

FURTHER EDUCATION

Whistleblowing Policy

1 Purpose and scope

- 1.1 All colleges face the risk of things going wrong or of unknowingly harbouring malpractice. UCG takes malpractice very seriously and is committed to conducting business with honesty and integrity and UCG expects all staff to maintain high standards. UCG encourages open communication from all those who work for the College and UCG wants everyone to feel secure about raising concerns.
- 1.2 All staff have protection under whistleblowing laws if they raise concerns in the correct way. This policy is designed to give staff that opportunity and protection. It does not matter if an individual who raises a concern is mistaken about it—staff do not have to prove anything about the allegation they are making but they must reasonably believe that the disclosure is made in the public interest and that the information they have tends to show some malpractice.
- 1.3 This policy applies to all UCG's students and employees, officers, consultants, contractors and to other workers including agency workers, casual workers, volunteers, interns and home workers.
- 1.4 This policy does not form part of any contract of employment and we may amend it at any time.

2 When to use this policy

- 2.1 There is a difference between whistleblowing and raising a grievance:
 - 2.1.1 whistleblowing is where an individual has a concern about a danger or illegality that has a public interest aspect to it, e.g. because it threatens students, third parties or the public generally; but
 - 2.1.2 a grievance is a complaint that generally relates to an individual's own employment position or personal circumstances at work.
- 2.2 This policy does not set out the procedure that applies to general grievances. If you have a complaint about your own personal circumstances, then you should use the Grievance Procedure in the first instance.

3 Malpractice covered by this policy

- 3.1 Whistleblowing is the reporting of suspected malpractice, wrongdoing or dangers in relation to the activities the college undertakes. The kinds of malpractice covered by this policy include that any of the following have occurred, are occurring or are likely to occur:
 - 3.1.1 criminal offences, including those in relation to bribery and corruption and tax evasion facilitation;
 - 3.1.2 miscarriages of justice;
 - 3.1.3 danger to the health and safety of any individual;
 - 3.1.4 damage to the college environment;

3.1.5 breach of any legal obligation, including those in relation to bribery and corruption and tax evasion facilitation;

3.1.6 deliberately concealing any of the above.

4 Our guarantee

4.1 UCG is committed to the principles set out in this policy. If this policy is used to raise a concern, the whistle blower will not suffer any form of retribution or detrimental treatment. Concerns will be treated seriously in accordance with this policy.

4.2 Matters will be treated in confidence if requested, unless the law requires otherwise, and disclosures to third parties or other staff will only be made with consent.

5 Procedure for raising a concern

5.1 Any concerns about malpractice covered by this policy, should normally be raised with the line manager in the first instance. If this is not possible, then the issue should be raised with the Director of Governance.

5.2 A concern can be raised by telephone, in person or in writing. It is preferable if it is made in writing. Although proof or evidence of the concern is not expected those raising a concern will generally need to provide, as a minimum, details of the nature of the concern and why it is believed to be true, and the background and history of the concern (giving relevant dates where possible).

5.3 Concerns can be discussed with a colleague or trade union representative before raising it formally under this policy but once raised formally (alone or with a colleague), in the interests of everyone involved, this is a confidential process.

6 Responding to concerns raised

6.1 UCG is committed to ensuring that all disclosures raised are dealt with appropriately, consistently, fairly and professionally. A meeting will be arranged as soon possible to discuss the concern raised. The whistle blower may be accompanied by a colleague or trade union representative to any meeting that takes place. The companion must respect the confidentiality of the disclosure and any subsequent investigation. Further information about the concern raised may be requested.

6.2 After the meeting, a decision will be taken in response. Possible actions could include internal investigation; referral to the Group's auditors; or referral to relevant external bodies such as the police, OFSTED, Health and Safety Executive or the Information Commissioner's Office.

6.3 If appropriate, any internal investigation would be conducted by a manager without any direct association with the individual to whom the concern relates, or by an external investigator. UCG aims to complete investigations within a reasonable time.

6.4 If not anonymous, the whistle blower will be kept informed of the progress of the investigation and when it is completed. Any matters which would infringe any duty of confidentiality owed to others will not be disclosed.

7 Confidentiality

7.1 All concerns raised will be treated in confidence and every effort will be made not to reveal the whistle blower's identity if requested. You may be asked to act as a witness if

disciplinary or other proceedings follow the investigation. Should you agree, advice and support will be provided in this event.

- 7.2 UCG hopes that all staff and students will feel able to voice their concerns openly under this policy. Although a concern may be raised anonymously, disclosure of the whistle blower's identity is preferred so that allegations can be investigated fully, any necessary protections can be put in place and feedback can be provided.

8 Raising your concern externally (exceptional cases)

- 8.1 The main purpose of this policy is to give all UCG staff and students the opportunity and protection they need to raise concerns internally. It is expected that in almost all cases raising concerns internally would be the most appropriate course of action.
- 8.2 If for whatever reason, concerns cannot be raised internally and there is reason to believe the information and any allegations are substantially true, the law recognises that concerns can be raised with another prescribed person, such as a regulator (e.g. Ofsted/Department for Education) or professional body or an MP. A list of the relevant prescribed people and bodies for this purpose and the areas for which they are responsible is available from Protect (formerly known as Public Concern at Work) (see **Clause 10**), further information and contacts, below and on the GOV.UK website at:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>

- 8.3 UCG strongly encourages appropriate advice is sought before reporting a concern to external bodies.

9 Protection and support for those raising concerns

- 9.1 UCG is committed to good practice and high standards and to being supportive to staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 9.2 Any individual raising a genuine concern must not suffer any detriment as a result of doing so. If you believe that you have suffered such treatment, you should inform the Director of Governance immediately. If the matter is not dealt with to your satisfaction, you should raise it formally using UCG's Grievance Procedure.
- 9.3 No member of staff must threaten or retaliate against an individual who has raised a concern and UCG will not tolerate any such harassment or victimisation. Any person involved in such conduct may be subject to disciplinary action and may be liable to a claim for compensation brought against them personally.
- 9.4 To ensure the protection of all UCG staff and students, those who raise a concern frivolously, maliciously and/or for personal gain and/or make an allegation they do not reasonably believe to be true and/or made in the public interest will also be liable to disciplinary action.

10 Accountability

- 10.1 UCG will keep a record of all concerns raised under this policy and procedure (including cases where it deems that there is no case to answer and therefore that no action should be taken) and will report to the Audit Committee on an annual basis as appropriate.

11 Further information and contacts

11.1 If you have any queries about the application of this policy, please contact the Director of Governance

11.2 Relevant regulators may include:

Name of regulator	Contact details
Her Majesty's Chief Inspector of Education, Children's Services and Skills	The Chief Inspector Ofsted Piccadilly Gate Store Street Manchester M1 2WD Tel: 0300 123 3155 Email: whistleblowing@ofsted.gov.uk
Secretary of State for Education	Ministerial and Public Communications Division Department for Education Piccadilly Gate Store Street Manchester M1 2WD Tel: 0370 000 2288 Website: www.gov.uk/contact-dfe
The Health and Safety Executive	Tel: 0300 003 1647 Online form: www.hse.gov.uk/contact/concerns.htm

11.3 Protect (formerly known as Public Concern at Work) is a source of further information and advice at <https://protect-advice.org.uk/>. It also provides a free helpline offering confidential advice on 020 3117 2520.