

Whistleblowing Policy & Procedure

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1 INTRODUCTION

Wirral Met College believes that individuals should be able to raise concerns internally in confidence about suspected wrongdoing or dangers in relation to the College's activities, including (but not limited to) concerns about sexual harassment, sexual misconduct, or failures to take reasonable steps to prevent sexual harassment under the Equality Act 2010. This policy covers how individuals can raise concerns on suspected wrongdoing or dangers.

2 WHAT IS WHISTLEBLOWING?

Whistleblowing means speaking up when you see something wrong or unsafe happening at the College. This could include:

- Fraud or theft
- Health and safety risks
- Breaking the law
- Misuse of College funds
- Abuse of power
- Academic dishonesty
- Covering up wrongdoing
- incidents of sexual harassment or victimisation;
- behaviour or practices that create a risk of sexual harassment;
- concerns that the College has failed, or is failing, to comply with its statutory duty to take reasonable steps to prevent sexual harassment; or the handling (or mishandling) of complaints relating to sexual harassment
- Concerns may be raised even where no incident of sexual harassment has yet occurred, if the individual reasonably believes that there is a real risk of such behaviour arising, including where:
 - workplace practices or environments are not sufficiently safe;
 - inappropriate behaviour is being normalised or tolerated;
 - warnings, previous reports or recommendations have not been acted upon.

You are protected by law (under the Public Interest Disclosure Act 1998) if you raise concerns in good faith and in the public interest.

A disclosure relating to sexual harassment, or the prevention of sexual harassment, will constitute a protected disclosure for the purposes of this Policy where the individual reasonably believes that the information disclosed tends to show a failure to comply with a legal obligation, improper conduct, or a risk to the health, safety or dignity of staff, students, or others.

An individual raising a concern under this Policy is not required to pursue the matter through formal grievance, disciplinary or complaint procedures.

Whistleblowing provides a means for concerns to be raised where:

- the individual does not feel able to raise a complaint personally;
- the concern relates to a wider cultural, systemic or governance issue; or
- the alleged issue involves senior staff, governors or external contractors.

3 THE POLICY

- 3.1 Applies to all members of staff (including workers, contractors, trainees, agency staff and apprentices engaged by the College), students and members of the public.
- 3.2 It can be accessed via the College website and intranet.
- 3.3 The policy does **not** cover:
- Complaints relevant to an individual's own personal circumstances, such as disciplinary and grievance issues;
 - Complaints from students or members of the public which are personal to their circumstances and/or are covered by the College's complaints procedures.
 - Safeguarding concerns should be raised under the College's Safeguarding Policies/Procedures.
- 3.4 The Procedure below sets out how to raise a concern and the various stages involved.
- 3.5 The College will not tolerate any victimisation, detriment or retaliation against an individual who raises a concern in good faith under this Policy, including where the concern relates to sexual harassment or the College's duty to prevent it. Detriment includes, but is not limited to:
- disciplinary action;
 - dismissal or redundancy selection;
 - failure to consider promotion or training opportunities;
 - negative treatment, exclusion or hostility; or
 - subtle or informal pressures not to pursue or repeat concerns.
- Any such treatment will be treated as a serious disciplinary matter.

4 KEEPING IT UP TO DATE

This policy is reviewed every year to make sure it stays clear, fair, and up to date.

WHISTLEBLOWING PROCEDURE

1 HOW TO RAISE A CONCERN

1.1 You can raise your concern with:

- Your line manager
- The Governance Professional
- The Director of People & Organisational Development
- An alternative prescribed person where appropriate

1.2 If your concern involves one of these people, choose someone else from the list. The College recognises the importance of independence and confidentiality in such cases and will ensure that concerns involving senior staff or governors are handled with appropriate separation and oversight.

2 HOW TO RAISE A CONCERN

2.1 You can speak up:

- In person
- By email or letter
- Anonymously (but it may be harder to investigate)

2.2 You can bring a union rep or trusted colleague to any meeting.

3 WHAT HAPPENS NEXT?

Stage 1

- 3.1 An assessment of the concerns will be made to see if they meet the criteria for Whistleblowing. Within 5 working days you will be notified of the intended action and if the College determines that concerns should be dealt with through other policies
- 3.2 It may be necessary for the relevant manager (listed in section 1.1) to meet with you to discuss your concerns (usually on College premises).
- 3.3 The relevant manager will aim to give you an indication of what action will be taken. They will confirm this in writing and will send you a summary of the meeting notes. Where possible, this will be within 2 weeks of the initial concern being received.

Stage 2

- 3.4 The relevant manager will look into your concern and may start an investigation.

In some cases it may be necessary to engage external specialists as part of the process.

- 3.5 You will be kept informed (as far as possible) of progress. We aim to finish investigations within 20 working days. If the investigation is likely to take longer than that, you will be advised of the estimated completion date.
- 3.6 Where appropriate, the relevant manager will take into account the Proceeds of Crime Act so that alleged criminal offenders are not “tipped off” through any investigation.
- 3.7 The relevant manager may, at any point in the process, refer the concern to the police or other appropriate organisation.
- 3.8 A report on the investigation will be prepared and you will be notified in writing of the outcomes and intended actions to be taken by the College.
- 3.9 This stage is final, but if you feel that your concerns have not been addressed, you should contact the Department for Education (details set out in section 5).

4 YOUR RIGHTS AND SUPPORT AVAILABLE

- 4.1 You are protected from bullying or punishment for speaking up and the College may take disciplinary action against anyone who does this.
- 4.2 Any concerns will be treated in confidence as far as possible, with information shared only where necessary.
- 4.3 We will make that reasonable adjustments are made if you have a disability or need extra support.
- 4.4 If you make a false or malicious claim, you may face disciplinary action.

5 GOING OUTSIDE THE COLLEGE

If you feel unable to raise your concern internally, you can contact:

- Protect (a Whistleblowing Charity (<https://protect-advice.org.uk>))
- Department for Education (<http://customerhelpportal.education.gov.uk>)
- Other official regulators such as the Office for Students

6 PROACTIVE PREVENTION AND LEARNING

The College will use information disclosed under this Policy, including disclosures relating to sexual harassment, to:

- identify systemic risks;
- review the effectiveness of preventative measures;
- inform training, policy review and culture setting activity; and

- fulfil its statutory duty to take reasonable steps to prevent sexual harassment.

The Board of Governors receives regular assurance, through the Governance Professional, on the operation of this Policy, including themes, risks and learning arising from disclosures relating to sexual harassment and equality compliance, while preserving confidentiality and anonymity.