



Subject: Concerns relating to malpractice in the College  
Author: Human Resources Manager  
Published: April 2019



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## Introduction and purpose

The College encourages employees to raise genuine concerns about suspected wrong doing at the earliest practicable stage, which is known as Whistleblowing. This policy is based on The Public Interest Disclosure Act 1998. The law protects employees, students, volunteers and agency staff who, out of a sense of public duty, want to reveal suspected wrong doing or malpractice. This policy makes it clear that they can do so without fear of reprisals or detrimental treatment.

## Statement of intent

The Public Interest Disclosure Act 1998, (often referred to as Whistleblowing) and its updates, has been introduced to protect employees from detrimental treatment following disclosure of information which relates to a suspected wrong doing or dangers at dangers at work, including illegal activities. Such disclosures must meet qualifying criteria as set out within this policy. The College will follow up on all disclosures in relevance to types of disclosure (see below) and will also use legislative and College policies linked to the disclosure.

The law allows employees to raise what it defines as a 'protected disclosure'. In order to be a protected disclosure, a disclosure must relate to a specific subject matter, (see the Types of disclosure list that follows), and the disclosure must also be made in an appropriate way. A 'protected disclosure' must, in the reasonable belief of the employee making it, also be made in the public interest. A protected disclosure must consist of information and not merely be allegations of suspected malpractice

The College is committed to operating in an ethical way to the highest possible standards of openness, probity and accountability. The aim of this policy is to provide employees with a means for raising genuine concerns of suspected bribery, breaches of the law and other serious wrong-doing as indicated in types of disclosure (see below). The intention is to encourage and enable employees and volunteers to raise serious concerns within the College rather than overlooking a problem or 'blowing the whistle' outside. The College encourages employees to raise genuine concerns about suspected wrong-doing at the earliest practicable stage, by using the internal College process without fear of adverse repercussions being taken against them. The law allows employees to raise such concerns externally and this policy informs employees how they can do so.

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This policy also aims to encourage employees to raise genuine concerns through internal College procedures without fear of adverse repercussions being taken against them. The law allows employees to raise such concerns externally and this policy informs employees how they can do so.

This policy also seeks to balance the need to allow a culture of openness against the need to protect other employees against vexatious allegations or allegations which are not well-founded.

The principles of openness and accountability which underpin legislation protecting whistle-blowers are reflected in this policy. The College is also committed to ensuring compliance with the Bribery Act 2010.

Types of disclosure(s) (s) 26(a) (s) 5(c) (s) 21(m) (s) 11(i) (t) d G [ ] T

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## Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time however, you may need to come forward as a witness.

## Anonymous allegations

You are encouraged to put your name to your allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the College. In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

## Untrue allegations

If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

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employee making the disclosure without their written consent, or unless the College is

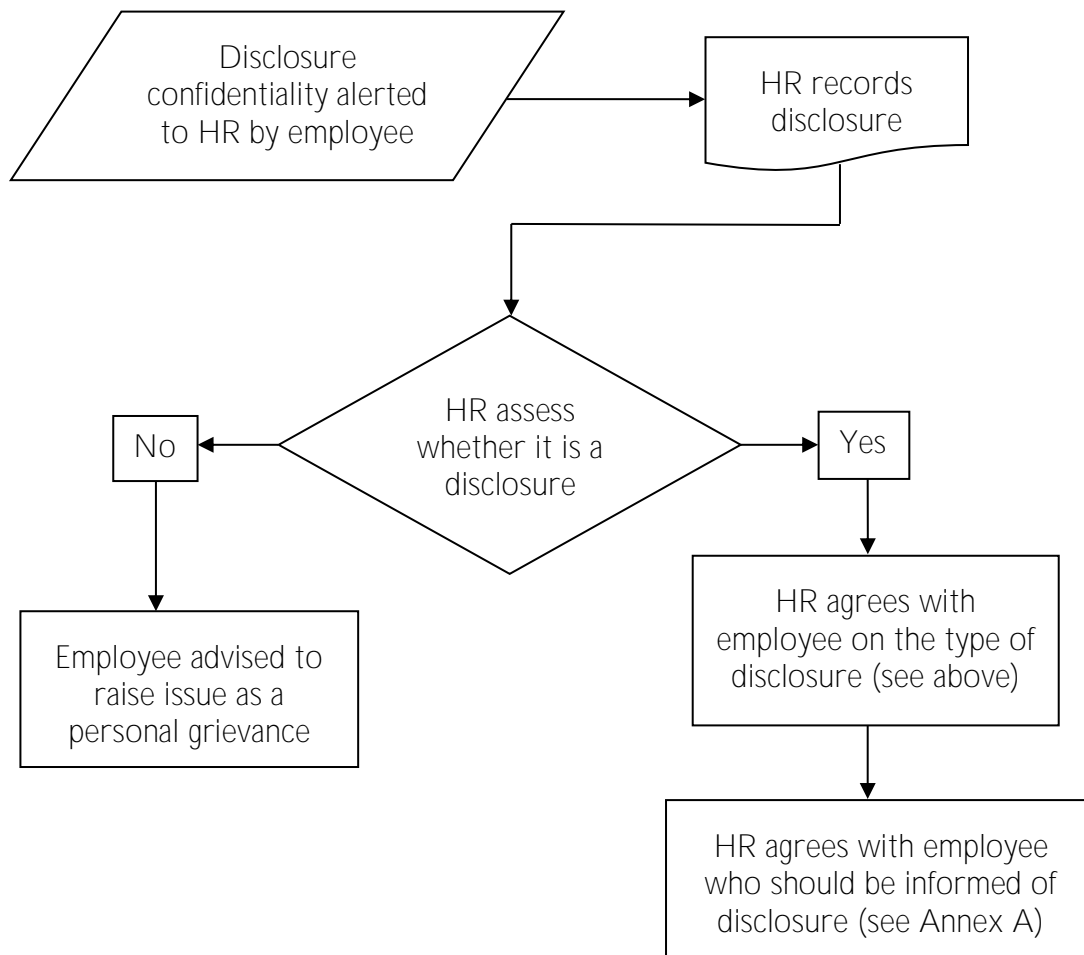


## The whistleblowing process used in the College

### Initiating a disclosure (whistleblowing)

Notes: Employees who might be unsure whether it is appropriate to raise their concern under this policy or whether it is a personal grievance should approach Human Resources (HR) for confidential advice.

Employees are encouraged to identify themselves when making a disclosure to enable the College to notify them of the outcome of any decision made about the disclosure.





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Information which an employee reasonably believes tends to show one or more of the situations given under **D** above, should promptly be disclosed to their line manager, so that any appropriate action can be taken as quickly as possible. Annex A gives the whistleblowing proforma, and a copy to complete can be found [here](#).

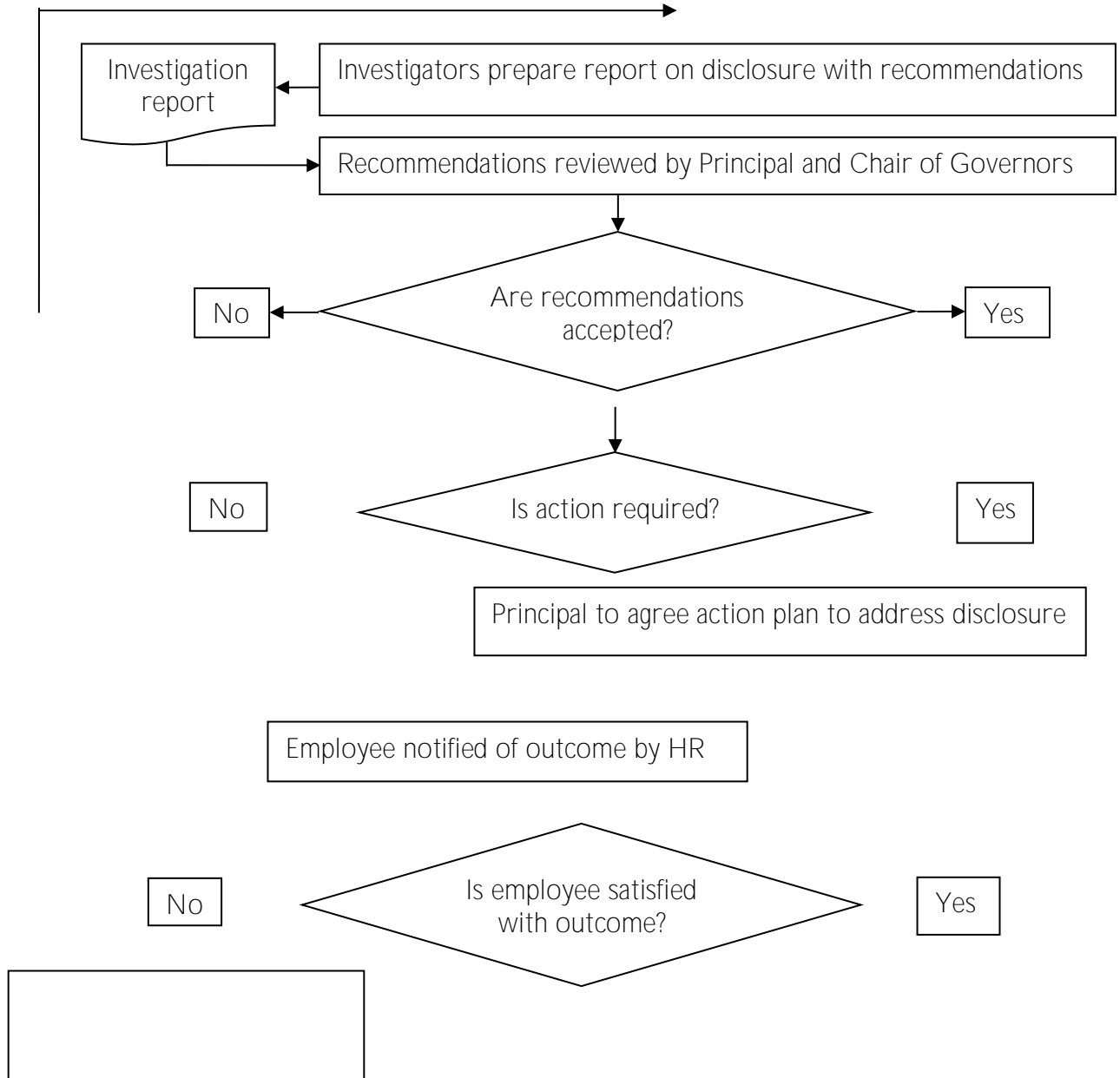




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relates, or by an external investigator appointed by the College as appropriate. Depending on the seriousness of the concern raised and the seniority of the employee making the disclosure, it would be appropriate for a senior manager or a designated officer, to investigate the concern.

Any recommendations for further action made by the College will be addressed to the Principal or Chair of the College's Board of Governors, as appropriate in the circumstances. The recipient will take all steps within their power to ensure the recommendations are implemented unless there are good reasons for not doing so.

The employee making the disclosure will be notified of the outcome of any action taken by the College under this policy within a reasonable period of time. If the employee is not satisfied that their concern has been appropriately addressed, they can appeal against the outcome by raising the issue with the Principal within 10 working days.

The Principal/Chief Executive will make a final decision on action to be taken and notify the employee making the disclosure. The policy encourages the expeditious investigation of disclosure

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Annex A: Whistleblowing Reporting Proforma [example] [The Form](#)

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