

Whistleblowing Policy

Document Summary

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Whistleblowing Policy

1. Policy Statement

The City College is committed to a culture of openness, transparency and accountability. This Policy provides a secure framework for all staff, governors, and contractors to raise concerns about serious wrongdoing without fear of reprisal and with the understanding that the college will act on concerns raised in good faith. We encourage internal reporting first, as it allows us to address issues promptly and effectively. This Policy complies with Part IVA of the Employment Rights Act 1996, as inserted by the Public Interest Disclosure Act 1998 and amended by the Enterprise and Regulatory Reform Act 2013, alongside the Higher Education (Freedom of Speech) Act 2023 and associated statutory guidance.

Regulatory advice 24: Guidance related to freedom of speech from the Office for Students (last updated 11 November 2025). This document guides registered higher education providers, relating to free speech duties under the Higher Education (Freedom of Speech) Act 2023. This relates to duties relating to securing freedom of speech within the law (the 'secure' duties) and the freedom of speech code of practice (the 'code' duties).

This complies with Office for Students Condition E5, specifically provision E5.8, which came into force on 1 August 2025 and requires higher education providers to handle harassment and misconduct disclosures without unlawfully infringing lawful freedom of speech. This operates alongside Condition E6 governing free speech and academic freedom, while aligning with Prevent and safeguarding duties.

This Policy applies to all staff members, governors, contractors, agency workers, and visiting lecturers. While students may also use these reporting channels to disclose serious institutional malpractice, statutory employment protections against detriment and dismissal under the Employment Rights Act 1996 apply specifically to individuals holding worker status under UK law.

2. Scope of Concerns

A qualifying whistleblowing disclosure requires a reasonable belief that the disclosure is made in the public interest and relates to one or more statutory categories under Section 43B of the Employment Rights Act 1996:

- A criminal offence has been committed, is being committed, or is likely to be committed.
- A person has failed, is failing, or is likely to fail to comply with any legal or regulatory obligation.
- A miscarriage of justice has occurred, is occurring, or is likely to occur.
- The health or safety of any individual has been, is being, or is likely to be endangered.
- The environment has been, is being, or is likely to be damaged.

- Information tending to show any matter falling within the categories above has been, is being, or is likely to be deliberately concealed.

The college recognises that Higher Education does have risk areas that they need to be aware of, including:

- Assessment irregularities
- Admission malpractice
- Student safety issues
- Safeguarding concerns
- Regulatory breaches
- Misuse of public funds
- Data protection breaches

These are listed as examples of issues appropriate for disclosure under this Policy and should not be regarded as an exhaustive list.

For individual employment or academic matters, please refer to the College's Staff Disciplinary, Complaints, or Academic Appeals policies.

3. Raising a Concern

We strongly encourage you to raise a concern internally in the first instance.

Stage 1: Internal Disclosure

You should raise your concern with your line manager or a designated senior person.

You may also contact the designated Whistleblowing Officer, whose details can be found on the staff intranet.

Stage 2: Independent Review

If you feel unable to raise the matter with the designated officer, you should submit your concern directly to the Chair of the Board of Governors via a secure channel (e.g., a dedicated email address or web form). This ensures your concern is reviewed at the highest level.

When raising a concern, please provide as much detail as possible, including dates, times, and any supporting documentation.

4. Confidentiality and Protection

We will respect your request for confidentiality and will not disclose your identity without your consent, unless required to by law. We will not tolerate any form of harassment, discrimination, or victimisation against a whistleblower, including loss of opportunities or detrimental treatment following disclosure. Any staff member who retaliates against a whistleblower will face disciplinary action, and senior college staff will take active steps to protect whistleblowers during the investigation process.

If you wish to remain anonymous, you may submit a concern without providing your name. However, this may limit our ability to investigate the matter fully.

5. External Reporting

Where internal procedures have been exhausted, or an internal disclosure is not reasonably practicable, workers may make a protected external disclosure to an appropriate Prescribed Person under Section 43F of the Employment Rights Act 1996. To retain statutory legal protection, the worker must reasonably believe that the information disclosed is substantially true and falls within the prescribed remit of that external body.

Recognised Prescribed Persons and regulatory bodies include:

- The Office for Students (OfS), for matters relating to higher education provider registration, financial viability, governance, and conditions of registration in England.
- Ofqual, for matters relating to the development, delivery, and award of regulated qualifications.
- Pearson, for suspected assessment malpractice or qualification maladministration on Higher National courses, through Pearson vocational reporting channels.
- The Health and Safety Executive (HSE), for health and safety breaches within workplace and teaching environments.
- The Information Commissioner's Office (ICO), for data protection breaches under UK GDPR and the Data Protection Act 2018.
- Protect (formerly Public Concern at Work), an independent charity offering free, confidential legal advice to individuals considering blowing the whistle.