Nested Learning Public Interest Disclosure (Whistleblowing) Policy

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Organisation: Nested Learning Ltd
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Review: At least annually, and sooner following a material change in law, organisational structure or relevant risk.

1. Purpose
   Nested Learning is committed to openness, integrity and accountability.
   People working with or for Nested Learning should be able to raise serious concerns about wrongdoing without fear that they will be dismissed, disadvantaged, threatened or treated unfairly for doing so.
   This policy explains:
   what whistleblowing is;
   who may raise a concern;
   how to raise a concern;
   how Nested Learning will respond;
   how confidentiality and anonymity will be handled; and
   the legal protections that may apply.
   Nested Learning would rather a genuine concern were raised and found to be mistaken than left unreported because someone feared the consequences of speaking up.
2. Legal framework
   The principal statutory protections for whistleblowers in Great Britain are contained in the Employment Rights Act 1996, as amended by the Public Interest Disclosure Act 1998 and subsequent legislation.
   A disclosure may receive statutory protection where a worker reasonably believes that:

the information tends to show one or more types of wrongdoing recognised by law; and

making the disclosure is in the public interest.

A worker does not have to prove that the wrongdoing has occurred. The relevant test is whether their belief is reasonable.

Where the statutory conditions are met, workers are protected against suffering a detriment because they made a protected disclosure. Employees are additionally protected against dismissal for whistleblowing, which may constitute automatically unfair dismissal.

Since 6 April 2026, sexual harassment is expressly included as a category capable of forming a qualifying disclosure under whistleblowing law.

Nested Learning will comply with all statutory whistleblowing protections that apply to it.

3. Our policy

   Nested Learning encourages people to speak up about genuine concerns.

   We will:

   take public-interest concerns seriously;

   provide a clear route for raising them;

   assess concerns fairly and objectively;

   investigate where appropriate;

   protect confidentiality so far as reasonably possible;

   take reasonable steps to protect whistleblowers from retaliation or detriment;

   keep appropriate records;

   take corrective action where wrongdoing is established; and

   refer matters to regulators, law-enforcement agencies, safeguarding authorities or other competent bodies where appropriate.

   Nested Learning seeks to work within the confines of this policy wherever reasonable and legally necessary.

   That wording does not make compliance with the law optional. Where a legal duty applies, the legal duty takes precedence.

4. Who this policy covers

   This policy applies to disclosures raised by people working for or with Nested Learning, including:

   employees;

   workers;

   agency workers;

   apprentices;

   contractors and consultants;

   former workers;

   job applicants where relevant;

suppliers and business partners; and
other people who become aware of serious wrongdoing connected with Nested Learning.

The statutory protection provided by whistleblowing law does not apply equally to every category above. For example, genuinely self-employed contractors, volunteers and some office holders may not fall within the statutory definition of a protected worker.

Nested Learning nevertheless permits anyone within the scope of this policy to raise a genuine public-interest concern and will handle it in accordance with this policy where reasonable.

Extending the internal reporting route does not itself create statutory whistleblowing rights where the law does not provide them.

5. What is whistleblowing?

   Whistleblowing is the disclosure of information about suspected wrongdoing which the person making the disclosure reasonably believes is in the public interest.

   The wrongdoing may have:
   happened in the past;
   be happening now; or
   be likely to happen in the future.

   A qualifying disclosure can concern:
   a criminal offence;
   a failure to comply with a legal obligation;
   a miscarriage of justice;
   danger to the health or safety of any person;
   sexual harassment;
   damage to the environment; or
   deliberate concealment of information about any of these matters.

   Within Nested Learning's activities, concerns might include, for example:
   fraud, bribery, theft or financial malpractice;
   serious misuse of company or customer funds;
   falsification of records or evidence;
   serious data-protection or information-security breaches;
   unlawful discrimination or sexual harassment where the public-interest test is met;
   serious safeguarding failures;
   serious failures to protect health and safety;
   deliberate misrepresentation to customers, regulators or funders;
   serious misconduct in the development or operation of educational or AI systems;
   knowingly concealing material risks affecting learners or customers;
   improper interference with an investigation or audit; or

attempts to conceal any relevant wrongdoing.
This list is illustrative rather than exhaustive.

6. Public interest
   Whistleblowing is different from raising a purely personal complaint.
   For statutory protection, the person making the disclosure must reasonably believe that disclosure is in the public interest.
   This will usually mean that the concern affects, or could affect, people beyond the individual raising it. Relevant factors can include:
   the number of people affected;
   the seriousness of the wrongdoing;
   the nature and likely consequences of the wrongdoing;
   whether the conduct appears deliberate; and
   the wider responsibility or influence of the person or organisation involved.
   A concern does not cease to be in the public interest merely because the whistleblower is also personally affected by it.
7. Whistleblowing, grievances and safeguarding
   A personal employment complaint which concerns only the individual raising it will normally be dealt with as a grievance rather than whistleblowing.
   Examples can include disagreement about:
   pay;
   working hours;
   a personal performance decision;
   an individual management decision; or
   the application of a contractual term.
   However, a matter can affect an individual personally and still amount to whistleblowing where there is a reasonable belief that wider wrongdoing is involved.
   Safeguarding concerns should normally be raised under Nested Learning's Safeguarding Policy, particularly where a child or adult at risk may be in danger.
   A safeguarding concern may also amount to a protected disclosure. Using the safeguarding route does not remove statutory whistleblowing rights where the legal conditions are met.
   Where there is immediate danger or suspected serious criminal conduct, the appropriate emergency or statutory authority should be contacted without waiting for an internal process.
8. How to raise a concern internally
   A concern should normally be raised as soon as reasonably practicable.
   Internal disclosures may be sent to:
   jonathan@nestedlearning.uk
   The subject line should, where possible, state:
   Private and Confidential – Whistleblowing

A disclosure can be made in writing or, where that is not reasonably practicable, through a discussion which is subsequently recorded.
The whistleblower should provide as much factual information as they reasonably can, including:
what they believe has happened, is happening or is likely to happen;
who is involved;
relevant dates, systems, projects or transactions;
why they believe the matter is serious or in the public interest;
any supporting documents or evidence lawfully available to them;
whether the concern has already been raised elsewhere; and
whether they have particular concerns about confidentiality or retaliation.
The whistleblower should distinguish, where possible, between:
matters they directly observed;
information provided by another person; and
inference, suspicion or opinion.
A whistleblower is not expected to investigate the matter personally.

9. If the normal recipient is implicated
   No person should be required to report a concern directly to someone whom they reasonably believe is involved in the wrongdoing.
   Where the normal internal recipient is implicated, has a conflict of interest or the whistleblower reasonably believes that an internal disclosure would expose them or others to serious detriment, the whistleblower may consider an alternative lawful reporting route.
   This can include obtaining independent legal advice or making a disclosure to a relevant prescribed person or body under whistleblowing law.
   Different legal conditions can apply to external disclosures. A person considering an external disclosure should therefore consider obtaining independent advice.
10. Confidentiality
    Nested Learning will treat whistleblowing disclosures sensitively and will protect the identity of the whistleblower so far as reasonably practicable.
    Information will normally be shared only with people who need it to assess, investigate or respond to the concern.
    Absolute confidentiality cannot be guaranteed.
    For example, disclosure of identity may become necessary:
    to conduct a fair investigation;
    to comply with a legal obligation;
    to protect another person;
    for safeguarding purposes;
    in criminal or regulatory proceedings; or
    where the nature of the evidence makes the source apparent.

Where reasonably possible, Nested Learning will discuss this with the whistleblower before revealing their identity.

11. Anonymous disclosures
    A concern may be raised anonymously.
    Nested Learning will consider anonymous disclosures on their merits.
    However, anonymity can make it harder to:
    ask follow-up questions;
    verify information;
    assess the credibility or context of evidence;
    provide feedback; or
    protect the whistleblower from retaliation of which Nested Learning is unaware.
    A person who wishes to remain anonymous should therefore provide as much specific factual information as possible.
    Nested Learning will not disregard a serious concern merely because it was made anonymously.
12. Protection from detriment and retaliation
    Nested Learning will not tolerate retaliation against a person because they raised, or were believed to have raised, a genuine whistleblowing concern.
    Retaliation can include:
    dismissal;
    disciplinary action;
    bullying or harassment;
    threats or intimidation;
    reduction of hours or responsibilities without proper reason;
    denial of training or progression opportunities;
    exclusion or isolation;
    adverse treatment by colleagues, managers or contractors; or
    any other disadvantage imposed because of the disclosure.
    Where statutory whistleblowing protection applies, subjecting a worker to detriment or dismissing an employee because of a protected disclosure may be unlawful.
    Anyone who retaliates against a whistleblower may also be subject to appropriate internal action.
    A person who believes they have suffered retaliation should report it promptly.
13. Genuine but mistaken concerns
    A whistleblower does not need to prove their allegation.
    No action will be taken against a person merely because a concern raised with reasonable belief is not substantiated after investigation.
    The purpose of this policy is to encourage the reporting of genuine concerns, not to penalise people for being mistaken.

14. Knowingly false or malicious allegations

    Whistleblowing protection should not be confused with a licence to knowingly make false allegations.

    Where Nested Learning has reasonable evidence that a person deliberately fabricated evidence or knowingly made a false allegation, the matter may be dealt with under an appropriate disciplinary, contractual or legal process.

    A finding that an allegation was unsubstantiated does not, by itself, mean that it was malicious or knowingly false.

15. How Nested Learning will respond

    The response will depend on the nature and seriousness of the concern.

    Nested Learning will normally:

    acknowledge the concern where the whistleblower can be contacted;

    make an initial assessment;

    identify any immediate action needed to protect people, evidence, systems or assets;

    decide whether the matter should be investigated and by whom;

    consider whether an independent investigator is appropriate;

    identify whether another policy or procedure also applies;

    consider whether a regulator, safeguarding authority, police force or other body should be informed;

    keep an appropriate written record; and

    take proportionate corrective action where wrongdoing is established.

    The person assessing a concern should not investigate allegations in which they are personally implicated or where they have a material conflict of interest.

16. Investigations

    An investigation under this policy is a fact-finding process.

    It should be:

    proportionate to the seriousness of the concern;

    conducted by someone with suitable independence and competence;

    fair to the whistleblower and to any person whose conduct is questioned;

    appropriately documented; and

    carried out without unnecessary delay.

    The precise procedure will depend on the circumstances.

    A whistleblowing investigation may lead to a separate process, including:

    disciplinary action;

    a grievance or complaints procedure;

    a safeguarding process;

    a data-breach response;

    a fraud investigation;

    regulatory notification;

legal proceedings; or
referral to the police or another competent authority.

17. Feedback
    Where reasonably possible, Nested Learning will tell the whistleblower:
    whether the concern has been assessed;
    whether further action is being taken; and
    when the matter has been closed.
    There may be limits on the information that can be provided.
    Nested Learning may be unable to disclose details concerning:
    another person's employment;
    confidential commercial information;
    safeguarding information;
    personal data;
    legal advice;
    criminal proceedings; or
    regulatory investigations.
    A lack of detailed feedback does not necessarily mean that no action has been taken.
18. Records and data protection
    Nested Learning will maintain appropriate records of whistleblowing disclosures and action taken.
    Records should be:
    factual;
    relevant;
    accurate so far as reasonably possible;
    restricted to those who need access;
    retained for an appropriate period; and
    handled in accordance with applicable data-protection law.
    Whistleblowing information may contain personal data or special-category information and must therefore be handled carefully.
    Records will not be retained indefinitely without a lawful or operational reason.
19. External disclosures and prescribed persons
    Whistleblowing law recognises that in some circumstances a disclosure may properly be made outside the organisation.
    The UK Government maintains a list of prescribed persons and bodies to whom protected disclosures may be made about matters within their regulatory remit.
    Depending on the issue, relevant bodies can include regulators concerned with matters such as:
    health and safety;
    taxation;
    data protection;

financial conduct;
education;
charities;
environmental protection; or
other regulated activity.
The worker must normally reasonably believe that:
the matter falls within the remit of the prescribed person; and
the information disclosed and any allegation contained in it are substantially true.
Different and more demanding statutory tests can apply where information is disclosed more widely, for example to the media.
Nothing in this policy prevents a person from making a disclosure through a route protected by law.

20. Legal advice and independent support
    A person considering making a disclosure may obtain independent legal advice.
    A disclosure made to a legal adviser in the course of obtaining legal advice can receive statutory protection.
    Independent whistleblowing advice is also available from organisations specialising in public-interest disclosure.
    Seeking advice does not require a person to notify Nested Learning first.
21. Confidentiality clauses and non-disclosure agreements
    No confidentiality clause, settlement term, non-disclosure agreement or other contractual provision used by Nested Learning is intended to prevent a person from making a protected disclosure.
    Whistleblowing legislation restricts the enforceability of contractual terms which purport to prevent protected disclosures.
    Confidential information should nevertheless be handled responsibly, and a person making a disclosure should not obtain evidence through unlawful means or disclose more information than is reasonably necessary.
22. Criminal conduct and legally privileged material
    Whistleblowing law does not protect a person from the consequences of committing a criminal offence in order to obtain or disclose information.
    Legal professional privilege must also be respected.
    A person who is uncertain about the legality of a proposed disclosure should seek independent legal advice.
23. Responsibilities
    Everyone working for or on behalf of Nested Learning is expected to:
    raise serious public-interest concerns rather than conceal them;
    co-operate with lawful investigations;
    preserve relevant evidence;

respect confidentiality;
avoid retaliation against anyone who speaks up; and
avoid knowingly false or misleading allegations.
Those responsible for receiving or investigating disclosures must:
act impartially;
avoid conflicts of interest;
protect confidentiality;
keep appropriate records;
consider legal and safeguarding obligations; and
ensure that necessary corrective action is not obstructed.

24. Relationship with other Nested Learning policies
    This policy should be read alongside relevant Nested Learning policies, including:
    the Safeguarding Policy;
    the Health and Safety at Work Policy; and
    the Equality, Diversity and Inclusion Policy.
    A concern may fall under more than one policy.
    Nested Learning will use the procedure that best addresses the substance and risk of the matter while preserving any statutory whistleblowing protection that applies.
25. Monitoring and review
    Nested Learning will review this policy at least annually.
    An earlier review may take place following:
    a material whistleblowing case;
    a significant legal or regulatory change;
    evidence that reporting arrangements are ineffective;
    a substantial change to the organisation or workforce; or
    a material change to the services Nested Learning provides.
    The effectiveness of the policy should be judged not simply by the number of concerns reported, but by whether people can raise serious concerns safely and whether Nested Learning responds appropriately when they do.