



Whistleblowing Policy

Introduction

The College is committed to the highest standards of openness, probity and accountability. It seeks to conduct its affairs in a responsible manner taking into account the requirements of the funding bodies, its Charitable Objectives and the standards in public life set out in the reports of the Nolan Committee.

Normally any concern about a workplace situation should be raised with the employee's immediate Manager or Head of Department; in the case of students, concerns would normally be raised through the complaints procedures. However, it is recognised that because of the seriousness and sensitivity of some issues, together with the knowledge of who the employee or student thinks may be involved in wrongdoing, this may be difficult or even impossible and the matter should, therefore, be communicated through a different member of staff.

The Public Interest Disclosure Act gives legal protection to employees being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns provided that they are disclosed under procedures identified in the Act. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. However, where an individual discovers information which they believe shows malpractice or wrongdoing within the organization, then there should be identified procedures to enable the individual to disclose the information without fear of reprisal, and it may be necessary for the disclosures to be made independently of line management.

This policy sets out arrangements for individuals to raise serious concerns about malpractice or serious wrongdoing in ways which will protect them from reprisal. This policy is intended to meet the requirements of the Act but it goes further in two aspects: first, it extends the list of concerns where a protected disclosure may be made beyond those identified in the Act; secondly, it extends protection for disclosure beyond employees to students and to other members of the College.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or serious wrongdoing provided that they make the disclosure in accordance with the policy. It is not designed to question financial or business decisions taken by the College nor may it be used to reconsider any matters which have already been addressed under the complaint or disciplinary procedures. Individuals who make disclosures outside the arrangements set out here will not be protected under this policy and may not be protected under the Act.

Scope of Policy

This policy is designed to enable employees or other members of the College to raise concerns or disclose information, which is likely to have occurred, at a higher level

which the individual believes shows malpractice. This policy is intended to cover concerns which are in the public interest and may, at least initially, be investigated separately but might then lead to the using of such procedures. These might include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation
- Dangers to health and safety of the environment
- Criminal activity
- Miscarriage of justice
- Academic malpractice
- Improper conduct or unethical behaviour
- Attempts to conceal any of the above.

This is not intended to be a comprehensive list and any matters raised under this policy will be considered seriously.

Safeguards

Protection

This policy is designed to offer protection to those employees or other members of the College who disclose such concerns provided the disclosure is made:

- In accordance with the procedures laid down
- In good faith, and
- In the reasonable belief of the individual making the disclosure that it shows malpractice.

Confidentiality

The College treats all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, but they are considered at the discretion of the College. In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from alternative credible sources.

Untrue allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action is taken against that individual. If, however, the investigation shows that an individual has made malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against the

individual concerned.

Procedures for Making a Disclosure

Initial Step

The individual should make the disclosure to the Head's PA or the Bursar's PA. If, however, the disclosure is about the Head's PA or the Bursar's PA then the disclosure may be made to the Head, the Bursar or the President of Council. The name of the President of Council and their address may be obtained from the Head's office, the Bursars' office or a Deputy Head.

Initial Response

In all cases, the person to whom the concern has been made should acknowledge its receipt in writing to the whistleblower at his or her home address, and record the subsequent action taken. The person to whom the concern has been made makes a preliminary investigation, normally by appointing someone who has not previously been involved in the case or is unlikely to subsequently be involved, and reports on the findings to the Bursar (who is the Secretary to the Council). This process is normally completed within a period of three working weeks.

Outcomes

The probable outcomes of this process are as follows:

- If, on preliminary examination, the concern is judged to be wholly without substance or merit, it is dismissed.
- If it is judged that a prima facie case may exist, the matter is normally dealt with in accordance with the College's discipline procedure or as otherwise may be deemed appropriate according to the nature of the case. In all instances in which a concern leads to disciplinary proceedings, the person or persons in respect of whom it is made is informed of the concern and the evidence supporting it and be allowed to comment on it before proceedings are concluded. The outcome is also reported to the whistleblower.

The following conditions shall apply:

- All reasonable steps are taken to deal with the matter as expeditiously as possible
- All reasonable steps are taken to protect the confidentiality of whistleblowers unless they waive their rights to confidentiality or it is deemed that through the nature of the concern raised, such confidentiality is incompatible with the implementation of fair disciplinary proceedings: in such cases those who raise the concern are informed that no further action can be taken without their agreement to waive their rights to confidentiality
- Any reprisals against or victimisation of the whistleblower is treated by the College as serious disciplinary matter.

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