

SPEAKING OUT POLICY AND PROCEDURE 2023-2026



Policy Cover Sheet

Please fill in the following details:

Policy Name	Speaking Out Policy & Procedure
Version Number	V2
Policy Owner	C Street, executive Director, Business & Student Support
Release Date	18 th December 2023
Policy valid for	3 years

Documents included:

Completed Checklist (below)	X
Policy text	X
Filled in EIA	X

Where should this policy be shared? All policies will be shared on the HUB.

The HUB	X
Net Consent	
Website	X

Policy Checklist

Have you completed the following tasks:

Used the Microsoft Accessibility Checker	X
Used formatted headings	X
Used Arial 12pt font	X
Included numbered paragraphs	X
Included page numbers	X
Included alternative text for all images which accurately describe what's in the picture	N/A
Checked for gender neutral language e.g. remove dinner ladies, workmen, he/she and replaced with servers, contractors, they.	X
Used the full phrase instead of the acronym at least the first time	X
Used the spelling and grammar check	X
Gained feedback from colleagues to ensure the policy is clear and accurate	X
Included any legal, social or organisational changes since the last policy review	X
Reviewed the connected policies to ensure they are still active	X
Filled in the change log	X
Listened to the policy using the accessible reader	
Reviewed the policy flowchart	X
Informed the EDI Manager of upcoming policy deadlines	X

Sign Off: To be filled in by the named person only

	Name	Date
SLT	Caroline Street	18/12/2023
Corporation (if required)	N/A – No changes	N/A
Trade Union	UCU	18/12/2023
EIA	Adam Carney	18/12/2023

Change log

Version number	Changes description	Major changes? Y/N	Initiator	Rationale	Date of completion	New version number
01	Changed to new template and checked for required updates (none identified)	N	C Street	N/A	N/A	N/A
02	Revised content to remove barriers to speaking out	Y	C Street	Feedback received that the policy does not encourage speaking out	18/12/2023	02

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1. INTRODUCTION

1.1 At Hopwood Hall College, we uphold our values in everything that we do including our value of “Integrity” and in striving to do the right thing we encourage people to speak out and want this to be normalised for our people. We encourage our team members to exercise professional curiosity and we welcome and will listen to concerns to help improve our college for those who work and study here. Being Champions of Inclusivity means that everyone has a voice and we want to hear it.

1.2 This policy encourages and enables individuals to make a “protected disclosure” to raise serious concerns to the College in the public interest in line with the Public Interest Disclosure Act 1998. We are committed to the highest possible standards of openness, honesty, integrity and accountability therefore in line with that commitment we expect people, who have serious concerns about any aspect of the College’s work to come forward and voice those concerns along with feedback on how things are at our college and how it could be even better.

1.3 The purpose of this policy is to provide the approved way for concerns to be raised, which can be any concern that impacts on the student experience or working environment. However, where serious concerns are raised, an individual must reasonably believe that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

- criminal offences (this may include, for example, types of financial impropriety such as fraud)
- failure to comply with an obligation set out in law
- miscarriages of justice
- endangering of someone’s health and safety
- damage to the environment
- a serious safeguarding or child protection concern including any involvement in radicalisation or extremist activity
- discriminatory behaviour or process within the student experience or working environment that could be deemed as unlawful under the Equality Act 2010
- academic misconduct/ malpractice
- covering up wrongdoing in the above categories

1.4 It is not an alternative to the college’s established Grievance Procedure, which is the means by which an employee may raise a private concern about an employment matter.

2. SCOPE

2.1 Any concerns that an individual may have about any aspect of service provision or the conduct of members of the College community, or those acting on behalf of the College can be reported under the Speaking Out Policy.

2.2 There are existing separate procedures in place to enable employees to lodge a grievance relating to their own employment including issues relating to bullying, harassment and discrimination. There is also a Compliments and Complaints Policy

for dealing with complaints. This procedure is intended to cover concerns that fall outside the scope of other procedures.

- 2.3 This policy is for everyone who is a “worker” at Hopwood Hall College (staff, agency workers, volunteers, governors), and the college wants to hear all concerns through whichever means the person feels most comfortable. There are lots of opportunities for all voices to be heard.
- 2.4 This policy will not discriminate directly or indirectly based on any of the protected characteristics under the Equality Act 2010. This policy will not discriminate against individuals based on socio-economic background or circumstances, trade union membership or any other personal characteristic.

3. AIM

- 3.1. The College welcomes the communication of genuine concerns and is committed to dealing with them responsibly, promptly, openly and professionally. This will help to identify opportunities for improvement that may not otherwise have been identified.
- 3.2. The college wants people to feel safe and confident to speak out and none to be deterred from doing so. Any employee found to be subjecting a person who has spoken out (or “whistleblower”) to any form of victimisation, discrimination or bullying and harassment will be dealt with under the college’s Disciplinary Procedure. People who speak out will not suffer any form of detriment as a result of raising their concerns. They will be thanked for their contributions to potential improvements.
- 3.3. It is understandable that those considering making a disclosure are sometimes worried about possible repercussions. The College aims to encourage openness and will support those who raise genuine concerns under this Policy, even if they turn out to be mistaken. This Policy is designed to offer protection to those members of the College who disclose concerns under this Policy, whistle-blowers are also protected by law. If any staff or students subject anyone who makes a disclosure under this Policy to any harm, this will be taken extremely seriously and such person may be subject to disciplinary action under the College’s Disciplinary Procedure.
- 3.4. However, if it is evident that an employee who has spoken out has made a malicious or vexatious allegation, the College’s disciplinary procedure may be instigated.

4. PROCEDURE

- 4.1. Most opportunities for speaking out are informal for example in one to one meetings or through the Employee Voice sessions where staff are encouraged to feedback on behalf of themselves and their teams on what could be better at the college and this is encouraged to happen as part of our inclusive culture and in line with our value of integrity. However, there are other options available for speaking out. It is possible to speak to the manager or SLT lead with responsibility

for the subject matter or the Human Resources team if it relates to employment or you are unsure of who to address the concern to.

- 4.2. Managers are therefore responsible for taking concerns seriously and for then acting to respond to them accordingly.
- 4.3. Alternatively, there are cross college champions to support speaking out if needed who are available to be contacted directly or at regular drop in sessions. Speaking Out Champions will support those who need it to speak out, follow up and feedback. Champions will not investigate and will remain impartial but will liaise with investigating staff and leaders.
- 4.4. To ensure that there is no confusion about the nature of the concern being raised, it is important to refer to this policy in all correspondence. If there is a more suitable college policy to deal with the nature of the concern, the person who has spoken out will be advised accordingly.
- 4.5. It is recognised that there may be matters that cannot be dealt with internally and whereby external authorities will need to become involved. Where this is necessary, the College reserves the right to make this referral themselves without the person who has spoken out's consent. The Police will be informed in all instances where a criminal offence may have occurred.
- 4.6. If told by anyone not to raise or pursue a concern, individuals should not agree to remain silent. They should report the matter to the most appropriate senior manager within the College. An instruction to cover up wrongdoing is itself a disciplinary offence.
- 4.7. The aim of this Policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing. In most cases individuals should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate to report concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline, their contact details are: <https://protect-advice.org.uk> / Tel: 020 3117 2520. They also have a list of prescribed regulators for reporting certain types of concern.
- 4.8. Where the concern relates directly to a Senior Post Holder of the College, this should be directed to the Clerk to the Corporation.
- 4.9. Please see the template in the appendix to this policy for guidance on what to include when speaking out about a concern.
- 4.10. Once an individual has formally raised a concern, the College will commence an investigation and the person who has spoken out will be contacted to acknowledge the concern and inform them of the action that the college intends to take.

4.11. While the purpose of the policy is to enable the College to investigate possible malpractice and take appropriate steps to deal with it, it may not be possible to give the person raising the concern details of the action that will be taken where this may infringe a duty of confidentiality that is owed to someone else. The person speaking out will however receive feedback detailing as much as possible to reassure them that their voice has been heard and the concern has been addressed.

4.12. An investigation will be conducted by a suitable college representative. If the concern has safeguarding implications, the College will discuss the details with a Senior Designated Safeguarding Officer (Senior DSO) prior to conducting an internal investigation. If required, the LADO (Local Authority Designated Officer) will be contacted to determine if action is required under the allegation management process (See Allegation Management Procedure in the Safeguarding and Child Protection Policy).

4.11 A report will be produced to identify any issues found and to prevent problems from recurring. With the appropriate member of SLT leading any required changes or actions.

4.12 If someone else has the same concern, it is advisable that they raise their concerns separately and do not discuss the issue in order to prevent any conflict of interest or opportunity to jeopardise an investigation.

4.13 All concerns raised under this policy will be treated as confidential and in a timely and sensitive manner. The identity of the individual raising the concern or making the disclosure will be kept confidential so long as this does not hinder any investigation. The most important part of speaking out is the information provided and not the identification of the person speaking out. It is preferred that open and confidential communication takes place in relation to the concern however speaking out can be done anonymously. Anonymous concerns are more difficult to investigate and feedback and the person speaking out would not have the opportunity to receive support however all speaking out is welcomed and encouraged for the benefit of the college and its community.

4.14 All individuals have a duty of confidentiality to the College. Therefore, when speaking out, it is asked that it is kept confidential and not discussed outside of the speaking out process.

4.15 There will be senior leadership overview of speaking out who will provide support to the Champions and quality assurance. Concerns raised will be triangulated and themes identified to identify improvements, share learning points and lessons across teams and ensure that the Senior Leadership Team are fully aware of concerns and improvement areas for action.

5. MONITORING AND EVALUATION

- Policy Date: 18th December 2023
- Equality Impact Assessment completed: 18th December 2023
- Completed by: Caroline Street
- Policy Review Date: December 2026

6. APPENDIX

Letter Template

To: <i>(most relevant person to speak out to – manager, champion)</i>
From: <i>(name and contact details of the person speaking out)</i>
Date of submission: <i>(when the individual makes the concern)</i>
Nature of concern: <ul style="list-style-type: none">• <i>an outline of the known or suspected wrongdoing</i>• <i>details, to the best of your knowledge, about when, where it occurred</i>• <i>a list of the names of those suspected of being involved</i>• <i>a list of the names of anyone who may have relevant information</i>• <i>details of how you came to know about the suspected activities</i>• <i>what, if any breaches of internal controls, policy and procedure or other requirements you believe took place</i>• <i>the name of anyone who you have discussed or reported this incident to</i>• <i>your name and contact details (these will be kept confidential as far as reasonably practicable)</i>• <i>the date and time of making the report</i>
Details of any previous attempts to raise a concern <i>(what, who with, if this applies)</i>
Outcome of any previous investigations <i>(if this applies)</i>
Comments/ suggestions for action <i>(if appropriate)</i>
Signed by the individual