



Speak up policy

1. Introduction

- 1.1 Whistleblowing is defined as the disclosure by a person to those in authority of evidence of malpractice, corruption, illegality or some other wrongdoing.
- 1.2 Employees are often the first to realise that there may be something seriously wrong within the College when someone is doing something illegal, dishonest or improper. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the College. They may also fear retaliation and think that in these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.3 The College is committed to the highest possible standards of transparency, integrity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the College's work, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis. The College does not believe that it is in anyone's interests for employees with knowledge of wrongdoing to remain silent.
- 1.4 The policy document makes it clear that you can do so without fear of retaliation. This whistleblowing policy is intended to encourage and enable employees to raise serious concerns **within** the College rather than overlooking a problem or 'blowing the whistle' outside.
- 1.5 This policy applies to all permanent and short term employees of the College, agency staff, members and any contractor or supplier.

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 retaliation.
- 2.2 There is a separate grievance procedure in place to enable you to lodge a grievance relating to your own employment. The whistleblowing policy is intended to cover major concerns that fall outside the scope of other procedures. These include:
 - conduct which is a potential offence or a breach of the law
 - health and safety risks, including risks to the public as well as other employees
 - damage to the environment
 - the unauthorised use of College funds
 - making or receiving a bribe
 - possible fraud and corruption

- intentional misrepresentation directly or indirectly affecting financial statements
- actions intended to conceal any of the above.

2.3 Thus, any serious concerns that you have about any aspect of the conduct of staff, officers or members of the Trustee Board or others acting on behalf of the College can be reported under the whistleblowing policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the College subscribes to; or
- is against the College's governing documents and policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

3. Safeguards

3.1 Retaliation

3.1.1 The College is committed to good practice and high standards and wants to be supportive of employees.

3.1.2 The College recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, or if you believe it to be true at the time (in good faith) you should have nothing to fear.

3.1.3 The College 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.

3.1.4 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 A reporter's identity will not be disclosed without prior consent. When concerns are unable to be resolved without revealing the identity of the reporter the College will enter into a dialogue with the reporter as to whether and how to proceed.

5. Anonymous allegations

5.1 This policy encourages you to put your name to your allegation whenever possible.

5.2 You should be aware that if you make your allegation anonymously, we will be unable to acknowledge it or report on progress to you.

5.3 A proper investigation may be more difficult or impossible if the College cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. If you are concerned about possible retaliation if your identity is revealed, you should inform the College immediately and appropriate measures will be taken to preserve your identity confidentially. Anonymous concerns will none the less be taken seriously and investigated as fully as possible.

6. Untrue allegations

- 6.1 If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation maliciously or for personal gain, disciplinary action may be taken against you.

7. How to raise a concern

- 7.1 As a first step, you should normally raise genuine concerns with your immediate manager or their immediate manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. You may always approach the Chief Executive or any member of the Senior Management Team. If the allegation is about the Chief Executive you should approach the President, or if he/she is not available, the Registrar or Treasurer.
- 7.2 Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:
- the background and history of the concern (giving relevant dates, place, witness, person involved, events, etc);
 - the reason why you are particularly concerned about the situation.
 - how you think this may be best resolved.
- 7.3 The earlier you express the concern the easier it is to take action.
- 7.4 You may invite a colleague to be present during any meetings or interviews in connection with the concerns you have raised.
- 7.5 It is a fundamental requirement of an employee's obligations that they professionally carry out their duties and not disclose confidential information about College affairs. Nevertheless, where an individual discovers information that they believe demonstrates malpractice or wrongdoing anywhere within the College, then this information must be disclosed without fear of reprisal and, where appropriate, independently of line management.
- 7.6 The duty of confidentiality does not bar an employee from speaking to government authorities having jurisdiction over the matter at issue where the employee so desires. Likewise, an employee, at their own cost, may seek external legal counsel advice regarding their concern/issues.

8. How the College will respond

- 8.1 The College will respond to your concerns. 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 external auditor
 - form the subject of an independent inquiry.
- 8.3 Factors to be taken into account to determine an appropriate course of action would include:
- the seriousness of the issues raised

- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources

8.4 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 College will have in mind is the public interest.

8.5 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this may be taken before any investigation is conducted as long as it does not compromise evidence or the investigation.

8.6 Within ten working days of a concern being raised, unless your allegation has been made anonymously, the responsible person will write to you:

- acknowledging that the concern has been received
- indicating how we propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling you whether any initial enquiries have been made#
- confirming our zero tolerance to any form of retaliation
- supplying you with information on staff support mechanisms, and
- telling you whether further investigations will take place and if not, why not.

8.7 The amount of contact between the staff member or officer considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the College will seek further information from you.

8.8 Where any meeting is arranged, off-site if you so wish, you can be accompanied by a colleague.

8.9 The College 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 College will arrange for you to receive advice about the procedure.

8.10 The College 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 Executive has overall responsibility for the maintenance and operation of this policy. The Chief Executive maintains a record of concerns raised and the outcome (but in a form which does not compromise your confidentiality) and will report as necessary to the Trustee Board. In the case of an allegation against the Chief Executive, the President will act as the responsible officer.

10. How the matter can be taken further

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

- Protect (tel: 020 3117 2520), a registered charity whose services are free and strictly confidential
- the external auditor
- your local Citizens Advice Bureau
- a relevant voluntary organisation
- the police.

10.2 If you do take the matter outside the College, you should ensure that you do not disclose confidential information. Check with the responsible officer about that. You should be aware of the confidentiality section included in the staff handbook on the intranet, which all staff are expected to adhere to.