

Whistleblowing Procedure

May 2013

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Version Control History

Version Number	Date of Change	Summary of Revisions Made
4	May 2013	Version no updated and effective date updated. Review due date remains stat. Addition of Anti-Bribery Policy to list of linked policies. Addition of Bribery to list of Issues of Concern in Appendix 1. Change of title from Director of HR and Organisational Development to Director fo HR and Communications.Changes need to be notified to the F&GP Committee – Approved by them at meeting 2-Oct-13.
4.1	July 2016	Footer updated to reflect new template model Role Title Changed: Vice Principal, Human Resources and Communications; Head of Quality.
4.2	December 2018	Change of role to Quality Manager and other job titles to adhere with new structure

Whistleblowing Procedure

1 Purpose

This procedure advises how serious concerns regarding managers and staff can be raised in relation to Whistleblowing.

2 Scope

All employees are covered by this policy.

3 Definitions

- 3.1 Issues of serious concern – may include discrimination, negligence, fraud, bribery and corruption, failure to comply with a legal obligation, endangering the health and safety of staff, environmental damage, bullying and will normally be reported to the immediate manager or a senior manager. The list is not exhaustive and staff who raise a genuine concern will be fully supported.
- 3.2 Public disclosures/qualifying disclosure – If a member of staff feels unable to raise their concern because they believe they will be victimised, or evidence will be destroyed, the matter **may in certain limited circumstances** be disclosed outside Perth College UHI as a 'qualifying disclosure' under the Public Interest Disclosure Act.

4 Responsibilities

- 4.1 The Chief Operating Officer has responsibility for reviewing the procedures in line with changes and developments in employment and case law.
- 4.2 The College Finance and General Purpose Committee has responsibility for approving any subsequent changes to this procedure.
- 4.3 The Clerk to the Board has the responsibility for ensuring the procedures are followed when a member of staff wishes to raise genuine concerns with the Board of Management.
- 4.4 College Managers are responsible for ensuring staff are aware of the procedures and know what to do if they wish to raise a concern.
- 4.5 Quality approval check of the procedure is the responsibility of the Quality Manager who will arrange for the procedure to be posted on the web.

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5 Procedure

- If a member of staff is concerned about something that they think is bad practice they should talk in the first instance to their line manager or a senior manager about this.
- If they do not feel able to do so because, for example, they believe that line managers are involved in some way or are unlikely to take action about the concern, they should contact a more senior manager. Ultimately, they may contact the Principal, and ask to speak confidentially.
- There is a voicemail facility on telephone number 01738 877300 which can be used outside of office hours and messages from this will only be retrieved by the Clerk to the Board. If using this service, individuals should ensure that contact details are left so that a response can be provided.
- If there is a concern that involves a very senior member of Perth College UHI staff it may be necessary to approach the Chairman of the Board of Management. The Chairman's telephone number can be obtained from the Clerk to the Board on Extension 77300. The Clerk to the Board reports directly to the Chairman of the Board of Management.
- Perth College UHI will treat concerns raised in this way seriously and will investigate them thoroughly in whatever way seems most appropriate.
- Managers must ensure staff read the policy and guidelines so they know their rights and the support they will receive if they raise a genuine concern.
- In the first instance the individual will receive a written response from the Manager to the concern they have raised indicating how the matter will be dealt with and giving them an estimate of how long it may take.
- If, as part of the resolution of the issue raised, there requires to be a meeting between the individual and the person with or about whom the concern is raised, individuals will have the right, should they wish, to be accompanied by a trade union representative, or work colleague who is not directly involved.
- Some situations may be resolved promptly, others may require formal investigation.
- The individual will be informed of the outcome and any steps that have been taken, subject to legal constraints and appropriate confidentiality.
- Managers will be required to submit a summary report of the concern that was raised, how it was dealt with, and the outcome, to the Principal.
- Once the Manager has investigated and/or resolved the issue that was causing a person concern, s/he will notify the person of the outcome subject to legal restraints and confidentiality.

5.1 Raising Issues Anonymously

- It is not appropriate to raise concerns anonymously as concerns cannot be properly clarified and explored and may be considered malicious.
- If anonymous concerns are raised they will not be dealt with under this procedure. An individual can initially contact a senior manager anonymously to discuss the procedure but they cannot proceed with their concerns anonymously.
- Although concerns cannot be raised anonymously, they can be raised confidentially whenever this is possible and individuals will be

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supported through the process of confidential reporting, and afterwards.

- Confidentiality is subject to an initial investigation of the concern as it may be that other statutory or organisational procedures, such as the disciplinary or grievance procedures, need to be invoked and it may be impossible to conceal the source of the information.
- In some situations such as disciplinary procedures, child protection procedures or a referral to the police, individuals may be required to make a formal statement and give witness evidence.

5.2 Public Disclosures

- All staff have a duty of confidentiality to Perth College UHI. Concerns raised internally must not, therefore, be disclosed externally to the organisation.
- If a member of staff feels unable to raise their concern because they believe they will be victimised, or evidence will be destroyed, the matter **may in certain limited circumstances** be disclosed outside Perth College UHI as a 'qualifying disclosure' under the Public Interest Disclosure Act. Any staff considering such an action must seek advice from their trade union, professional body, or independent legal adviser or contact: Public Concern at Work, Suite 306, 16 Baldwins Gardens, London EC1N 7RJ. Telephone: 020 7404 6609. Website: www.pcaw.co.uk

6 Linked Policies/Related Documents

- 6.1 Whistleblowing Policy Statement.
- 6.2 Guidance Notes on Whistleblowing (See Appendix 1).
- 6.3 Public Interest Disclosure Act 1998.
- 6.4 Complaints and Grievance procedures.
- 6.5 Anti Bribery Policy.

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Appendix 1 – Guidance Notes on Whistleblowing

Issues of Concern

It is impossible to be prescriptive about issues of concern but they may be as follows:

- Abuse and neglect of vulnerable learners.
- Failure to deliver proper standard of service.
- Financial malpractice.
- Bribery.
- Corruption or fraudulent activity.
- Negligence.
- Discrimination.
- Bullying or victimisation of learners or staff.
- Breaches of Health and Safety legislation.
- Failure to comply with Perth College UHI's policies and procedures, or legal requirements.

There may be other types of concern which should be more appropriately addressed through Perth College UHI's other procedures, such as the grievance procedure. If so, individuals will be advised appropriately.

Perth College UHI wants to encourage openness within the organisation and if staff raise concerns in good faith they will be supported, even if it turns out that the concern was mistaken.

It is not expected that a truth or an allegation is proved beyond all doubt but rather that there are genuine grounds for concern.

Individuals' Protection

- Staff may feel vulnerable if they raise concerns.
- They will be treated, as with the person against whom they have raised the concerns, with seriousness and respect.
- Potential tensions within the workplace will be sensitively considered and a range of support to staff involved in any investigation process will be available.
- If individuals are prevented from making a confidential report or are victimised in any way, such treatment will be viewed as a serious disciplinary offence.
- If, however, allegations made by individuals are malicious this will also be treated as a serious disciplinary offence.
- The Public Interest Disclosure Act 1988 protects staff who report wrong doing within the workplace.

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