

POLICY / PROCEDURE TITLE		DATE OF APPROVAL
Whistleblowing and Disclosure Policy		May 2025
APPROVED BY	VERSION NO.	VALID UNTIL
Corporation Board	6	May 2028

OWNER	Director of Governance		
GROUP EXECUTIVE LEAD	Chief Executive Officer		
DOCUMENT TYPE	Policy <input checked="" type="checkbox"/>	Group Procedure <input type="checkbox"/>	Local Procedure <input type="checkbox"/>
PURPOSE	The purpose of this policy is to support staff to raise concerns about wrongdoing or malpractice in a confidential and secure manner. It ensures compliance with the Public Interest Disclosure Act 1998 (PIDA) and fosters a culture of openness, integrity, and accountability.		
APPLICABLE TO	All NCG employees, consultants, vendors, agency workers, contractors, service users, volunteers and/or any other parties who have a business relationship with NCG. Students / learners are directed to the NCG complaints policy to raise concerns regarding suspected wrong-doing.		
EQUALITY ANALYSIS COMPLETED [POLICIES ONLY]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	(If EA not applicable, please explain)		
KEY THINGS TO KNOW ABOUT THIS POLICY	1. Protected (whistleblowing) disclosures must be in the public interest 2. Email complaints@ncgrp.co.uk to make a whistleblowing disclosure 3. NCG will not tolerate harassment or victimisation and will act to protect any individual making disclosures under this policy.		
EXPECTED OUTCOME	Readers are expected to understand the organisational position on whistleblowing, know their responsibilities in relation to the policy and comply with the terms of the policy.		

MISCELLANEOUS	
LINKED DOCUMENTS	<ul style="list-style-type: none"> Complaints policy Grievance policy Safeguarding policy and procedure
KEYWORDS	<ul style="list-style-type: none"> Whistleblowing Protected disclosure

Equality Impact Assessment

EQUALITY IMPACT ASSESSMENT			
	Yes	No	Explanatory Note if required
EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDIB Intent Statement in Section 2?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The answer to this must be YES
EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Disability / Difficulty	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Marriage and Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Religion or Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA3 - Does the proposed policy/processes contain any language/terms/references/ phrasing that could cause offence to any specific groups of people or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA4 - Does the policy/process discriminate or victimise any groups or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this could be yes or no as positive action is lawful. However, an explanation must be provided for clarity.
EIA 6 - How do you know that the above is correct?	Reviewed by members of Policy Review Council, Executive Board and Audit & Risk Committee in advance of approval by Corporation		

1. GENERAL POLICY STATEMENT

- 1.1 NCG is committed to the highest standards of probity, integrity and accountability and seeks to conduct its affairs at all times in a responsible manner, in consideration of the requirements of funding bodies and the principles of public life as set out by the Nolan Committee.
- 1.2 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 without fear of repercussion.

2. DEFINITIONS

- 2.1 **Protected Disclosure** - a qualifying disclosure that is made by a worker that they reasonably believe shows serious wrongdoing within the workplace, typically relating to some form of dangerous or illegal activity that the person has witnessed or experienced at work. A protected disclosure must be in the public interest and must relate to one or more of the following subject matters:

- criminal activity
- failure to comply with legal obligations
- a miscarriage of justice
- danger to health and safety
- damage to the environment

attempts to conceal any of the above. Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest.

- 2.2 **Public Interest** - the public interest can cover a wide range of values and principles relating to the public good, or what is in the best interests of society. Public interest can take many forms, for example, there is a public interest in:

- transparency and accountability
- to promote public understanding and to safeguard democratic processes
- good decision-making by public bodies
- upholding standards of integrity
- ensuring justice and fair treatment for all
- securing the best use of public resources
- ensuring fair commercial competition in a mixed economy

- 2.3 **Whistle-blower** – a worker who makes a protected disclosure in the public interest.
- 2.4 **Chief Executive's Group (CEG)** – internal NCG group consisting of the CEO, Executive Principals, Chief Finance Officer, Chief Information, Data and Estates Officer, Executive Directors of Quality and Business Development and the Director of People & Development.

3. HOW TO MAKE A DISCLOSURE

- 3.1 An individual wishing to make a disclosure may do so by contacting the Director of Governance in person, by telephone at 0044 191 200 4202, by email at complaints@ncgrp.co.uk (please note, this mailbox is accessed and monitored by the Governance Team) or by post to the following address:
- Director of Governance
NCG
Rye Hill House
Scotswood Road
NE4 7SA
- 3.2 Individuals should clearly reference that they are making a protected disclosure as per the Whistleblowing and Disclosure policy. The disclosure should contain sufficient information to demonstrate that the individual has a genuine concern of suspected wrongdoing.
- 3.3 The Director of Governance will acknowledge the disclosure within 5 working days. Correspondence will normally be in writing (including email) and will be sent to the individual's home address or personal e-mail address. The Group's internal mail system will not be used to send correspondence.
- 3.4 The Director of Governance shall refer the disclosure to the Chief Executive's Group (CEG) for initial assessment.
- 3.5 CEG will determine whether or not it believes that the disclosure is wholly without substance or merit. If CEG considers that the disclosure does not have sufficient merit to warrant further action, the individual will be notified in writing of the reasons for the decision and advised that no further action will be taken under this policy.

- 3.6 Where it is determined that a disclosure has sufficient substance or merit to warrant further action, NCG will take whatever action it deems appropriate (including action under any other applicable Group policy or procedure). Possible actions could include: internal investigation, referral to NCG's auditors, referral to an independent external investigator or referral to relevant external bodies such as the police, OFSTED, Health and Safety Executive or the Information Commissioner's Office.
- 3.7 An individual who wishes to make a disclosure has the right to seek the assistance of their trade union and has the right to be accompanied by a trade union representative, or colleague, not involved in the area of NCG activity to which the disclosure relates during any subsequent investigation of the disclosure.
- 3.8 Depending on the nature of the disclosure, it may not be possible to provide a specific timescale for an investigation. However, the individual making the disclosure will typically be notified of the outcome of any action taken by the Group under this policy in writing within 10 working days of the conclusion of the investigation. Any information received regarding the investigation should be treated as confidential.
- 3.9 The Director of Governance shall be responsible for keeping the individual who made the disclosure informed as the investigation progresses. The amount of contact between the Director of Governance and the person raising the concern will depend on the nature of the matters raised and the clarity of the information received. If necessary, further information may be sought.
- 3.10 Any recommendations for further action as a result of the investigation will be addressed to the Chief Executive or Corporation Chair as appropriate. The recipient will take all steps within their power to ensure the recommendations are implemented.
- 3.11 The Director of Governance is responsible for keeping the Chief Executive Officer and the Chair of the Audit & Risk Committee informed, as appropriate.

4. DISCLOSURES REGARDING SPECIFIC POST-HOLDERS

- 4.1. Where the disclosure is in relation to a senior post-holder, notification should be made to the Director of Governance who will notify the Corporation Chair and Chair of the Audit & Risk Committee.

- 4.2. Where the disclosure is in relation to the Chair of the Corporation, the notification should be made to the Director of Governance who will notify the Chair of the Audit & Risk Committee.
- 4.3. Where the disclosure is in relation to the Chair of Audit & Risk Committee, the notification should be made to the Director of Governance who will notify the Chair of Corporation.
- 4.4. Where the Director of Governance is the subject of the disclosure, the disclosure should be made to the Corporation Chair.

5. DISCLOSURES TO EXTERNAL BODIES

- 5.1. This policy has been implemented to allow individuals to raise disclosures internally within NCG. Individuals may make a disclosure to an appropriate external body prescribed by the law. This list of 'prescribed' organisations and bodies can be found on the [GOV.UK website](https://www.gov.uk).
- 5.2. Individuals can also make disclosures on a confidential basis to a practicing solicitor or barrister or Member of Parliament.
- 5.3. NCG encourages members of staff to seek advice before reporting a concern to an external body. The independent whistleblowing charity Protect operates a confidential helpline and further information is available at www.protect-advice.org.uk.

6. APPEAL

- 6.1. If an individual is not satisfied that their concern has been appropriately addressed, they can raise it with the Chief Executive (or if the disclosure relates to the Chief Executive, the Chair of the Audit & Risk Committee via the Director of Governance) within ten working days.
- 6.2. The Chief Executive /Chair of the Audit & Risk Committee will make a final decision on action to be taken and notify the individual making the disclosure.

7. REPORTING

- 7.1. The Corporation's Audit & Risk Committee has a statutory responsibility, under the Post-16 Audit Code of Practice, to oversee the Corporation's policies on and processes around fraud, irregularity, impropriety and whistleblowing, and ensure:
- the proper, proportionate and independent investigation of all allegations and instances of fraud and irregularity
 - investigation outcomes are reported to the Audit & Risk Committee
 - the external auditor (and internal auditor if applicable) are informed of investigation outcomes and other matters of fraud, irregularity and impropriety, and that appropriate follow-up action has been planned/actioned
 - all significant cases of fraud or suspected fraud, theft, bribery, corruption, irregularity, cybercrime, major weakness or breakdown in the accounting or other control framework are reported to ESFA and other funding authorities as soon as possible.

The Director of Governance shall ensure that any such instances are reported to the appropriate body accordingly.

- 7.2. The Director of Governance has day to day operational responsibility for this policy and will maintain a corporate register of the number and nature of the concerns raised and the outcomes (in a way which would not endanger confidentiality). All cases will be reported to Audit & Risk Committee.

8. ANONYMOUS DISCLOSURES

- 8.1 While this policy facilitates anonymous reporting and protects reporter anonymity, such measures may hinder the effective investigation of an incident. Therefore, NCG encourages individuals to only report anonymously where necessary, given the inherent difficulty in properly investigating, following up on, and resolving anonymously reported incidents. If an individual chooses to remain anonymous and does not provide sufficient detail, the investigator may not be able to initiate or complete a comprehensive investigation.
- 8.2 Anonymous concerns will be addressed at NCG's discretion and factors to be considered will include:
- the seriousness of the issues raised

- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources

9. SAFEGUARDS FOR INDIVIDUALS MAKING A DISCLOSURE

- 9.1 No formal disciplinary action will be taken against an individual on the grounds of making a disclosure made under this policy. An individual will not suffer dismissal or any detrimental action or omission of any type (including informal pressure or any form of victimisation) by NCG for making a disclosure in accordance with this policy. Equally, harassment of an employee who raises a concern under this policy will not be tolerated. Where an employee feels that they have been victimised or disadvantaged after making a disclosure in accordance with this policy, they should contact complaints@ncgrp.co.uk.
- 9.2 This does not prevent NCG from bringing disciplinary action against an individual where NCG has grounds to believe that a disclosure was made maliciously or vexatiously, or where a disclosure is made outside NCG without reasonable grounds or where the discloser was subsequently found to be involved in fraudulent or illegal activity.

10. CONFIDENTIALITY

- 10.1 An individual making a disclosure under this policy can expect their matter to be handled sensitively and treated confidentially.
- 10.2 The identity of an individual making a disclosure will, where possible, be kept confidential to the extent that the maintenance of such confidentiality does not hinder or frustrate any related investigation.
- 10.3 NCG will take all reasonable steps to ensure that any report of recommendations, or other relevant documentation, arising from the disclosure does not identify the individual making the disclosure without their written consent, or unless NCG is legally obliged to do so, or for the purposes of seeking legal advice.

11. STATEMENT ON IMPLEMENTATION

Upon approval, this policy will be uploaded to the policy portal and communicated to staff via The Business Round-Up.

12. STATEMENT ON EQUALITY AND DIVERSITY [POLICIES ONLY]

NCG is committed to providing equality of opportunity. Further details of our aims and objectives are outlined in our [Equality Diversity Inclusion and Belonging Strategy](#).

This policy has been assessed to identify any potential for adverse or positive impact on specific groups of people protected by the Equality Act 2010 and does not discriminate either directly or indirectly. In applying this policy, we have considered eliminating unlawful discrimination, promoting equality of opportunity and promoting good relations between people from diverse groups.

13. STATEMENT ON FREEDOM OF SPEECH

NCG is committed to upholding the principles of freedom of speech as enshrined in UK law. This policy is designed to ensure that all members of our college community, including students, staff, and visitors, can express their views and ideas freely and without fear of censorship or reprisal, provided that such expressions are within the law.

We affirm that this policy does not, in any way, diminish or undermine the rights of individuals under existing Freedom of Speech legislation.

14. STATEMENT ON CONSULTATION

This policy / procedure has been reviewed in consultation with the Policy Review Council, Executive Board and Audit & Risk Committee.

VERSION CONTROL			
Version No.	Section Changed / Description of Change and Rationale	Author/Reviewer	Date Revised
1	Initial version of policy		Sept 2016
2	Policy rewrite to reflect sector best practice document issued by the British Universities Finance Directors group.	Asst. Director of Governance	June 2019
3	Policy updated to extend the document to also cover notifications received from unconnected parties who raise concerns re NCG staff or operations. General update of policy to include clearer guidance.	Asst. Director of Governance	April 2020

4	Title and name changes only	Asst. Director of Governance	Mar 2022
5	Dynamic update to reflect executive restructure	Director of Governance	Dec 2024
6	Definitions added, change to investigation process whereby matter is referred to CEG to agree and assign investigator, email address changed from clerk@ncgrp.co.uk to complaints@ncgrp.co.uk , internal appeal process added, process flowchart added.	Director of Governance	Mar 2025

Appendix 1 – Whistleblowing Process Flowchart

