



**Croydon  
College**

<b>WHISTLEBLOWING POLICY</b>
Approved by: Audit Committee
<b>Date approved: 18 November 2015</b>
Strategy/Policy Responsibility: <i>Director of Human Resources</i>

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## Whistleblowing Policy

### 1. Purpose

- 1.1 This College is committed to the highest possible standards of openness, probity and accountability in public life. In line with that commitment, we encourage employees or workers with serious concerns about the College's activities to come forward and voice those concerns on a confidential basis and without fear of reprisal.
- 1.2 This Procedure is part of the normal day to day management rules and does not form part of any member of staff's contract of employment/service and it may be amended from time to time at the College's sole discretion.
- 1.3 This policy should be read in conjunction with the College's Financial Regulations.

### 2. Scope

- 2.1 This Procedure provides employees or workers with:
  - confirmation that protection of staff and others that report concerns under the Whistleblowing Policy is covered by Public Disclosure Act 1998.
  - guidance on how to raise serious concerns about any aspect of the College's activities and receive feedback on any action taken;
  - the means to take the matter further if dissatisfied with the College's response; and
  - reassurance of protection from possible reprisal or victimisation for whistleblowing in good faith.
- 2.2 Whistleblowing complaints are disclosures of serious concerns made in the public interest. There are other, existing, procedures for employees or workers to raise concerns arising from their employment, employees are encouraged to read the Grievance Procedure. An individual grievance is a complaint made by an employee which arises out of his or her employment and is not otherwise dealt with under a formal procedure. Examples of complaints which may be dealt with under the Grievance Procedure include refusal of requests for annual leave, individual pay matters or complaints of unfair treatment.
- 2.3 A serious concern may be about something that an employee or worker sincerely believes in good faith:



- is unlawful;
- involves sexual, physical or other abuse;
- is against the College's rules and procedures;
- amounts to improper conduct;
- involves damage to the environment;
- is a health and safety risk to students, employees or workers, or the public;
- involves fraud, bribery and corruption or other financial irregularity including but not limited to funding body or examination body requirements; or
- involves unauthorised use of public funds;

Whistleblowing could be defined as an employee or former employee who reports misconduct by one or more members of an organisation. For example, an employee reports that members of management are submitting fraudulent information to the SFA.

### 3. Safeguards

- 3.1 **Harassment or victimisation:** The College recognises that the decision to raise a serious concern may be a difficult decision to make and will not tolerate harassment or victimisation of those reporting such concerns in good faith.
- 3.2 This does not mean, if an employee or worker is already subject to a formal College process, for example, disciplinary or redundancy, that such processes would be halted as a result of whistleblowing.
- 3.3 **Confidentiality:** The College will do its best to protect the identity of those raising a serious concern who do not want their name to be disclosed. However, it should be recognised that the investigation process may reveal the source of the information and a statement may be required from the person raising the concern. Protection of staff and others reporting concerns under the Whistleblowing Policy is covered by Public Interest Disclosure Act 1998.
- 3.4 **Anonymous allegations:** This Procedure invites employees or workers to put their name to any serious concern raised as this permits a dialogue to be entered into that enables the investigator to seek or explore further information. Concerns expressed anonymously are less powerful, but will be investigated thoroughly as far as it is practicable to do so and at the discretion of the College. Factors to be taken into account in investigating anonymous allegations include the seriousness and credibility of the concern raised and the availability of evidence to investigate.
- 3.5 **Untrue allegations:** If an allegation is made in good faith but is not confirmed by investigation, no action will be taken against the person raising the concern.

However, when it appears that there are clear grounds for suggesting that the person raising the concern acted frivolously, maliciously or vexatiously, the College may undertake a disciplinary or other investigation. Depending on the outcome formal disciplinary action or other action may then be taken.

#### 4. How to Raise a Concern

- 4.1 If the serious concern involves a student or member of academic staff, a safeguarding (including Prevent) or academic issue then it should be raised with the Deputy Chief Executive, Andy Smith immediately [smitha@croydon.ac.uk](mailto:smitha@croydon.ac.uk) . If the serious concern involves fraud, corruption or financial irregularity, a health and safety matter or an issue involving a member of the Business Support staff it should be raised with the Chief Operating Officer, Keith Oxspring immediately [oxsprk@croydon.ac.uk](mailto:oxsprk@croydon.ac.uk) . Concerns involving the Deputy Chief Executive or Chief Operating Officer should be raised with the Principal and CEO, Frances Wadsworth. [F.Wadsworth@croydon.ac.uk](mailto:F.Wadsworth@croydon.ac.uk) . The Clerk to the Governors may refer concerns raised to another party as appropriate, for example a concern raised regarding the Principal and CEO or a Governor. [governance@croydon.ac.uk](mailto:governance@croydon.ac.uk)
- 4.2 Concerns are better raised in writing. The person raising the concern is invited to set out the background, history of the concern and give factual information where possible, for example names, dates and places, and the reason for the concern arising. However, if the person raising the concern does not feel able to put it in writing, concerns may be raised in person.
- 4.3 Urgent and serious concerns should always be raised immediately. In addition, the earlier the concern is expressed then generally the easier it is to take action.
- 4.4 A person raising a serious concern is not expected to prove the truth or investigate the matter themselves but is expected to demonstrate the grounds for their belief. It is very important that evidence is preserved but not altered or tampered with.
- 4.5 A person with a serious concern may wish to discuss the matter in confidence with a trusted colleague or trade union or professional association representative in advance of raising the matter.
- 4.6 Alternatively, the employee concerned may wish to raise the concern with one of the list of prescribed persons and bodies. This list can be found at [www.gov.uk/bis](http://www.gov.uk/bis) .

## **5. How the College will Respond**

- 5.1 The College will respond to any concerns raised. It will test the evidence for the matters raised but it should be noted this is not the same as rejecting the concerns. Initial enquiries will be made to decide whether an investigation is appropriate and, if so, the form it will take. The matters raised may be investigated internally or referred to an external body as appropriate, for example the Police, the external Auditor or other independent, safeguarding or regulatory body. Some concerns may be resolved by agreed action without the need for investigation.
- 5.2 The overriding principle which the College will have in mind is the public interest.
- 5.3 Within 10 working days of a concern being received, the College will contact the person raising the concern to:
- acknowledge that the concern has been received;
  - indicate how it proposes to deal with the matter;
  - give an estimate of how long it will take to provide a final response;
  - inform the person raising the concern whether any initial enquiries have been made; and
  - inform the person raising the concern as to whether further investigations will take place, and if not, why not.
- 5.4 The amount of contact between the person considering the concern and the person who raised it will depend on the nature of the matter raised, the potential difficulties involved and the clarity of the information received. If necessary, further information will be sought from the person raising the concern. Meetings may be arranged off-site and the person raising the concern may be accompanied by a representative from a trade union or professional association or a friend.
- 5.5 Where possible, the College will provide information to the person raising the concern on the outcome of any investigation.

## 6. How the Matter can be Taken Further, if Necessary

6.1 This Procedure is intended to provide employees and workers with a clear route to raise serious concerns within the College and for the concerns to be dealt with and settled appropriately. However, if the person raising the concern considers that this has not happened then they may contact an appropriate external body such as:

- the Police;
- the College's external Auditor;
- a relevant examination or other assessment body;
- a relevant funding agency; or
- the local authority or safeguarding body.

6.2 Complaints made to individuals, the media or other bodies may actually hamper a speedy, full and professional investigation of the serious concern raised.

## 7. Record Keeping

7.1 The Principal and CEO has overall responsibility for the maintenance and operation of this Procedure and will ensure the maintenance of a confidential record of concerns raised and the outcomes, and will report annually through the Audit Committee to the Governing Body.

## 8. Feedback

8.1 Comment on the Procedure is welcomed and should be forwarded to the Director of Human Resources.

**Reviewed by:** Director of Human Resources

**Date:** November 2015

**Approved by:** Audit and Risk Committee

**Date:** 18 November 2015

**Next Review due:** November 2017