

WHISTLE-BLOWING POLICY

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June 2017

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HOW TO RAISE ISSUES WHICH CAUSE YOU SERIOUS CONCERN

1. INTRODUCTION

- 1.1 This policy advises Federation staff regarding the procedures which should be followed where they wish to draw attention to issues of serious concern. Those concerns may relate to bad practice or other matters which seem to you to be against the interests of the students, the Federation, its staff and which may amount to fraud and/or corruption.
- 1.2 Employees are often the first to realise that there may be something seriously wrong within the Federation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues. They may also fear harassment or victimisation. In these circumstances it may feel easier to ignore the concern rather than report what may be just a suspicion of malpractice.
- 1.3 The Federation is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we expect employees and others with whom we deal who have serious concerns about any aspect of the Federation's work to come forward and voice those concerns to enable the Federation to remedy any malpractice.

- 1.4 This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This advisory note is intended to encourage and enable employees to raise serious concerns within the Federation rather than overlooking a problem or 'blowing the whistle' outside.
- 1.5 The policy applies to all employees and those contractors working for the Federation at all premises, for example, agency staff, builders, drivers, etc.
- 1.6 These procedures are in addition to the Federation's Complaints Policy.
- 1.7 This policy has been discussed with the relevant trade unions and professional organisations and has their support.

2. AIMS AND SCOPE OF THIS POLICY

2.1 This policy aims to:

- Encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice.
- Provide avenues for you to raise those concerns and receive feedback on any action taken.
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

2.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. This policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Conduct which is 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.
- The unauthorised use of public funds.
- Possible fraud and corruption.
- Sexual or physical abuse of clients.
- Failure to comply with legal obligation
- Deliberate attempt to conceal any of the above.
- Other unethical conduct.

- 2.3 Thus, any serious concerns which you have about any aspect of service provision or the conduct of officers or members of the Federation or others acting on behalf of the Federation can be reported under this policy. This may be about something that:
- Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Federation subscribes to; or
 - Is against the Federation's standing orders and policies; or
 - Falls below established standards of practice; or
 - Amounts to improper conduct.
- 2.4 This policy does not replace the existing Federation Complaints Policy.

3. SAFEGUARDS

- 3.1 This Federation is committed to good practice and high standards and wants to be supportive of its employees.
- 3.2 The Federation recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer.
- 3.3 The Federation will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.
- 3.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

4. CONFIDENTIALITY

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

5. ANONYMOUS ALLEGATIONS

- 5.1 This policy encourages you to put your name to your allegation whenever possible.
- 5.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Federation.
- 5.3 In exercising this discretion the factors to be taken into account would include:
- the seriousness of the issues raised;
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from other attributable sources.

6. PUBLIC INTEREST DISCLOSURE ACT 1998

- 6.1 If you raise an issue under this procedure in good faith, believing it to be true, the Public Interest Disclosure Act 1998 protects you from any repercussions on your present position or future career. The Act does not protect anyone who is acting maliciously, making false allegations or who is seeking personal gain.

7. HOW TO RAISE A CONCERN

- 7.1 As a first step, employees should inform their line manager immediately if they become aware that any of the specified actions are happening (or have happened, or are likely to happen). This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved, you should approach the Executive Principal.

- 7.2 Concerns may be raised verbally or in writing using the following format:

- The background and history of the concern (giving relevant dates).
- The reason why you are particularly concerned about the situation.

- 7.3 The earlier you express concern the easier it is to take action.

- 7.4 Although you are not expected to prove beyond doubt the truth of your allegation, you will be expected to demonstrate to the person contacted that there are reasonable grounds for your concern.

- 7.5 Obtaining advice/guidance on how to pursue matters of concern may come from:

- Executive Principal.
- Vice Principals.
- Chief Finance Officer.
- Audit Commission, 1, Vincent Square, London SW1P 2PN 020 7630 1019.
- Public Concern at Work, Suite 306, 16 Baldwin Gardens, London EC1N 7RJ 020 7404 6609.

Please note that if you take the matter outside the Federation, you need to ensure that you do not disclose confidential information.

- 7.6 You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

8. HOW THE FEDERATION WILL RESPOND

- 8.1 The Federation will respond to your concerns appropriately, consistently, fairly and professionally. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.
- 8.2 Where appropriate, the matters raised may:
- Be investigated by management, or through the disciplinary process.
 - Be referred to the police.
 - Be referred to the Local Authority.
 - Be referred to the external auditor.
 - Form the basis of an independent inquiry.
- 8.3 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 Federation will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination matters) will normally be referred for consideration under those procedures.
- 8.4 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.
- 8.5 Within ten working days of a concern being raised, the person with whom it was raised will write to you:
- Acknowledging the concern has been received.
 - Indicating how we propose to deal with the matter.
 - Giving an estimate of how long it may take to give a final response.
 - Telling you whether any initial enquiries have been made.
 - Supplying you with information on staff support mechanisms.
 - Telling you whether further investigations will take place and if not, why not.
- 8.6 The amount of contact between you and the officers considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Federation will seek further information from you.
- 8.7 Where any meeting is arranged, off-site if you so wish, a trade union or professional association representative or a friend can accompany you.
- 8.8 The Federation will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Federation will arrange for you to receive advice about the procedure.

8.9 The Federation accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

9. THE RESPONSIBLE OFFICER

9.1 The Chief Finance Officer has overall responsibility for the maintenance and operation of this Policy. The Chief Finance Officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Federation.

10. HOW THE MATTER CAN BE TAKEN FURTHER

10.1 This policy is intended to provide you with an avenue within the Federation to raise concerns. The Federation hopes you will be satisfied with any action taken. If you are not, and you feel it is right to take the matter outside the Federation, the following are possible contact points:

- Public Concern at Work Suite 306, 16, Baldwin Gardens, London EC1N 7RJ.
Tel: 020 7404 6609.
- The external auditor.
- Your trade union.
- Your local Citizens' Advice Bureau.
- Relevant professional bodies or regulatory organisations.
- The police.