

# Whistleblowing Policy

| Document Ownership    |                 |
|-----------------------|-----------------|
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| Version Control Table |            |           |                                                                                                             |
|-----------------------|------------|-----------|-------------------------------------------------------------------------------------------------------------|
| Version               | Date       | Author    | Changes                                                                                                     |
| 1.0                   | 07/08/2024 | P Crocker | Initial policy creation                                                                                     |
| 1.1                   | 29/08/2025 | P Crocker | Checked for completeness; no changes                                                                        |
| 2.0                   | 01/02/2026 | S Gilmore | Major revision: restructured, added definitions, clearer procedures, timeframes, external contacts appendix |

## 1. Purpose

This policy encourages and enables individuals to raise serious concerns about suspected wrongdoing at Hybrid Training Centre (HTC) without fear of reprisal. HTC is committed to the highest standards of openness, honesty, integrity, and accountability, and expects anyone who has serious concerns about any aspect of its work to come forward and voice those concerns.

Whistleblowing is an important mechanism for identifying and addressing malpractice before it causes serious harm. This policy provides a framework for raising and investigating concerns in accordance with the Public Interest Disclosure Act 1998 and the Employment Rights Act 1996, which protect workers who make qualifying disclosures.

## 2. Scope

This policy applies to all workers at HTC and NWTC, including permanent, temporary, and fixed-term employees, apprentices, agency workers engaged by HTC, hourly-paid staff, contractors working on HTC premises, and volunteers.

Learners and apprentices who wish to raise concerns about suspected wrongdoing should do so through the Complaints Policy or by contacting the Head of Quality. However, concerns relating to safeguarding, Prevent, or serious malpractice may also be raised under this policy.

## 3. Definitions

- **Whistleblowing:** The disclosure of information which, in the reasonable belief of the worker, is made in the public interest and relates to suspected wrongdoing or malpractice.
- **Protected Disclosure:** A disclosure that meets the legal criteria set out in the Public Interest Disclosure Act 1998 and is therefore protected from detrimental treatment or dismissal.
- **Qualifying Disclosure:** A disclosure that relates to one of the specified categories of wrongdoing (see Section 5) and is made in accordance with the provisions of the legislation.
- **Public Interest:** The disclosure must, in the reasonable belief of the worker, be in the public interest for protection to apply. Personal grievances do not generally qualify.
- **Prescribed Person:** An external body or regulator to whom a disclosure may be made, as specified in legislation.

## 4. Legal and Regulatory Framework

This policy is designed to comply with the following legislation and guidance:

- Public Interest Disclosure Act 1998
- Employment Rights Act 1996
- Bribery Act 2010
- Keeping Children Safe in Education (KCSIE)
- Counter-Terrorism and Security Act 2015 (Prevent Duty)

## 5. What Can Be Reported

A qualifying disclosure must relate to one or more of the following categories of wrongdoing:

- 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 a legal 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 about any of the above has been, is being, or is likely to be deliberately concealed
- Safeguarding concerns about children or vulnerable adults
- Concerns about radicalisation or extremism (Prevent)
- Financial fraud, bribery, or corruption

## 6. Whistleblowing vs Grievance

Whistleblowing and grievances are different procedures with different purposes:

- **Whistleblowing** is used to raise concerns about wrongdoing that affects others or the public interest. The focus is on the wrongdoing itself, not on how it affects the individual raising the concern.
- **Grievance** is used to raise concerns about how the individual has been personally treated, such as concerns about terms and conditions of employment, working relationships, or decisions affecting them individually.

If you are unsure which procedure applies to your concern, please speak to your line manager or HR for guidance before making a formal report.

## 7. How to Raise a Concern

### 7.1 Internal Reporting

Concerns should be raised internally in the first instance, as this allows HTC to investigate and address the issue promptly. Concerns may be raised with:

1. **Your line manager** - the preferred first point of contact for most concerns
2. **A member of the Senior Leadership Team** - if it is inappropriate to raise the concern with your line manager
3. **Head of Quality or HR** - if the concern relates to the Group CEO
4. **Chair of the Board** - if the concern relates to senior management and cannot be raised with HR

Concerns should preferably be raised in writing, including as much detail as possible about the nature of the concern, the evidence supporting it, and any witnesses. However, concerns may also be raised verbally in the first instance.

### 7.2 Confidentiality

HTC will make every effort to keep the identity of the whistleblower confidential. However, there may be circumstances where identity needs to be disclosed, for example, if the matter proceeds to a legal investigation or hearing. If disclosure becomes necessary, this will be discussed with the whistleblower first.

### 7.3 Anonymous Disclosures

HTC does not encourage anonymous disclosures, as they are more difficult to investigate and verify. However, anonymous disclosures will be considered at the discretion of HTC, taking into account the seriousness of the issues raised, the credibility of the concern, and the likelihood of being able to investigate effectively. Workers concerned about reprisals should discuss their concerns with the Head of Quality, who can advise on measures to protect confidentiality.

## 8. Investigation Procedure

### 8.1 Acknowledgement

HTC will acknowledge receipt of the concern in writing within five working days. The acknowledgement will confirm who is handling the matter and how the whistleblower can contact them if needed.

### 8.2 Initial Assessment

HTC will conduct an initial assessment to determine whether the concern warrants further investigation. The whistleblower will be notified if HTC decides that the concern does not warrant further action, with reasons for this decision. Factors considered include whether the whistleblower has a reasonable belief that malpractice is occurring, whether the matter is already being addressed, and whether another procedure is more appropriate.

### 8.3 Investigation

Where further investigation is warranted, HTC will determine the appropriate course of action, which may include:

- Internal investigation by a senior manager with no direct association with the subject of the disclosure

- External investigation by an independent investigator
- Referral to external auditors
- Referral to external bodies such as the Police, LADO, Ofsted, HSE, or ICO

#### **8.4 Safeguarding Concerns**

Where a concern has safeguarding implications, HTC will discuss the details with the Designated Safeguarding Lead before conducting an internal investigation. The Local Authority Designated Officer (LADO) will be contacted if required to determine whether further action is needed.

#### **8.5 Outcome**

The whistleblower will be notified of the outcome of any investigation within a reasonable period, subject to legal and confidentiality constraints. If the whistleblower is not satisfied that the concern has been appropriately addressed, they may raise this with the Group CEO within five working days. If the Group CEO was involved in the investigation, the matter may be raised with the Chair of the Board.

## **9. Protection for Whistleblowers**

### **9.1 No Detriment**

No worker will be dismissed or subjected to any detrimental treatment for making a disclosure in accordance with this policy. This protection applies regardless of the outcome of any investigation. Detrimental treatment includes dismissal, disciplinary action, demotion, reduction in pay, denial of training opportunities, bullying, harassment, or victimisation.

### **9.2 Confidentiality**

HTC will take all reasonable steps to protect the identity of the whistleblower and to ensure that reports or documentation do not identify them without their written consent, unless legally required to disclose.

### **9.3 Support**

Whistleblowers may request confidential counselling or support through HTC. Requests should be addressed to the Head of Finance & HR. Workers can also contact the charity Protect (formerly Public Concern at Work) for independent advice on whistleblowing.

### **9.4 Malicious or Vexatious Disclosures**

While HTC encourages the reporting of genuine concerns, making a disclosure that is knowingly false, malicious, or vexatious may result in disciplinary action. Workers who are genuinely uncertain whether their concern is well-founded are still encouraged to raise it, provided they have a reasonable belief that it is in the public interest.

## **10. External Reporting**

While HTC encourages concerns to be raised internally first, workers have the right to make disclosures to external prescribed persons in certain circumstances. External disclosures may be appropriate where:

- The worker reasonably believes they would be subjected to detriment if they raised the concern internally
- There is no appropriate internal person to raise the concern with
- The worker reasonably believes evidence would be concealed or destroyed
- The concern has already been raised internally and has not been adequately addressed

A list of prescribed persons and relevant external bodies is provided in Appendix A. Workers seeking to make an external disclosure should be careful not to breach confidentiality obligations or damage HTC's reputation in doing so.

## **11. Responsibilities**

### **11.1 All Workers**

- Report genuine concerns about wrongdoing in good faith
- Cooperate with any investigation
- Maintain confidentiality about the investigation

### **11.2 Managers**

- Take all concerns raised seriously and act promptly

- Protect the confidentiality of whistleblowers
- Ensure whistleblowers are not subjected to any detriment
- Escalate concerns appropriately

### **11.3 Board of Directors**

- Overall responsibility for this policy
- Review effectiveness of actions taken in response to concerns
- Receive annual report on whistleblowing activity

## **12. Monitoring and Review**

HTC will keep a record of all concerns raised under this policy, including cases where no action was taken, and will report to the Board on an annual basis. This policy will be reviewed annually and updated as required to reflect changes in legislation or best practice.

Staff awareness of this policy will be included in induction programmes and periodic training updates.

## **13. Related Policies**

- Safeguarding and Child Protection Policy
- Prevent Policy
- Grievance Policy
- Disciplinary Policy
- Anti-Fraud and Anti-Bribery Policy
- Complaints Policy

## Appendix A: External Contacts

The following external bodies may be contacted for whistleblowing advice or to make an external disclosure:

| Organisation                      | Contact                                                             | Purpose                                  |
|-----------------------------------|---------------------------------------------------------------------|------------------------------------------|
| Protect (charity)                 | 020 3117 2520<br>protect-advice.org.uk                              | Independent whistleblowing advice        |
| NSPCC Whistleblowing Helpline     | 0800 028 0285<br>help@nspcc.org.uk                                  | Child protection concerns                |
| Ofsted                            | 0300 123 3155<br>whistleblowing@ofsted.gov.uk                       | Education and training provider concerns |
| Health and Safety Executive       | hse.gov.uk/contact                                                  | Health and safety concerns               |
| Information Commissioner's Office | 0303 123 1113<br>ico.org.uk                                         | Data protection concerns                 |
| ESFA                              | gov.uk/government/organisations/education-and-skills-funding-agency | Funding or financial concerns            |
| Police                            | 999 (emergency)<br>101 (non-emergency)                              | Criminal activity                        |

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**Sophie Gilmore**

Group CEO

Date: \_\_\_\_\_