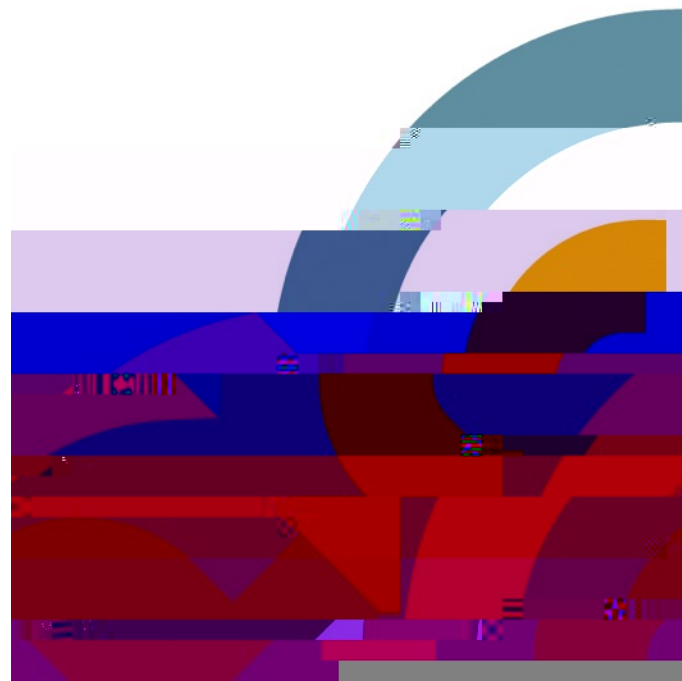


**Bolton College**

**Public Interest  
Disclosure Policy  
2023 -25**



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**1. Introduction**

- 1.1 Workers (see definition in paragraph 2.2 below) are often the first to realise that there may be something seriously wrong within an organisation. They may, however, not express their concerns because they fear that speaking up would be disloyal to their colleagues or to the College. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
  
- 1.2 The College takes malpractice very seriously. We expect employees, and others, who have genuine and serious concerns about any aspect of the College's operations to come forward and voice these concerns.
  
- 1.3 This policy document makes

### **3. Disclosures Covered by this Policy**

- 3.1 This policy relates to disclosures relating to the following matters only (“protected disclosures”):
- That a criminal offence has been or is likely to be committed
  - That a person has failed, is failing or is likely to fail to comply with a legal obligation to which she/he is subject
  - That a miscarriage of justice has occurred, is occurring, or is likely to occur
  - That the health and safety of any individual has been, is being, or is likely to be jeopardised
  - That the environment has been, is being, or is likely to be damaged
  - That information intending to show any matter falling within the above categories has been, is being, or is likely to be deliberately concealed.
- 3.2 A whistle-blower is a person who raises a genuine concern relating to any of the above in paragraph 3.1. If a member of staff (or other worker) has any genuine concerns related to suspected wrongdoing or danger affecting any of the College’s activities as set out at paragraph 3.1 above, they should report it under this policy.
- 3.3 It must also be in the public interest for the disclosure to be a protected disclosure (for example seeking through disclosures to advance personal grievances, or action which could be seen as harassing, bullying or discriminating against a person or persons are not permitted and would not be seen as in the public interest). This policy should not be used for complaints relating to members of staff’s own personal circumstances such as the way they have been treated at work. In those cases, they should use the College’s Grievance Procedure.
- 3.4 It is not a protected disclosure if the disclosure is itself an offence.
- 3.5 The College is only able to deal under this policy with protected disclosures which relate to it or to persons in respect of whom the College has a legal responsibility (e.g. its employees). For the avoidance of doubt this policy is not intended to provide a forum to question operational decisions taken by the College in its ordinary course of business or to review decisions taken under other policies and procedures of the College.
- 3.6 If a complaint relates to a member of staff’s personal circumstances but they also have wider concerns regarding one of the areas as set out at paragraph 3.1 above, they should discuss with the College’s Clerk to the Governors which route is the most appropriate.
- 3.7 If a member of staff (or other worker) is uncertain whether something is within the scope of this policy they should seek advice from the College’s Clerk to the Governors, whose contact details are at the end of this policy.







- 7.3 Having determined that the matter disclosed is properly a matter for consideration within this policy and procedure, the Clerk to the Governors (or other investigating officer under this policy) shall determine whether to:
- call for the matter to be investigated internally
  - refer the matter to the police
  - call for an independent enquiry

- 7.4 In some cases, a matter disclosed might be dealt with by agreed action and/or preliminary enquiries without the need to instigate an investigation. In determining the above, the Clerk to the Governors (or other investigating officer under this policy) may take suc4 (k)-8(a) shall



- 8.3 Where a decision is made to conduct an internal investigation into a disclosure, the person(s) against whom the disclosure is made shall be provided with a copy of the disclosure and any evidence supporting it by the Clerk to the Governors (or other investigating officer under this policy), and shall have the opportunity to make a full response to the disclosure during the course of the investigation. No investigation shall be concluded or action taken without the person against whom the disclosure is made having had a copy of the disclosure and any evidence supporting it, and an opportunity to make a full response to the disclosure. Normal rights of representation will apply to all parties during the course of such internal enquiries. In cases where the person against whom the enquiry is made is at potential risk of criminal prosecution, the right to professional legal representation will apply.
- 8.4 In the event of a decision to call for an independent enquiry, the person against whom the allegation is made will be provided with a copy of the disclosure and any evidence supporting it by the Clerk to the Governors (or other investigating officer under this policy).

**10. Reporting of Outcomes**

will rarely ever be appropriate to alert the media. The College strongly encourages the member of staff (or other worker) to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

12.4 Whistleblowing concerns usually relate to conduct of other staff, but they may sometimes relate to the actions of a third party, such as a service provider. In some circumstances, the law will protect a member of staff (or other worker) if they raise the matter with the third party directly. However, the College encourages members of staff to report such concerns internally first, in line with this policy. Members of staff (or other workers) should contact their line manager or one of the other individuals set out at the end of this policy for guidance.

### **13. Review**

13.1 This policy will be reviewed regularly by the College.

13.2 The Audit Committee has overall responsibility for the effective operation of this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

13.3 The College's Clerk to the Governors has day to day operational responsibility for this policy and you should refer any questions about this policy to them in the first instance.

13.4 All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the College's Clerk to the Governors who will involve the Audit Committee where appropriate.

### **14. Contacts**

Clerk to the Governors