



Policy Name and Number:	Whistleblowing and Public Interest Disclosure Policy and Procedure - 12
Version Number:	v.02
Approval date:	25 March 2026
Exec Lead:	Executive Director of People and Culture
a. Responsible Person for policy review: b. Responsible Manager for policy implementation (if different):	HR Manager
How does the policy link to the Strategic Plan Aims and Themes: Aims: 1. <i>Outstanding Teaching, Learning and Assessment</i> 2. <i>Beneficial Partnerships</i> 3. <i>Sustainable SMART Campuses</i> 4. <i>Inclusive, Thriving Community</i> 5. <i>Financial Sustainability</i> Themes: a. <i>Sustainability and the environment</i> b. <i>Happiness and wellbeing</i> c. <i>Digital transformation</i> d. <i>Equality, diversity and inclusion</i>	Aim: 1 Theme: C, D
a. Related Policies and Procedures: b. Related Legislation:	Grievance Policy and Procedure Compliments, Complaints and Feedback Hillsborough Law / Bribery Act 2010
Consultation Process: eg, T&I / CPSE / HR / SPBD / Exec	Exec – 6 February 2026 Audit Committee – 11 March 2026 Corporation – 25 March 2026
Approving Authority:	Exec Approval ☒ Corporation/Committee Approval ☒
Policy Review Frequency:	Biennial
Effective Date:	March 2026
Date of Next Revision:	March 2028
Scope: (<i>Describe what and to whom the policy applies, and any exemptions. i.e. staff, students, stakeholders, visitors, volunteers, contractors</i>)	Staff, students, stakeholders, visitors, volunteers, contractors
Policy classification:	Public (website): ☒ Internal: SharePoint ☒ Governor Portal ☒ Canvas ☐
Key Updates/Changes from previous policy: Highlighted in yellow and <i>italicised</i> : Inclusion of Hillsborough Law: Sections 3.1, 5 and 10	

1. Introduction

- 1.1. Oaklands is committed to operating in an ethical and principled way. The aim of this policy is to provide staff with a means for raising genuine concerns of suspected bribery, breaches of the law and other serious wrongdoings.
- 1.2. The policy applies to all staff including contractors, volunteers, agency workers and employees of subcontractors.
- 1.3. Staff might be unsure whether this policy applies or whether it is more appropriate to raise the concern through the Grievance Policy and Procedure. Please speak with Human Resources to check.

2. College Vision, Mission, KPIs and Objectives

- 2.1 **Vision:** To be a sustainable educational trailblazer inspiring our learners and our wider community to achieve their potential in a changing world.
- 2.2 **Mission:** To prepare every learner for work, a rewarding career, and life's opportunities. By treating every student as the individual they are, with care, passion and understanding in a professional, contemporary and community-focused environment they'll value and enjoy.
- 2.3 This policy aligns with **Strategic Aim 1**.

Deliver continuous outstanding teaching, learning, and assessment to all learners and employers.

This policy also aligns with **Strategic Objectives**:

- a. Drive a professional culture of continuous improvement through high quality training, coaching and performance management to sustain outstanding quality of education

3. Purpose/Policy Statement

- 3.1. *Oaklands College recognises its statutory responsibility under the Public Office (Accountability) Bill 2024–26 (“Hillsborough Law”), which creates a legal Duty of Candour. The College, its governors, leaders and all staff are required to act with honesty, transparency and full disclosure when engaging with any investigation, inquiry, inquest, regulatory request, or information seeking process. This includes a proactive obligation to share relevant information at the earliest possible stage-seeking process. This includes a proactive obligation to share relevant information at the earliest possible stage.*
- 3.2. The College encourages staff to raise genuine concerns of suspected wrongdoing at the earliest possible stage. The policy:
 - Is intended to provide safeguards to enable staff to raise concerns about malpractice without fear of adverse repercussions
 - Informs staff how they may raise concerns internally and externally as failure to raise it under this procedure may result in a disclosure losing its protected status under the law

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- Seeks to balance the need to allow a culture of openness against the need to protect other staff against vexatious allegations or allegations which are not well-founded
- Reflects the principles of openness and accountability which underpin legislation protecting whistle-blowers. The college is committed to compliance with the Bribery Act 2010

3.3 Students are also encouraged to raise genuine concerns about suspected wrongdoing by making a complaint to the Quality Department following the [Compliments, Complaints and Feedback Policy and Procedure](#).

4. Protected Disclosures

4.1 The law protects staff who, out of a sense of public duty, want to reveal suspected malpractice or wrongdoings. It allows for 'Protected Disclosures' to be raised. The disclosure must relate to a specific matter and be made in an appropriate way (see below.) It must also be made in the public interest. A protected disclosure must consist of factual information and not simply allegations of suspected malpractice.

4.2 Staff are additionally protected when making disclosures that fulfil the statutory duty of candour and the College will support staff in meeting this legal obligation.

5. Duty of Candour and Assistance

5.1. *Oaklands College and all workers have a statutory duty to:*

- *Act with candour, transparency and frankness in all interactions with investigations or inquiries*
- *Proactively provide relevant information, including information that may be viewed as unfavourable*
- *Avoid withholding, delaying or altering information*
- *Notify the investigating authority if they become aware of information which may be relevant*

5.2 *Breach of this duty may constitute a criminal offence under the new Hillsborough Law.*

6. Specific Subject Matter

6.1. To raise a protected disclosure, one or more of the following must apply:

- 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 and 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 of the above is being or is likely to be deliberately concealed.

7. Procedure for making a disclosure

- 7.1. Disclosures should be made in writing and contain sufficient factual information including background, relevant dates, nature of the concerns, evidence and why it affects public interest. They should be sent to the whistleblowing@oaklands.ac.uk mailbox. Access to this mailbox is limited to the below:

Lead Designated Officer	Executive Director of People and Culture
Designated Officer	Director of Governance and DPO
Designated Governor	Chair of Search, Governance and Remuneration

- 7.2. Designated Officers must comply with the Duty of Candour and ensure full, prompt and honest disclosure in every stage of managing a concern.
- 7.3. Staff are encouraged to identify themselves when making a disclosure. If an anonymous disclosure is made, the College will not be able to notify the whistleblower of the outcome of any actions taken. It may also make it difficult to investigate the concern. The College reserves the right to determine whether to apply this policy 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 concerns, and
 - How likely it is that the concern can be confirmed from attributable sources
- 7.4. For further guidance for this process, please contact the Executive Director of People and Culture or Human Resources.

8. Procedure for Investigating a Disclosure

- 8.1 The college will acknowledge the receipt of any disclosure in writing, within five working days.
- 8.2 The College will determine whether the disclosure is wholly without substance or merit. If it does not, the whistleblower will be notified in writing of the reasons for the decision and advised no further action will be taken by the College. Considerations to be taken into account when making this determination may include the following:
- If the College is satisfied that a member of staff does not have a reasonable belief that suspected malpractice is occurring; or
 - If the matter is already the subject of legal proceedings or appropriate action by an external body; or
 - If the matter is already subject to another, appropriate College procedure.
- 8.3 When a disclosure is made with sufficient substance or merit, the College will take appropriate action. Possible actions could include an investigation, referral to the College's auditors, or a referral to relevant external bodies such as the Police, OFSTED, the Health and Safety executive (HSE) or the Information Commissioner's Office (ICO).
- 8.4 If appropriate, any internal investigation will be conducted by a senior manager unrelated to the individual who disclosed the concern. An external investigator may also be appointed where the College deems it appropriate. Under the Duty of Candour, the College will actively disclose all relevant material to investigators, even where such information may reflect weakness or errors.

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- 8.5 Following the investigation, any actions will be provided to the Designated Officer who will share these with the Principal and CEO and other appropriate College personnel who will ensure the recommendations are implemented. This will also be communicated through the Audit Committee annually.
- 8.6 Staff who disclose concerns will be informed of any necessary outcome within a reasonable period of time. If they are not satisfied with the outcome, they have the right to appeal. The appeal will need to be sent to Principal, in writing, within 10 days of the outcome. The principal will either refer to an appropriate person to review the appeal or make a final decision on action to be taken and notify the whistleblower.
- 8.7 The appeal will be undertaken in an expeditious manner. However, timescales will need to be flexible, taking into account that different types of concerns will require varying time for investigation.
- 8.8 All communication with the whistleblower should be in writing. If the investigations into the concern are prolonged, the College should keep the whistleblower updated of the progress.

9. Safeguards for Whistleblowers

- 9.1 A person making a disclosure can expect the matter to be treated confidentially and, where possible, their name will not be disclosed to anyone implicated in the suspected wrongdoing without their prior approval.
- 9.2 The College will take all reasonable steps to ensure any report of recommendations, or other documentation, produced by the College does not identify the whistleblower without their written consent, or unless the College is legally obliged to do so, or for the purposes of seeking legal advice.
- 9.3 No formal disciplinary action will be taken against any staff on the grounds of making a disclosure under this policy and procedure. This does not prevent the College from bringing disciplinary action against a whistleblower where the College has grounds to believe a disclosure was made maliciously, or where a disclosure is made outside of the College without reasonable grounds.

10. Criminal Liability for Misleading the Public

Staff must not intentionally or recklessly provide false or misleading information, destroy or hide evidence, or obstruct an investigation. Doing so may constitute a criminal offence under the Hillsborough Law.

11. Disclosure to External Bodies

- 11.1 Staff may make a disclosure outside of the College where there are reasonable grounds to do so and in accordance with the law.
- 11.2 A disclosure can be made to an appropriate external body prescribed by the law. This list of 'prescribed' organisations and bodies can be found on the GOV.UK website ([List of prescribed people and bodies](#)).
- 11.3 A disclosure can also be made on a confidential basis to a practising solicitor or barrister.

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- 11.4 Any staff seeking advice outside of the College must be careful not to breach any confidentiality obligations or damage the College's reputation in so doing.
- 11.5 Where a disclosure relates to an event that may become subject to an official inquiry or inquest, the College must comply with the Duty of Candour and assist fully with an external investigation.

12. Governance and Accountability

- 12.1 The College will keep a record of all concerns raised under this policy and procedure (including cases where the College deems there is no case to answer and no action should be taken) and will report to the Corporation on an annual basis as appropriate.
- 12.2 An annual report on compliance with the Duty of Candour will be presented to the Corporation and Audit Committee. Non-compliance will be reportable to appropriate external bodies.

13. Further Assistance for Staff

- 13.1 The College will not tolerate any harassment or victimisation of individuals who make disclosures. If, at any stage of this procedure an individual feels they are being subject to informal pressures, bullying or harassment due to making a disclosure, they should raise the matter, in writing, to the Principal.
- 13.2 Staff making a disclosure may want to confidentially request counselling or other support from the College's Occupational Health services. Any such request should be made to the Executive Director of People and Culture. The request will be made in confidence. Additionally all staff have access to an independent Employee Assistance Programme (EAP) through Telus Health, which provides confidential and accessible support ([Telus Health](#) – User ID: oaklands Password: college.)
- 13.3 The charity Protect can also be contacted for confidential advice on whistleblowing issues. Contact details are as follows:

The Green House, 244-254 Cambridge Heath Road, London, E2 9DA

Whistleblowing Advice Line – 0203 117 2520

<https://protect-advice.org.uk>.

14. Further Assistance for Exams

- 14.1 Whistleblowing at Oaklands College is encouraged, not penalised and staff are made aware that they have a duty to report any concerns they have about the conduct of examinations or assessments.
- 14.2 The head of centre and governing board at Oaklands College aim to create and maintain an approach to examinations and assessments that reflects an ethical culture and encourages staff and student to be aware of and report practices that could compromise the integrity and security of examinations and assessments.
- 14.3 All actions in relation to exam malpractice must comply with the statutory Duty of Candour. This requires immediate, honest and complete disclosure of any relevant information to awarding bodies, Ofqual and other regulators.

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14.4 In compliance with section 5.11 of the JCQ's General Regulations for Approved Centres (www.jcq.org.uk/exams-office/general-regulations/), and, where applicable, the academic regulations and malpractice procedures of partner awarding bodies and validating universities, Oaklands College will:

- Take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after any examination and / or assessments have taken place.
- Inform the awarding body or validating partner immediately of any alleged, suspected or actual incidents of malpractice or maladministration, involving a candidate or a member of staff, in accordance with the applicable reporting requirements.
- Gather evidence of any instances of alleged or suspected malpractice (which includes maladministration) in accordance with the relevant awarding body or validating partner's policies including the JCQ publication **Suspected Malpractice: Policies and Procedures** (www.jcq.org.uk/exams-office/malpractice/) and provide such information and advice as the awarding body may reasonably require.

14.5 This policy requirement has been added within General Regulations for Approved Centres in response to the recommendations within the report of the **Independent Commission on Examination Malpractice** (www.jcq.org.uk/examination-system/imc-home/.)

15. Purpose of the Policy for Exams and Assessment

15.1 The Whistleblowing and Public Interest Disclosure Policy and Procedure:

- Encourages individuals to raise concerns which will be fully investigated by appropriately trained and experienced individuals.
- Identifies how to report concerns.
- Explains how such concerns will be investigated and sets expectations regarding the reporting of outcomes.
- Provides details of relevant bodies to whom concerns about wrongdoings can be reported, including awarding organisations and regulators.
- Includes a commitment to do everything reasonable to protect the reporter's identity, if requested.
- Sets out how those raising concerns will be supported.

15.2 This policy also details the steps that could be taken by an individual involved in the management, administration and / or conducting of examinations if Oaklands College fails to comply with its obligation to report any alleged, suspected or actual incidents of malpractice or maladministration.

16. Whistleblowing in Exams and Assessment

16.1 If a member of college staff involved in the management, administration and/or conducting of examinations (such as exams officer, exams assistant or invigilator), a student or a member of the public (such as a parent/carer) has a concern or reasons to believe that malpractice has or will occur in an examination or assessment, concerns should normally be raised initially with the Exams and Achievement Manager and Deputy Principal of Curriculum, Performance and Student Experience.

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16.2 There may be times when it may be more appropriate to refer the issue direct to the governing board, most often when the allegation is against the Head of Centre.

Examples of Exams and Assessment Malpractice

16.3 In addition to the centre wide Whistleblowing Policy, this exams-specific policy includes reference to exams-related breaches including, but not limited to, the following:

- Failure to comply with exam regulations as set out by the Joint Council for Qualifications (JCQ) and its awarding bodies
- A security breach of the examination paper
- Conduct of Centre staff which undermines the integrity of the examination
- Unfair treatment of candidates by either giving an advantage to a candidate / group of candidates (e.g. by permitting a candidate an access arrangement which is not supported by appropriate evidence), or disadvantaging candidates by not providing access to the appropriate conditions (providing a 'level playing field')
- Possible fraud and corruption (e.g. accessing the exam paper prior to the exam to aid teaching and learning)
- Abuse of authority (e.g. the Head of Centre/members of the Senior Leadership Team overriding JCQ and awarding body regulations)
- Other conduct which may be interpreted as malpractice/maladministration.

17. Whistleblowing Procedure for Exams

17.1 If the individual doesn't feel safe raising the issue/reporting malpractice within the centre, or they have done so and are concerned that no action has been taken, that individual may consider making their disclosure to a malpractice expert in the awarding body for the qualification where malpractice is suspected (www.jcq.org.uk/exams-office/malpractice/public-interest-disclosure-act/)

17.2 For member of centre staff, it is likely that the Public Interest Disclosure Act (PIDA) www.legislation.gov.uk/ukga/1998/23/contents offers you legal protection from being dismissed or penalised for raising certain serious concerns ('blowing the whistle'). Whistleblowing rights under PIDA are day on rights (<https://protect-advice.org.uk/pida/>). This means that the individual does not need the same two years' service that might be required for other employment rights.

17.3 In order to investigate concerns effectively, the awarding body should be provided with as much information as possible/is relevant, which may include:

- The qualifications and subjects involved
- The department involved
- The names of staff/candidates involved
- The regulations breached/specific nature of suspected malpractice
- When and where the suspected malpractice occurred
- Whether multiple examination series are affected
- If the issue has been reported to the centre and what the outcome was
- How the issue became apparent

17.4 Members of the public are not protected by PIDA, but the awarding body will make every effort to protect their identity if that is what they wish, unless the awarding body is legally obliged to release it (www.ocr.org.uk/administration/general-qualifications/assessment/malpractice/whistleblowing)

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17.5 Alternatively, individuals could consider making a disclosure to Ofqual (www.gov.uk/guidance/ofquals-whistleblowing-policy) as a prescribed body for whistleblowing to raise a concern about wrongdoing or malpractice.

18. Anonymity

18.1 In some circumstances an individual might find it difficult to raise concerns with the nominated member of the senior leadership team. If a concern is raised anonymously, the issue may not be able to be taken further. If insufficient information has been provided. In such instances, and if appropriate, the allegation may be disclosed to a union representative who could then be required to report the concern without disclosing its source. Alternatively whistleblowers or others with concerns about potential malpractice can report the matter directly to Ofqual, who is identified as a 'prescribed body' ([List of prescribed people and bodies](#)).

18.2 Awarding organisations are not prescribed bodies under whistleblowing legislation; however, awarding organisation investigation teams do give those reporting concerns the opportunity for anonymity.

18.3 A whistleblower can give their name but may also request confidentiality. The person receiving the information should make every effort to protect the identity of the whistleblower.

19. Students

19.1 Students at Oaklands are made to feel comfortable discussing / reporting malpractice issues of which they are aware. The regulations surrounding their assessments, and wider academic integrity, will be reiterated to students who are undertaking, or who are about to undertake, their courses of study.