



WHISTLE BLOWING POLICY & PROCEDURE

Date Published	20 th June 2018
Next Review	June 2019
UCC Governor Approval Committee	Resources
UCC Staff Role Responsible	School Business Director

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1. Policy Objective

This document aims to advise all stakeholders for example, Governors, staff, students, parents, agency staff, contractors, consultants, visitors, etc of the procedure to follow if they need to draw attention to issues of serious concern. These concerns can relate to bad practice or any other matter which may seem to be against the interests of any of the College stakeholders and may involve fraud/corruption.

Employees and other stakeholders are often the first to realize that there may be something seriously wrong within the College, however, they may not express their concerns as they feel doing so may be disloyal to colleagues or the College. They may also fear harassment or victimization and in these circumstances it might seem easier to ignore concerns rather than report what may prove to be just a suspicion of malpractice.

The College is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we expect all stakeholders with serious concerns about any aspect of the College to come forward and voice those concerns. It is recognized that most cases will have to proceed on a confidential basis.

This document makes it clear that any concerns can be raised without fear of victimization, subsequent discrimination or disadvantage if there is a reasonable belief that the disclosure has been made in good faith.

This policy applies to all stakeholders involved with the College, and provides avenues to raise concerns and receive feedback on any action taken.

These procedures are in addition to other College complaints and grievance procedures.

2. Aims

This policy is intended to cover major concerns which fall outside other complaint and grievance procedures such as:

- Conduct which may be an offence or a breach of the law;
- Disclosures related to miscarriages of justice;

- Health and safety risks, including risks to the public as well as other employees;
- Damage to the environment;
- Failure to comply with legal or professional obligations or regulatory requirements;
- The unauthorized use of public funds;
- Possible fraud and corruption;
- Sexual or physical abuse of stakeholders;
- Negligence;
- Conduct likely to damage the College reputation;
- Unauthorized disclosure of confidential information;
- Public examination fraud;
- Deliberate concealment of any of the above matters;
- Any other unethical conduct.

Any serious concerns about any aspect of service provision or conduct of stakeholders of the College or anyone acting on behalf of the College can be reported under this Policy. This may be about anything that:

- Makes the reporter feel uncomfortable in terms of known standards, experience or knowledge of the standards the College subscribes to;
- Is against DfE or College Standing Orders and policies;
- Falls below established standards of practice; or
- Amounts to improper conduct.

3. Safeguards

The College is committed to good practice and high standards and wants to be supportive of its stakeholders.

The College recognizes that the decision to report a concern may be a difficult one to make, but if true, there should be nothing to fear as any report fulfils a duty of care to both the College and other stakeholders.

Harassment or victimization (including informal pressures) will not be tolerated and appropriate action will be taken to protect anyone raising a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures already taking place.

The Public Interest Disclosure Act 1998 protects the reporter from any repercussions on their present position or future career so long as any issue is raised in good faith. It does not protect anyone acting maliciously, making false allegations or who is seeking personal gain.

4. Confidentiality

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

5. Anonymous Allegations

All complainants are encouraged to put their name to any allegation whenever possible as concerns expressed anonymously are much less powerful but will still be considered at the discretion of the College.

In exercising this discretion the factors taken into account would be:

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

6. Untrue Allegations

If an employee makes an allegation where they have a genuine concern, but it is not confirmed by the investigation, no action will be taken against that employee. If, however, it is concluded that an employee has made malicious or vexatious allegations, or with a view to personal gain, disciplinary action may be taken against that employee.

7. Procedure to Raise a Concern

Concerns should normally be raised with the reporter's immediate supervisor or superior. This depends upon the seriousness and sensitivity of the issues involved and who is suspected of involvement in any malpractice. If the reporter believes management is involved then they should approach their supervisors, escalating up the College leadership if necessary with the final internal level being the Chair of Governors.

Concerns can be expressed verbally or in writing. Should the complaint be made in writing then any background and history should be reported along with dates and the reason for the particular concern.

The earlier a concern is voiced, the easier it is to take action.

It is not expected that a first report will prove the truth of any allegation beyond all doubt but the reporter will be expected to demonstrate reasonable grounds for their concern.

External advice/guidance on how to pursue matters of concern can be sought from the Audit Commission or Public Concern At Work.

Any reporter may wish to consider discussing their concerns with a colleague first and it may be easier to raise the matter if there are two (or more) complainants with the same experience or concerns.

The reporter may invite their trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns raised.

Should your concern be of a financial or financial processes nature which you do not wish to take up with other College staff you can approach the Chair of Governors (via

the Clerk to the Governors). Please also refer to the Fraud Policy on matters of this nature.

8. College Response

The College will respond to concerns and they may:

- Be investigated by management, or through the disciplinary process;
- Be referred to the police;
- Be referred to the external auditor;
- Be referred to the DfE
- Form the basis of an independent enquiry.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the College will have in mind is public interest. Concerns or allegations which fall within the scope of specific procedures (eg: child protections or discrimination) will normally be considered under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within 10 working days of a concern being raised the person with whom it was raised will respond to the reporter in writing to:

- Acknowledge the report has been received;
- Indicate how it is proposed to deal with the matter;
- Give an estimate of how long it may take to give a final response;
- Confirm whether any initial enquiries have been made;
- Supply information on support mechanisms available, and
- Confirm whether further investigations will take place and if not, why not.

The amount of contact between those considering the issues and the reporter will depend upon the nature of the matters raised, potential difficulties involved and clarity of the information provided. If necessary further information may be required.

If a meeting is arranged off site a nominated a trade union or professional association representative or a friend can accompany you.

The College will seek to minimize any difficulties experienced as a result of raising a concern, eg – if required to give evidence in a criminal or disciplinary proceeding the College will arrange for you to receive advice on the procedure.

The College, subject to any legal constraints, will inform you of the outcome of any investigation.

Related Policies: Fraud Policy