

Public Interest Disclosure (Whistleblowing) Policy and procedures

Author:	Head of Governance
Version:	3
Effective Date:	April 2026
Date of next review:	March 2029
Equality Impact Assessment Reference	KB-260302
Reviewed and recommended by:	Executive Director: People Services and Marketing 01/04/26 Policies Scrutiny Group 14/4/26
Approved by and date:	Board of Governors 06/05/26
Publication:	College Website, Sharepoint

This policy and procedure is subject to The Equality Act 2010 which recognises the following categories of individual as Protected Characteristics: Age, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex (gender), Sexual orientation, Disability.

Alternative Format

This policy is available in alternative formats, to request this, please email marketingcampaigns@mkcollege.ac.uk

This policy is based on templates provided by the AoC (dated March 2026) and Eversheds Sutherland (dated January 2026)

Version Control

Version Number	Author	Approver	Date approved	Next review date
2	Head of Governance	Board of Governors	18/3/26	Mar 29
3	Head of Governance	Board of Governors	06/05/26	Mar 29

Change log

Version Number	Summary of changes
2	(1) Reviewed against revised AoC and Eversheds Sutherland templates (January 2026). (2) New reference to ECCTA. (3) Updated job titles.
3	(1) Reviewed against AoC template (March 2026) and updated in relation to Employment Rights Act 2025. (2) Occupational Health Services or similar amended to Employee Assistance Programme (EAP)

Contents Page

Section	
1	Introduction
2	Applicability of the Policy and Procedure
3	Protected Disclosures
4	Types of Wrongdoing
5	Procedure for making a Disclosure
6	Procedure for investigating a Disclosure
7	Safeguards for making a disclosure
8	Disclosure to External Bodies
9	Accountability
10	Further assistance for workers

PUBLIC INTEREST DISCLOSURES (WHISTLEBLOWING) POLICY AND PROCEDURES

SECTION 1: INTRODUCTION

1.1 The College is committed to operating in an ethical and principled way. The aim of this policy and procedure is to provide employees and workers (referred to as 'workers' in this policy) with information about how to raise genuine concerns of suspected:

- criminal offences;
- miscarriages of justice;
- breaches of any legal obligations;
- situations where danger is posed to the health and safety of any individual;
- situations where there is damage to the environment;
- bribery
- facilitation of tax evasion
- financial fraud or mismanagement
- non-compliance with the Bribery Act 2010 and the Economic Crime and Corporate Transparency Act (ECCTA) 2023¹
- sexual harassment and/or
- deliberate concealment of any of the above.

¹ The ECCTA created a new offence which makes it unlawful for a relevant organisation to fail to prevent fraud by an associated person acting on its behalf, unless the organisation had 'reasonable procedures' in place to prevent such conduct.

1.2 The College encourages workers to raise genuine concerns about suspected wrongdoing at the earliest practicable stage. This policy and procedure is intended to provide safeguards to enable members of staff to raise genuine concerns about malpractice in connection with the College without fear of reprisals, even if they turn out to be mistaken.

1.3 This policy and procedure also seeks 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.

1.4 The principles of openness and accountability which underpin legislation protecting whistle-blowers are reflected in this policy and procedure.

1.5 This policy and procedure also aims to encourage workers to raise genuine concerns through internal College procedures without fear of adverse repercussions being taken against them. The law allows workers to raise such concerns externally and this policy informs workers how they can do so. However, a failure to raise a concern under this procedure may result in a disclosure losing its protected status under the law.

SECTION 2: APPLICABILITY OF THIS POLICY AND PROCEDURE

2.1 For the purposes of this Policy, the term workers applies to all employees, consultants, sub-contractors, volunteers, interns, casual workers, apprentices and agency workers. It is not directed at learners who can instead raise genuine concerns about suspected wrongdoing by making a complaint in accordance with the Compliments, Concerns and Complaints Policy.

2.2 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, e.g. 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.

Managing allegations and concerns regarding staff in a Safeguarding context

Reference should be made in the first instance to the Safeguarding Policy.

General Grievances

If you have a complaint about your own personal circumstances, then you should use the Staff Resolution and Grievance Procedure

2.3 Allegations and concerns regarding staff in a Safeguarding context - reference should be made in the first instance to the Safeguarding Policy.

2.4 Any worker who is unsure about whether to raise their concern under this Policy or as a personal grievance under the College's grievance procedure is encouraged to approach the Executive Director: People Services or the Head of Governance in confidence for advice.

SECTION 3: PROTECTED DISCLOSURES

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

3.2 The law allows workers to raise what it defines as a 'protected disclosure'. In order to be a protected disclosure, a disclosure must relate to a specific type of wrongdoing (see Section 4 below) and the disclosure must also be made in an appropriate way (see Section 5 below). A 'protected disclosure' must, in the reasonable belief of the worker making it, also be made in the public interest. A protected disclosure must consist of information and not merely be allegations of suspected malpractice.

SECTION 4: TYPES OF WRONGDOING

If, in the course of employment, a worker becomes aware of information which they reasonably believe tends to show one or more of the following (or they believe a matter is not being addressed by College procedures or processes), they must use this policy and procedure:

- A criminal offence has been committed, is being committed or is likely to be committed.
- An individual has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
- 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.
- That bribery has occurred, is occurring, or is likely to occur.
- That tax evasion has occurred, is occurring, or is likely to occur.
- That an individual may have committed or attempted to commit financial fraud or financial mismanagement
- that sexual harassment has occurred, is occurring or is likely to occur

and/or

- Information tending to show any of the above, is being, or is likely to be, deliberately concealed.

SECTION 5: PROCEDURE FOR MAKING A DISCLOSURE

5.1 Information which a worker reasonably believes tends to show one or more of the situations given in Section 4 should promptly be disclosed to their Line Manager so that any appropriate action can be taken.

5.2 If it is inappropriate to make such a disclosure to their line manager, a worker can raise the issue with the Executive Director: People Services or Head of Governance.

5.3 If the disclosure relates to the Chief Executive Officer (CEO), a worker can raise the issue with the Head of Governance. In the event that the disclosure relates to the Head of Governance, this can be raised with the Chair of Governors.

5.4 Workers are encouraged to identify themselves when making a disclosure. If an anonymous disclosure is made, the College will not be in a position to notify the individual making the disclosure of the outcome of action taken by the College. Anonymity also means that the College will have difficulty in investigating such a concern. The College reserves the right to determine whether to apply this procedure in respect of an anonymised disclosure in light of the following considerations:

- The seriousness of the issues raised in the disclosure

- The credibility of the concern
- How likely it is that the concern can be confirmed from attributable sources.

5.5 For further guidance in relation to this policy and procedure, or concerning the use of the disclosure procedure generally, employees should speak in confidence to the Executive Director: People Services or Head of Governance.

SECTION 6: PROCEDURE FOR INVESTIGATING A DISCLOSURE

6.1 Allegations should normally be raised in writing². In exceptional circumstances it may be appropriate for a concern to be raised orally with the Executive Director: People Services or Head of Governance. The College will acknowledge receipt, in writing, within a reasonable time.

6.2 Although you are not expected to prove the truth of your concern 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).

²A concern can be raised by telephone, in person or in writing. It is preferable if it is made in writing. You can email clerk@mkcollege.ac.uk or write to the Head of Governance by post to: Milton Keynes College, Woughton Campus West, Leadenhall, Milton Keynes, MK6 5LP or phone Reception and ask to speak to the Head of Governance (note that the Head of Governance may not always be available for immediate conversation, and a message may have to be left).

6.3 The College will carry out an initial assessment to determine the scope of any investigation and will inform the worker of the outcome of its assessment.

6.4 The College will determine the appropriate action to take (including action under any other applicable College policy or procedure). Possible actions could include internal investigation; referral to the College's auditors; or referral to relevant external bodies such as the police, OFSTED, Health and Safety Executive or the Information Commissioner's Office.

6.5 If appropriate, any internal investigation would be conducted by a manager of the College without any direct association with the individual to whom the disclosure relates, or by an external investigator appointed by the College as appropriate. In some cases, the College may appoint a team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter.

6.6 Any recommendations for further action made by the College' will be addressed to the CEO or Chair of Governors as appropriate in the circumstances. The recipient will take all steps within their power to ensure the recommendations are implemented unless there are good reasons for not doing so.

6.7 The worker making the disclosure will be notified of the outcome of any action taken by the College under this policy and procedure within a reasonable period of time. However, sometimes the need for confidentiality may prevent the College giving the complainant specific details of the

investigation or any disciplinary action taken as a result. The complainant should treat any information about the investigation as confidential.

6.8 If the worker is not satisfied that their concern has been appropriately addressed, they can raise it with the CEO or Chair of Governors within 20 working days. The CEO or Chair of Governors will make a final decision on action to be taken and notify the worker making the disclosure.

6.9 There may be circumstances where the College concludes that the disclosure is without substance or merit or it is not appropriate to carry out further investigations. This might apply where:

- The College is satisfied that a worker does not have reasonable belief that suspected malpractice is occurring; or
- The matter is already the subject of legal proceedings or appropriate action by the external body; or
- The matter has already been raised and is being investigated or has been investigated and appropriate action has been taken.

6.10 If the matter to be investigated is thought to potentially involve gross misconduct, the employee who is the subject of the investigation may be immediately suspended while the investigation proceeds. Similarly, if during the investigation the CEO or Executive Director: People Services is of the view that a serious breach of discipline may have occurred, the CEO may suspend the employee. Full details of the rules governing suspension pending a disciplinary hearing are included in the Disciplinary Procedure.

SECTION 7: SAFEGUARDS FOR WORKERS MAKING A DISCLOSURE

7.1 A worker making a disclosure under this procedure can expect the matter to be treated confidentially by the College and, where applicable, their name will not be disclosed to anyone implicated in the suspected wrongdoing, without their prior approval.

7.2 The College will take all reasonable steps to ensure that any report of recommendations, or other relevant documentation, produced by the College does not identify the worker making the disclosure without their written consent, or unless the College is legally obliged to do so, or for the purposes of seeking legal advice.

7.3 No formal disciplinary action will be taken against a worker on the grounds of making a disclosure made under this policy or procedure. This does not prevent the College from bringing disciplinary action against a worker where the College has grounds to believe that a disclosure was made maliciously or vexatiously, or where a disclosure is made outside the College without reasonable grounds.

7.4 A worker will not suffer dismissal or any detrimental action or omission of any type (including informal pressure or any form of victimisation) by the College for making a disclosure in accordance with this policy and procedure. Equally, where a worker is threatened, bullied, pressurised or victimised by a colleague for making a disclosure, disciplinary action will be taken by the College against the colleague in question.

SECTION 8: DISCLOSURE TO EXTERNAL BODIES (exceptional cases)

8.1 This aim of this policy and procedure 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.

8.2 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.

8.3 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 - GOV.UK](#)

If a worker 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.

SECTION 9: ACCOUNTABILITY

9.1 The College will keep a record of all concerns raised under this policy and procedure (including cases where the College deems that there is no case to answer and therefore that no action should be taken) and will report to the Board's Audit & Risk Committee on an annual basis or sooner if appropriate.

SECTION 10: FURTHER ASSISTANCE FOR WORKERS

10.1 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 CEO or Head of Governance.

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

10.3 A worker making a disclosure may want to confidentially request counselling or other support from the College's Employee Assistance Programme (EAP). Any such request for counselling or support services should be addressed to the Executive Director: People Services. Requests will be treated in confidence.

10.4 Workers can also contact the charity [Protect](#) for confidential advice on whistleblowing issues. Contact details are as follows:

Whistleblowing Advice Line: 020 3117 2520 or by [webform](#)

Related Policies and Legislation

Refer to the following documentation in conjunction with this policy:

- Complaints Policy (FE)
- Complaints Policy (HE)
- Safeguarding Policy
- Anti Sexual Harassment Policy
- Staff Resolution & Grievance Policy
- Anti-Fraud and Corruption Policy
- Financial Regulations