under this procedure, until such time as it comes into the public domain.

8.4 The Discloser is required by the College to participate and co-operate in an investigation into the matter.

8.5 The College will not (and it will use all reasonable endeavours to ensure that its employees do not) subject the Discloser to any detriment, on the grounds of the Discloser's disclosure of information under this procedure. Staff must not suffer any detrimental treatment as a result of raising a genuine whistleblowing concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. The Discloser should report any complaints of such treatment to the Designated Assessor;

a. If the Discloser wishes the Designated Assessor to investigate such complaints, the Discloser may be asked to consent in writing to the Designated Assessor that the Discloser's identity for the purposes of such an investigation may be revealed.

b. If the complaint is about the conduct of the Designated Assessor, then the Discloser should write to the Director of Governance. If the matter is not remedied, the Discloser should raise the matter formally using the Grievance Procedure.

8.6 Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

8.7 Disclosers have access to the Staff Wellbeing Support services via the Employee Assistance Programme, which includes access to counselling.

## 9 Disciplinary Action

9.1 The full range of disciplinary sanctions may be taken against a Discloser if they are found to have made false allegations maliciously or with a view to personal gain according to the College's Disciplinary Policy and Procedure.

## 10 Amendments/Review

10.1 This policy does not form part of any employee's contract of employment. This procedure will be reviewed at least every 2 years, and more often if it is thought to be helpful given legislative changes, case law and/or local experience. Any comments or suggestions about the procedure are to be referred to the Director of Governance or the CPO.

10.2 Any comments or suggestions about the procedure should be referred to the Lead Assessor or Chief People Officer.

10.3 Use of this procedure by College employees will be reported to the Governing Body via the Audit and Risk Committee.

## 11 Contact details:

Chief People Officer — Email: HR@hruc.ac.uk

## 12 Other Information / contacts (External)

Individuals may make a disclosure to an appropriate external body prescribed by the law. This list of 'prescribed' organisations and bodies can be found in information on the GOV.UK website.

Department for Education: [Blowing the whistle to the Department for Education - GOV.UK]

Public Concern at Work contact (pcaw.co.uk) details:

Tel: 0207 404 6609 — Email: whistle@protect-advice.org.uk

NSPCC contact details:

Tel: 0800 028 0285 — Email: help@nspcc.org.uk

## 13 Related policies

This Code should be read in conjunction with relevant College policies, including, but not limited to:

a. Complaints Policy and Procedure.

b. Grievance Policy and Procedure.

c. Disciplinary Policy and Procedure.

d. Staff Handbook.

e. Agency Handbook.

f. Academic Malpractice and Maladministration Policy.

g. Code of Practice on Freedom of Speech, Freedom of Expression and Academic Freedom Policy.

h. Wellbeing Policy.

i. Anti Bribery Policy.

j. Anti Fraud Policy.

**Appendix 1:**

# Speak Up Service with HA | Wisdom Wellbeing

## A confidential whistleblowing service available 24/7, 365

Your organisation has partnered with HA | Wisdom Wellbeing to provide a confidential and independent Speak Up Service for all individuals to access.

Our helpline is available 24/7, 365 days a year and allows you to report whistleblowing, bullying, discrimination and other concerns confidentially and without fear, encouraging a culture of openness and transparency in the workplace.

- Free, confidential helpline available 24/7, 365 days a year
- Independent, impartial and non-judgemental service
- Speak to a fully trained advisor
- Safeguard employee mental health
- Improve your return-to-work and attrition rates
- Foster a positive workplace culture

**Free 24-hour confidential helpline:**

**UK: 0800 047 4037 | ROI: 1800 936 071**

**Appendix 2:**

**HRUC**

**PUBLIC INTEREST DISCLOSURE PROCEDURE**

**Confidential Memorandum**

To: ……………………………………………………………………….………………………

(Please name the Designated Assessor you would like to address)

From: …………………………………………………………..…………………………………

Date: ……………………………………………………………………………………………

**CONCERN ABOUT MALPRACTICE UNDER THE COLLEGE PUBLIC INTEREST DISCLOSURE PROCEDURE**

I would like to notify you, as one of the College Designated Assessors, of concerns under the College Public Interest Disclosure Policy of malpractice

1. Details of malpractice

2. Date or period of time when malpractice occurred

3. The allegation is made against

4. Evidence (Supporting evidence listed below is attached)

Please contact me as soon as possible to arrange a date for a meeting (The Procedure requires the Designated Assessor to offer an interview within 7 working days, but no later than 10 working days).

Name: ……………………………………………………………………………………………

Contact details: ………………………………………………………………………..……

Signed: ………………………………………………………………………………………….

Date: …………………………………………………………………………………..……

**Appendix 3:**

**HRUC**

**PUBLIC INTEREST DISCLOSURE PROCEDURE**

**Confidential Memorandum**

To: ……………………………………………………………………….…………………………..…

From: …………………………………………………………..……………………………………
(The Designated Assessor)

Date: ……………………………………………………………………………………………

**CONCERN ABOUT MALPRACTICE UNDER THE COLLEGE PUBLIC INTEREST DISCLOSURE PROCEDURE**

With reference to your memorandum dated: ……………………………………......…….

Thank you for raising your concern about malpractice.

I would like to invite you to discuss the matter further at a meeting on ……………………..……… (normally within 7 working days but no later than 10 working days).

This will be undertaken within the College unless you would prefer an alternative venue. Please indicate whether you will be accompanied by a trade union representative or a work colleague.

The purpose of this meeting is for me to obtain as much information about your concern as possible and to discuss any further steps that might be taken. If you have any additional evidence which supports your concern, please bring this with you to the meeting.

Signed: …………………………………………………………………………………………