




Whistleblowing Policy

Published Date: Sept 2023	Version: V3.0(BSPP025)
Next Review Date: Sept 2024	Page 1 of 6

Policy Approval



Approval Required:	Please Check		Annual Review Required:	Please Check	
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Approval Panel:	James Hope				
Approved By:	Name	Signature		Date	
	James Hope			01/09/2023	
Policy Review Date:	September 2024				
Policy Writer/s:	Shane Carter				

INTRODUCTION

Employees are often the first to realise that there may be something seriously wrong within an organisation. However, they may not express their concerns because they feel that speaking out would be disloyal to colleagues or their employer. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern than to report what may be just a suspicion of malpractice. The Centre is committed to combating malpractice and, if it is discovered, to dealing with it seriously and urgently, so as to deter it in future and to promote accountability.

The purpose of this code is to encourage staff to disclose concerns they may have about malpractice in the centre so that those concerns can be investigated, without fear of reprisals, so long as the concerns are genuine and have been raised in good faith, rather than overlooking the problem or 'blowing the whistle' outside. The meaning of 'malpractice' is explained in paragraph 2.

SCOPE

There are existing procedures in place to enable you to raise grievances about your personal employment situation (e.g., the grievance procedure, the disciplinary procedure). This code is not intended to cover concerns that fall within the scope of those other procedures, nor to provide a means of review or appeal against individual management decisions unless in each case they involve malpractice.

There is no legal definition of 'whistleblowing' or of 'malpractice'. For the purpose of this procedure, 'malpractice' in relation to the Centre means fraud, theft, corruption, bribery or other financial irregularities; other criminal activities or dishonesty; failure to comply with a legal obligation, the staff code of conduct, the financial regulations; a miscarriage of justice; creating or ignoring a serious risk to health, safety or the environment (Whether by other employees, contractors or the public)

PROCEDURE FOR RAISING CONCERNS

Concerns about malpractice should be raised at the earliest opportunity with your line manager or a member of the Centre Management Team. Concerns are best raised in writing, setting out the background, history and reasons for the concern, giving names, dates and places where possible. If you feel unable to put your concern in writing, you can telephone or meet the appropriate person and a note of your concern will be made.

If you raise a concern and do not want your name to be disclosed to the perpetrator of the alleged malpractice, the person(s) with whom you raise the concern will not do so without your prior approval. You should appreciate that if the investigation process is to be carried forward effectively, your identity may have to be revealed and a statement by you may be required as part of the evidence.

Published Date: Sept 2023	Version: V3.0(BSPP025)
Next Review Date: Sept 2024	Page 3 of 6

THE CENTRES RESPONSE

The action taken by the Centre will depend upon the type of concern. The matters raised may be investigated internally, reported to the police (this will normally be the case if criminal activity is suspected), the internal or financial statements auditors, or the Skills Funding Agency. Or any combination of the above.

Initial enquiries will be made promptly to decide whether an investigation is appropriate and, if so, what form it should take. Concerns which fall within the scope of specific procedures (for example, harassment or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation.

Within ten working days of your concern being received, you will normally receive a written acknowledgement, sent to your home address. Thereafter, while it is not possible to stipulate specific timescales due to the nature of investigations of this type, you will be kept generally informed on how the matter is to be dealt with and the progress and outcome of the investigation.

The amount of contact between the person(s) considering your concerns and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.

HOW THE MATTER CAN BE TAKEN FURTHER

If you are not satisfied that your concern is being properly dealt with, you may refer it to the management team for further investigation of your concern.

This policy is intended to provide you with a way of raising concerns within the Centre. If, having used the alternatives above you are not satisfied with how the matter has been addressed and you feel it is right to take the matter outside the Centre, the following are possible contact points –

the financial statements auditors
the Skills Funding Agency
the Department for Business Innovation & Skills
your solicitor
the police
a member of parliament
a trade union

In addition, Public Concern at Work, an independent, non-statutory charitable body, provides advice to individuals with concerns about malpractice at any time.

Details of where some of the above can be contacted are noted at the end of this document.

Published Date: Sept 2023	Version: V3.0(BSPP025)
Next Review Date: Sept 2024	Page 4 of 6

PROTECTION FOR WHISLEBLOWERS AND PENALTIES FOR ABUSE

The Centre will take reasonable action to protect you when you raise a concern in good faith. Such action will be as follows:

Confidentiality clauses in contracts of employment will not be applied to the raising of such concerns under this procedure; any action designed to prevent or deter an individual from raising a genuine concern of malpractice or to victimise an individual for doing so will be regarded as a serious disciplinary offence.

Unless proved otherwise it will be assumed that an employee using the procedure acts in good faith and not for personal gain or out of personal motive, even if an investigation results in the concern proving unfounded, provided there were reasonable grounds for believing that the information disclosed indicated the commission of malpractice.

In addition, the Public Interest Disclosure Act 1998 is intended to protect employees and others raising concerns covered by the Act in good faith and on reasonable grounds from being subjected to detriment or dismissal for doing so.

This protection does not mean that if you are already the subject of disciplinary or other procedures relating to your employment, that those procedures will be halted as a result of your whistleblowing.

Abuse of the procedure by the malicious raising of unfounded allegations will be considered a serious disciplinary offence.

ANONYMOUS COMPLAINTS

You are strongly encouraged to put your name to your concern. Concerns expressed anonymously are much less powerful, can be difficult to investigate effectively and may deprive those alleged to be guilty of malpractice of part of the means by which to defend themselves. Anonymous complaints may, however, be considered at the discretion of the Centre, taking into account the nature and seriousness of the issues raised, the credibility of the concern and the likelihood of confirming the allegation from attributable sources.

Recipients of anonymous complaints should refer them to the centre management team, who may, after taking into account the above factors, discuss the matter, initially informally, with the subject of the complaint. If the centre management team is satisfied that the complaint is totally without foundation, the complaint will be destroyed.

Published Date: Sept 2023	Version: V3.0(BSPP025)
Next Review Date: Sept 2024	Page 5 of 6

CONTACT DETAILS

Skills Funding Agency

Skills Funding Agency

Cheylesmore House

Quinton Road

Coventry

CV1 2WT

Telephone: 0845 377 5000

Department for Business, Innovation & Skills

1 Victoria Street

London SW1H 0ET

Telephone: 020 7215 5000

Public Concern at Work

3rd Floor, Bank Chambers

6 - 10 Borough High Street

London SE1 9QQ

Telephone: 020 7404 6609

UNISON North West Regional Centre

Arena Point

1 Hunts Bank

Manchester

M3 1UN

Telephone: 0845 355 0845

Published Date: Sept 2023	Version: V3.0(BSPP025)
Next Review Date: Sept 2024	Page 6 of 6