

## Whistle blowing (making a public interest disclosure)

## **What is 'whistle-blowing'?**

Whistleblowing is a term used for what is legally known as a Public Interest Disclosure, which is when an employee discloses information about malpractice/ wrongdoing they discover occurring in the company.

## **What isn't covered by 'whistle-blowing'?**

The procedure should not be used where there are issues of poor performance or a lack of professionalism; nor should it be used to resolve personal disputes. It should only be used where there is wrongdoing: whether it is intentional or done unknowingly.

## **What is the purpose of the Public Interest Disclosure Procedure?**

The Public Interest Disclosure Act (PIDA) was produced to legally protect employees against being dismissed or penalised by their employers as a result of making a disclosure. The Company's Public Interest Disclosure procedure facilitates the PIDA, ensuring that proper protection is given to any person/s making a disclosure.

## **What constitutes malpractice/ wrongdoing?**

Examples of malpractice/ wrongdoing include:

- Financial malpractice
- Breach of any of regulations
- Endangering health and safety
- Criminal activity
- Professional malpractice

## **Who can use the Procedure?**

This Procedure is open to all members of the company including, learners, contractors and temporary employees.

## **How are disclosures made?**

Disclosures should be made verbally or in writing to the designated "assessment officer". The Assessment Officer will conduct an initial investigation and submit his/ her findings, including a recommendation on the best way to proceed, to a Disclosure Officer. A number of actions are open to a Disclosure Officer, including an informal resolution, disciplinary action, or referral for investigation under a more appropriate procedure or to a suitable external organisation. The Assessment Officer will act as the point of contact for the person/s making the disclosure.

In any instance of disclosures being made a report to the awarding body must be made immediately.

(See employee handbook for named persons and contact points)

## **Can disclosures be made outside the Company?**

The Procedure will afford protection to individuals making a disclosure outside of the Company if there is a reasonable belief that the disclosure shows malpractice/ wrongdoing. In certain circumstances, the Company might be obliged to make a report to the Education and Skills Funding Agency, the police or another appropriate public body. This will not affect the protection afforded to the discloser.

Whistle-blowers can access as required: Gov.UK Whistleblowing for Employees facility (<https://www.gov.uk/whistleblowing>) as well as ACAS (<http://www.acas.org.uk>). The policy is available to all employees via the company intranet. The amended Staff Handbook is also available in the company intranet.

Employers and learners can access this policy via Learning Assistant as well as on our website.

## **Can disclosures be made anonymously?**

Members of the Company are expected to put their name to any disclosures they submit, although the Company might consider anonymous disclosures if the matter raised is of sufficient gravity and accompanied by evidence.