



1Wirral Met Logo

Whistleblowing Policy and Procedure

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PUBLIC INTEREST DISCLOSURE PROCEDURE (WHISTLEBLOWING POLICY)

1 POLICY STATEMENT

- 1.1 Wirral Met College believes that an effective way of promoting and delivering a high level of service and encouraging propriety and transparency throughout the organisation is to enable individuals to raise concerns internally in confidence about suspected wrongdoing or dangers in relation to our activities in the operation of the College. This policy covers how individuals can raise whistleblowing concerns in the College.
- 1.2 Concerns that are covered by this policy include the reporting of suspected wrongdoing or dangers in relation to the College's activities. This includes bribery, facilitation of tax evasion, fraud or other criminal activity, miscarriages of justice, health and safety risks, damage to the environment and any breach of legal obligations.

2 THE POLICY:

- 2.1 Applies to:
- all members of staff, including workers, contractors, trainees, agency staff and apprentices engaged by the College;
 - students;
 - members of the public
- 2.2 Can be accessed via the College website and Intranet;
- 2.3 Is the responsibility of the Independent Clerk to the Governors
- 2.4 The policy does **not** cover:
- Complaints relevant to an individual's own personal circumstances, such as matters relevant to the College's Disciplinary and Grievance Procedures;
 - Complaints from students or members of the public which are personal to their circumstances and/or that do not fall within the scope of this policy, for which the College's complaints procedures apply.
- 2.5 We encourage individuals to put their name to any disclosure(s) they make because concerns expressed anonymously may mean that proper investigation may be more difficult or impossible if further information cannot be obtained from the individual. It may also be more difficult for the College to establish whether any allegations are credible. Anonymous concerns will therefore be considered at the discretion of the College
- 2.6 Members of staff who make a disclosure anonymously should also be aware that this can mean that it is more difficult for them to qualify for protections as a whistleblower as there would be no documentary evidence linking the worker to the disclosure.
- 2.7 We hope that staff will feel able to voice whistleblowing concerns openly under this policy but, if individuals want to raise their concern(s) confidentially, we will make every effort to keep their identity secret. If it is necessary for anyone investigating the concern(s) to know the individual's identity, we will discuss this with the individual.

- 2.8 Individuals who are concerned about possible reprisals if their identity is revealed are encouraged to come forward to the Clerk to the Governors and appropriate measures can then be taken to preserve confidentiality.

**PROCEDURE ON
PUBLIC INTEREST DISCLOSURE
(WHISTLEBLOWING)**

1 INTRODUCTION

- 1.1 The Nolan Committee on Standards in Public Life recommended that publicly funded bodies should institute Codes of Practice on what is commonly termed “whistleblowing”.
- 1.2 Wirral Met College Corporation believes that an effective way of promoting and delivering a high level of service and encouraging propriety throughout the organisation is to have a policy enabling staff to raise concerns internally about suspected wrongdoing or dangers in relation to our activities.
- 1.3 The purpose of the procedure is not to encourage complaints where they do not exist, but to emphasise the Corporation’s commitment to transparency and propriety throughout all aspects of College life. The Policy should not be used to question the College’s strategic, financial or business decision-making, neither can it be used for matters which relate to an individual’s personal circumstances.

2 DEFINITION OF WHISTLEBLOWING

- 2.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers. This may include:
- criminal activity;
 - failure to comply with any legal or professional obligation or regulatory requirements;
 - miscarriages of justice;
 - danger to health and safety;
 - damage to the environment;
 - facilitating tax evasion;
 - bribery [contrary to the College’s Anti-corruption and Bribery Policy];
 - financial fraud or mismanagement;
 - breach of the College’s internal procedures;
 - conduct likely to damage the College’s reputation or financial wellbeing;
 - unauthorised disclosure of confidential information;
 - negligence;
 - the deliberate concealment of any of the above matters.
- 2.2 A whistleblower is a person who makes a disclosure in good faith, that they reasonably believe to be true, relating to any of the above. If you have any genuine concerns relating to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern), you should report it under this policy.
- 2.3 The advantages of having this procedure are:-**
- Providing a channel and process for individuals to raise genuine and legitimate concerns in confidence
 - Promotion of accountability throughout the College
 - A deterrent to malpractice
 - Avoidance of crisis management and public criticism
 - Providing protection against any victimisation of the whistle-blower by the employer or co-worker(s)

- 2.4 The procedure is **not** designed to replace existing recognised procedures or to circumvent the outcomes of those procedures. Individuals should be aware that personal grievances (for example, bullying, harassment, discrimination) are not covered by this policy. Where a member of staff wishes to raise a personal grievance about the conduct of a colleague or manager, this should be pursued through the **College's Grievance Procedures**. Members of staff who feel they have such a grievance are recommended to seek the advice of their trade union representative.

3 PROCEDURE

- 3.1 The concern(s) should preferably be submitted in writing (either by letter or e-mail) to the Quality Department, who, together with the Clerk to the Governors, will assess whether the concern(s) fall within the scope of the Whistleblowing Policy or may be covered by other College policies.
- 3.2 If it is confirmed that the concern(s) comply with the criteria in the Whistleblowing Policy, then the procedure outlined below will be used.
- 3.3 In line with our obligations under the Equality Act 2010 if an individual has any specific needs which require reasonable adjustments to be made to the format of any meetings/discussions they may attend under this policy, they should accordingly request the same.
- 3.4 The procedure has three stages:-

Stage 1

Raising the concern(s).

Stage II

Enquiry by the Clerk to the Governors into the concern(s) and their report.

Stage III

Board of Governors/Principal action.

3.5 Stage I

- 3.5.1 The concern(s) should preferably be presented either verbally, by telephone or in writing to the Clerk to the Governors. It should be provided in a format that will allow the College to follow up on the concern and, for example, include specific statements that can be reviewed. The Clerk will send a written acknowledgement of the concern to the individual as soon as possible.

- 3.5.2 Where appropriate, the Clerk will offer to meet the individual to discuss their concern(s). This meeting will usually be held on College premises but may be held offsite, or online, where appropriate.
- 3.5.3 The Clerk will make a full note of the details of the concern(s).
- 3.5.4 The Clerk will aim to give the individual an indication of how it is proposed that the matter will be dealt with and make a written record of the discussion and provide this to the individual, normally within two weeks of the initial written concern being raised, where possible.
- 3.5.5 To ensure confidentiality, all such communications and correspondence shall be sent to the individual's home address where this has been provided.

3.6 Stage II

- 3.6.1 This stage will be the formal examination of the concern(s) by the Clerk.
- 3.6.2 The Clerk will notify the appropriate person/body (normally the Principal and the Chair of the Board of Governors) of the concern(s) and if they intend to carry out an investigation.
- 3.6.3 If the concern(s) relate(s) to the Principal the Clerk will notify the Chair of the Board of Governors. If the concern(s) relate to the Chair of the Board of Governors, the Clerk will notify the Principal.
- 3.6.4 The Clerk will carry out an initial assessment to determine the scope of any investigation.
- 3.6.5 In some cases, an investigator or team of investigators, including staff with relevant experience of investigations or specialist knowledge of the subject knowledge, may be appointed to audit/investigate.
- 3.6.6 The Clerk will aim to keep the individual who raised the concern(s) informed of the progress of any investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Clerk giving the individual specific details of any investigation or any disciplinary action taken as a result. Any information that is given to the individual should be treated as confidential.
- 3.6.7 All investigations must be mindful of the Proceeds of Crime Act, where appropriate, with respect to potentially "tipping off" criminal offenders through any investigations.
- 3.6.8 Where appropriate, at any point in the process the person/body may refer the matter to the police or other relevant statutory body.

3.7 Stage III Board of Governors/Principal Action

This stage represents the follow up action to be taken, where appropriate, by the relevant body/person once the Clerk's report has been considered, using procedures already in place within the College or, where appropriate, referral to an external body. Such as, for example, in the case of criminal activity, referral to the police.

4 CONFIDENTIALITY AND PROTECTION FOR THE WHISTLEBLOWER

- 4.1 We hope that individuals will feel able to voice whistleblowing concerns openly under this policy. However, if individuals want to raise concerns confidentially, they must make this clear in the initial written concern and we will make every effort to keep their identity secret. If it is necessary for anyone investigating the concern to know the individual's identity, we will discuss this with them.
- 4.2 The College is fully committed to the protection of whistleblowers and will not tolerate any victimisation or detrimental treatment (including disciplinary action, dismissal and/or threats) of an individual because they have raised a concern under this policy. Any such allegation should be raised under the College's Grievance Procedure, where appropriate. The individual should seek advice from their local trade union representative. If the allegation is against a member of staff, it may be investigated under the College's Dignity at Work and/or Disciplinary procedures.

5 THE CLERK TO THE GOVERNORS

- 5.1 The Independent Clerk to the Governors is identified as the person responsible for investigating concerns within this procedure. Any such concerns which fall within the definition of whistleblowing should be raised directly with the Clerk.
- 5.2 If the concern(s) relate to the Clerk, the individual should report these to the Chair of the Board of Governors (see Appendix 1 for contact details) or the Principal, using this procedure.
- 5.3 Contact details for the Clerk are provided at Appendix 1.

6 TIMESCALES

The procedure should be carried through as promptly as possible but the nature of an investigation may require some flexibility.

7 ACCESS TO THE BOARD OF GOVERNORS

- 7.1 If the individual who raises a concern is not satisfied that their concern is being dealt with properly and within a reasonable timescale by the Clerk, the individual may raise it in confidence with:-

- (i) the Chair of the Board of Governors or, in the event that the concern relates to the Chair,
- (ii) with the Chair of Audit Committee.

8. ACCESS TO EXTERNAL BODIES

- 8.1 The aim of this policy and procedure is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the College. In most cases individuals should not find it necessary to alert anyone externally.
- 8.2 The law recognises that in some circumstances it may be appropriate for individuals to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage individuals to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.
- 8.3 Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party. In some circumstances the law will protect individuals if they raise the matter with the third party directly. However, we encourage individuals to report such concerns internally first. Individuals should contact the Clerk to the Governors for guidance.

9 TRADES UNIONS

The College recognises that staff may wish to seek advice and be represented by their trade union officers when using this procedure and welcomes and endorses the role that such officers play in these matters.

10 MALICIOUS ALLEGATIONS

- 10.1 The College regards the malicious raising of false allegations as a serious matter which may be dealt with under the **College Disciplinary Procedures**.
- 10.2 Where a malicious allegation is made externally, for example to the media, this may also constitute a disciplinary offence of bringing the College into disrepute.

PUBLIC INTEREST DISCLOSURE PROCEDURES (WHISTLEBLOWING POLICY)

The person with whom concerns should be raised under the College's procedure on Whistleblowing is:-

Lesley Venables, Clerk to the Governors
C/O Ryan Morris Administrator to the Governors
Conway Park Campus

ryanmorris@wmc.ac.uk 0151 551 7674