Dumfries and Galloway College
One step ahead

WHISTLEBLOWING POLICY

Responsibility: Governance Professional

Issue Date: 15th September 2026

Equality Impact Assessment: 3rd July 2026

Version: 3

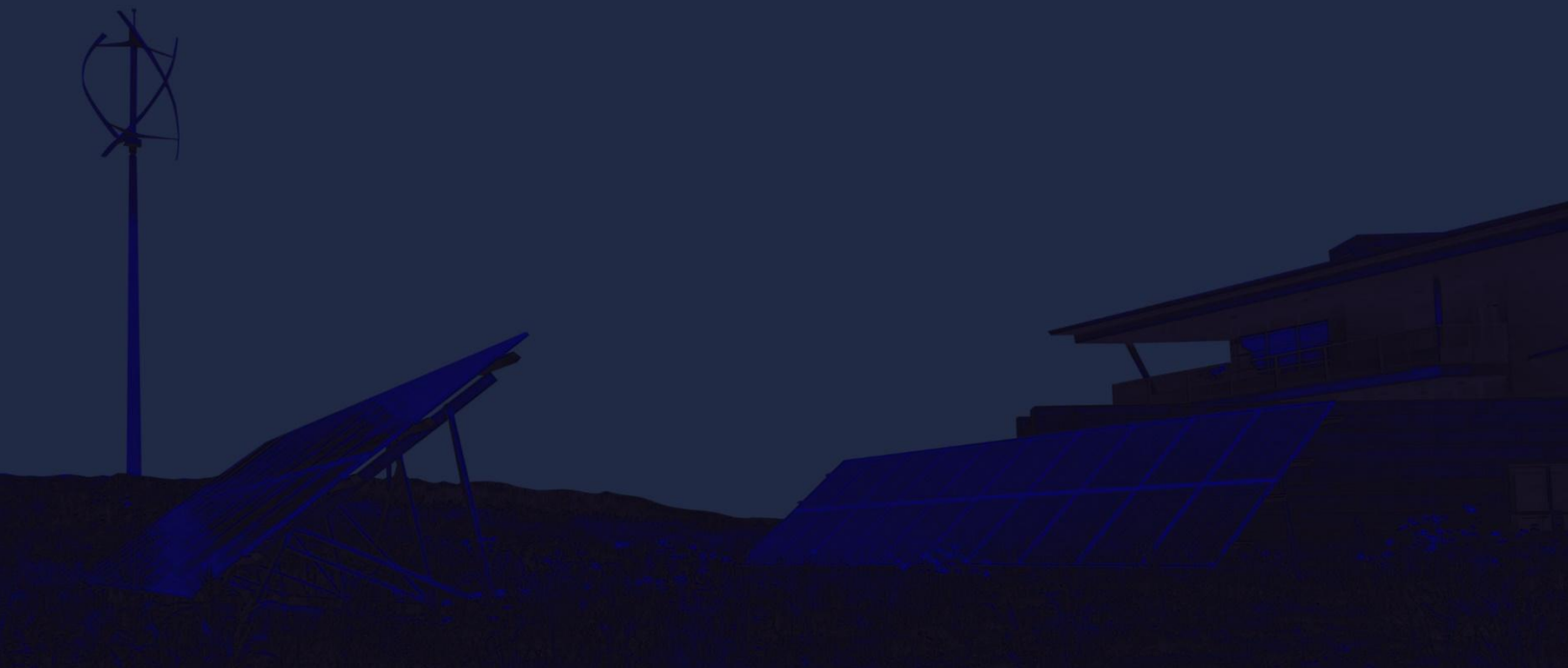


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Whistleblowing Policy

1. Purpose

1.1 Dumfries and Galloway College is committed to the highest standards of professional practice and good governance and will treat reports of suspected misconduct seriously.

2. Scope

2.1 Provide ways for any employee or person working for or on behalf of the College, e.g. agency workers, apprentices, contractors, former workers, trainees, consultants and other individuals entitled to protection under whistleblowing legislation, to raise concerns and receive feedback. However, not all individuals who raise concerns will be entitled to statutory protection under whistleblowing legislation.

2.2 Inform any employee or person working for or on behalf of the College on how to take the matter further if they are dissatisfied with the response.

2.3 Reassure any employee or person working for or on behalf of the College that they will be protected from detrimental treatment where they make a protected disclosure and reasonably believe it is in the public interest.

3. References

- Employment Rights Act 1996 (as amended)
- Employment Rights Act 2025
- Public Interest Disclosure Act 1998
- Enterprise and Regulatory Reform Act 2013
- Worker Protection (Amendment of Equality Act 2010) Act 2023
- Equality Act 2010
- Tertiary Education and Training Act 2026

4. Definitions

4.1 A whistleblower is a person who raises a genuine concern relating to any of the issues below. It is not necessary for a whistleblower to have proof misconduct is being, has been, or is likely to be committed – a reasonable belief, suspicion or concern is sufficient. Staff are not responsible for investigating a suspicion or concern – it is for the College to carry out an investigation once it has received a report.

5. Responsibility

5.1 The Board of Management is responsible for approving this Policy and the Audit Committee have oversight into its effectiveness.

5.2 The Governance Professional is responsible for compliance with this Policy.

5.3 Every employee or other individual entitled to whistleblowing protection under applicable legislation has a responsibility to raise concerns where they reasonably believe wrongdoing, malpractice or risks to the public interest may have occurred, are occurring, or are likely to occur.

5.4 On receipt of a complaint, the Governance Professional will liaise with the relevant Senior Leadership Team member who will undertake initial enquiries to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of other existing procedures, will follow the relevant one.

5.5 All investigations will be undertaken by an appropriately independent Investigating Officer appointed by the Governance Professional. This may be a member of the Senior Leadership Team, another suitably qualified member of staff, or an external investigator where senior leadership is involved.

6. *Policy*

6.1 This policy is intended to promote the disclosure of information which relates to suspected misconduct or dangers to the College. The College recognises that disclosures relating to sexual harassment may constitute protected disclosures under whistleblowing legislation and will be treated in accordance with the protections available under the Employment Rights Act 1996 as amended.

This may include: -

- a criminal offence has been committed, is being committed or is likely to be committed.
- a failure to comply with a legal obligation.
- a miscarriage of justice.
- danger to health or safety of any individual, sexual harassment, sexual misconduct, gender-based violence, bullying, harassment or victimisation involving employees, workers, students or other stakeholders.
- damage to the environment.
- financial or non-financial maladministration and misconduct.
- obstruction or frustration of the exercise of academic freedom.
- academic or professional misconduct of a serious nature.
- improper conduct or unethical behaviour of a serious nature.
- unauthorised disclosure of confidential information.
- the deliberate concealment of information relating to any of the above matters.

6.1.1 The above list of examples is not intended to be exhaustive and there may be other examples of misconduct or wrongdoing which it would be appropriate to consider under this policy. The Whistleblowing Policy is specifically for those types of incidents detailed above, however there are other procedures that may be relevant for workplace employment issues and for stakeholder complaints. This includes concerns relating to safeguarding, equality, dignity at work, harassment, discrimination and failures to protect staff or students from inappropriate sexual behaviour.

6.1.2 For minor issues employees should normally raise concerns with their line manager or, failing whom, another senior manager.

6.1.3 The Whistleblowing Policy is expected to be used for serious and sensitive issues or exceptionally serious issues (e.g. corruption, fraud, bribery, unlawful acts). The Governance Professional will raise the matter with the relevant SLT member unless they, or senior management collectively, is the subject of the complaint. In that case the Principal would be contacted or if the concern relates to the Principal, the Chair of the Board of Management.

6.1.4 When a concern is raised the Governance Professional should inform the Chair of the Board of Management, the Principal and the Chair of the Audit Committee. If any of those individuals are involved in the concern raised, they will not be informed until it is determined an investigation is necessary.

6.1.5 Where the concern relates to the Governance Professional, the concern should be reported directly to the Chair of the Board of Management.

6.1.6 Where the concern relates to the Chair of the Board of Management, it should be reported directly to the Chair of the Audit Committee.

6.1.7 Where the concern relates to both the Chair of the Board and Chair of the Audit Committee, independent external advice may be sought.

6.2 To raise a concern, you should contact the Governance Professional - boardsecretary@dumgal.ac.uk

6.3 All issues raised within this policy are treated in confidence. To maintain confidentiality the Governance Professional will support the senior member of staff selected to investigate the concern. However, confidentiality cannot be guaranteed where disclosure is required by law, regulatory obligation, safeguarding duties or judicial proceedings. Information will be shared strictly on a need-to-know basis.

6.4 When you raise a concern, where possible the following should be included:

- The background and history of the concern, giving names, dates and places.
- The reason why you are particularly concerned about the situation. Those who do not feel able to put their concern in writing can telephone or meet the appropriate officer. The earlier the concern is expressed, the easier it is to take action.

6.5 Those raising concerns are not expected to prove the truth of an allegation, they will need to demonstrate to the Governance Professional there are sufficient grounds for concern, i.e. they have an honest and reliable suspicion or belief that malpractice or wrongdoing has happened, is happening, or is likely to happen.

6.6 Those raising concerns should not attempt to investigate the matter themselves. This policy provides an appropriate means to raise whistleblowing concerns and is intended to protect all parties involved in such a process.

6.7 Concerns reported under this policy will be taken seriously and investigated. Investigations will be undertaken as quickly as practicable following a report to the Governance Professional to ensure that the quality or depth of the investigation is not affected. Findings will be determined on the balance of probabilities – that is, whether the evidence shows it is more likely than not that the concern raised is valid. The seriousness and complexity of the reported concern will have an impact on the time needed to carry out and conclude an investigation, and in some instances, it may be necessary to refer a matter to an external advisor.

6.8 In the investigation, where the issue is referred to an outside body, there will first be a preliminary internal investigation. It is however recognised that due to the nature of the concern the Investigating Officer may inform Police Scotland, the College's Auditors or other relevant external organisations.

6.9 Within 15 working days of a concern being received, the Governance Professional will write to the employee, worker or other individual who raised the issue:

- Acknowledging that the concern has been received
- Indicating how the matter is to be dealt with
- Indicating whether further investigations will take place, and if not, why not.

6.10 Should an investigation proceed, regular updates and an estimated completion date will be provided.

6.11 This policy encourages those raising a concern to put their names to allegations. However, the College accepts concerns raised anonymously and will assess such disclosures on the basis of the seriousness of the issues raised, the credibility of the concern, and the likelihood of confirming the allegation from attributable sources. However, anonymity may limit the College's ability to investigate fully or provide feedback."

6.12 The amount of contact between the person raising the concern and the investigator will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further information may be sought from the individual.

6.13 The person raising the concern needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, they will receive summary information indicating their concerns have been addressed.

6.14 In the investigation of the matter the Investigating Officer should reach a decision on the issue raised and should prepare a report which is shared with the Principal, Chair of the Board and should be tabled at the next available Audit Committee meeting.

6.15 If the person raising the matter is not satisfied with the outcome as communicated by the Governance Professional, they have the right to appeal. An appeal will normally be considered by an individual who has not previously been involved in the matter. Depending upon the circumstances, this may be the Principal, the Chair of the Board of Management, or another independent person appointed for that purpose.

6.16 This appeal should be submitted within 10 days of receipt of the College decision. The person hearing the appeal will consider the appeal and their decision is final.

6.17 <u>External Reporting</u>:

6.17.1 The aim of this policy is to provide a robust internal mechanism for reporting, investigating and remedying any wrongdoing in the college. In most cases the person raising the concern should not find it necessary to alert anyone externally. The College encourages concerns to be raised internally wherever appropriate. However, nothing in this policy prevents an individual from making a protected disclosure to a prescribed body, regulator, law enforcement authority or other recipient permitted under whistleblowing legislation. If an individual believes that they have no choice but to raise a matter externally, caution and responsibility should be exercised in so doing.

6.17.2 The avenues open include:

- The Scottish Funding Council (http://www.sfc.ac.uk/);
- The Police (http://www.scotland.police.uk);
- Audit Scotland (http://www.audit-scotland.gov.uk/);
- a Trade Union or professional body; relevant prescribed bodies - List of prescribed bodies. Disclosures to prescribed regulators remain protected where statutory tests are met.

6.18 Protection and support for those who raise concerns:

6.18.1 The College is committed to creating an open and transparent culture where staff feel confident raising concerns without fear of retaliation and will support those individuals who raise genuine concerns in the public interest under this policy, even if those concerns turn out to be mistaken.

6.18.2 Individuals raising matters must not suffer any detriment, disadvantage or dismissal as a result of making a protected disclosure or raising a genuine concern under this policy. This includes concerns relating to sexual harassment, bullying, discrimination or victimisation. Detrimental treatment includes dismissal, disciplinary action, intimidation, threats or other unfavourable treatment connected with raising a concern.

6.18.3 If the person raising a matter believes that they have suffered any such treatment, they should inform the Governance Professional immediately. If the matter is not remedied to their satisfaction, staff would normally be directed to the College's Grievance Policy and Procedure.

6.18.4 Individuals in the College must not threaten or retaliate against anyone who raises a concern under this policy in any way. Anyone involved in such conduct will be subject to disciplinary action.

6.19 Malicious and Nefarious Allegations:

6.19.1 No action will be taken against an individual solely because a concern is not upheld, provided it was raised honestly and with a reasonable belief that wrongdoing may have occurred.

6.19.2 It should be noted, that if it is concluded that the person raising the matter has made false allegations maliciously, persistently (including using other College policies and procedures), in bad faith or with a view to personal gain, they will be subject to appropriate action, for example, this may lead to disciplinary action.

7. *Distribution*

All Staff
Repository

8. *Revision Log*

Date	Section	Description
18.01.22	All sections	Whistleblowing Policy introduced
December 2025	Format	Updated to reflect Document Control layout with Equality Impact Assessment added as Appendix 1
December 2025	Responsibility (front cover) and throughout the policy	Changed title of Secretary to the Board of Management to Governance Professional
December 2025	Section 5 Responsibility	Added as per Document Control template
December 2025	Section 6 Policy	Added narrative regarding appeals and protection and a new heading for Malicious and Nefarious Allegations
July 2026	Throughout	Wording has been updated throughout policy and now includes changes relevant to the Employment Rights Act 2025. Additions at 6.1.5-6.1.7 have been added.

THIS FORM TO BE UPDATED WHENEVER THERE IS A CHANGE IN ANY SYSTEM DOCUMENT				
Document Name	Document Owner	Revision Number	Date of Issue	Date of Withdraw
Whistleblowing Policy	Governance Professional	1	05.05.22	
Whistleblowing Policy	Governance Professional	2	08.12.25	
Whistleblowing Policy	Governance Professional	3	15.09.26	

Appendix 1 – Equality Impact Assessment

Document:	Whistleblowing Policy
Executive Summary:	This Policy provides guidance to all members of College Staff /Workers on how to inform management if they are concerned about serious malpractice, fraud or corruption within the College.

Duties:

1: Eliminate discrimination, harassment and victimisation

2: Promote equality of opportunity

3: Promote good relations

* Human Rights to privacy and family life, freedom of thought and conscience, education, employment

PSED Impacts

	Commentary
Age	It is not anticipated that this Policy will have a differential impact on people who share protected characteristics. The Policy has been developed to ensure that DGC complies with the Public Interest Disclosure Act 1998 which provides protection to employees against being subject to detrimental treatment by their employers as a result of raising concerns. This protection should apply to all regardless of gender, age etc.
Disability	
Gender	
Gender Based Violence	
Gender identity/ reassignment	
Marriage/civil partnership	
Pregnancy/maternity	
Religion or Belief	
Race	
Sexual Orientation	

Additional Considerations

Care experienced Carers Mental Health Socio-economic status Veterans	This policy has been developed to comply with UK law and will not have an adverse impact on people who share protected characteristics. The Policy states that any investigation will be carried out as quickly as possible and in a confidential manner.
Human Rights*	

Lead Officer:	Governance Professional		
Facilitator:			
Date initiated:			
Consultation: Research:	• Employment Rights Act 1996 (as amended) • Public Interest Disclosure Act 1998 • Employment Rights Act 2025 • Equality Act 2010 • Worker Protection (Amendment of Equality Act 2010) Act 2023		
Signature	L. Grierson	Date	3/7/26