



Whistleblowing Policy 2023-24

Version:	1	Policy Number:	35
Policy Owner:	Admissions and Professional Services Manager	Date of last revision:	24/07/2023
Authorised By:	SMT	Authorisation Date:	31/08/2023
Review Date:	31/08/2024	Place of Publication:	ForMission OneDrive ForMission Moodle

List of Related Policies:

Policy No	Policy Title
31	Student Complaints Policy
01	Academic Misconduct Policy
	Staff Handbook

Whistleblowing Policy 2023-24

This Policy is designed to allow staff, students and all members of ForMission College, to raise, at high level, concerns or information which they reasonably believe provides evidence of malpractice or impropriety which is in the public interest. Individuals discovering apparent evidence of malpractice, impropriety or wrongdoing within the College should feel able to disclose the information appropriately without fear of reprisal. This Policy and Procedure sets out how such disclosures should be made, and how cases will be handled by the ForMission College.

A person making a disclosure in the public interest, without malice, and in accordance with this Policy will not be penalised for doing so. This Policy is intended to be used to raise matters of general concern in the public interest. It is hoped that staff and students feel able to raise the majority of their concerns with their line manager (staff) or tutor / supervisor / Director of studies (students).

Students may also seek advice about any potential disclosure from their course administrator. A number of policies and procedures are already available to staff and students, through which individuals may raise and resolve many issues of concern. For example, staff have access to separate procedures for matters relating to their employment, and students for issues relating to their study.

A list of relevant Procedures is attached.

External Disclosures

To avoid possible prejudice to any internal investigation process, a disclosure should not normally be made to external bodies before it is raised through the internal mechanisms set out in this Policy. However, under the Act, in limited circumstances, an individual making a disclosure to an external body relating to one of the matters covered by the Public Interest Disclosure Act 1998, may be protected from detriment or dismissal.

Purpose of Policy The purpose of this Policy is:

- to encourage the reporting of wrongdoing as soon as possible;
- to provide reassurance that confidentiality will be respected;
- to enable individuals to raise concerns within the institution without fear of reprisals / victimisation;
- to provide a process for concerns to be raised, investigated and where appropriate acted upon;
- to give a clear message that allegations of malpractice / impropriety are taken seriously;
- to act as a deterrent to potential perpetrators of misconduct; and

- to strengthen the confidence of all interested parties (funding bodies, students, members of staff, etc.) that the University maintains the highest standards of conduct.

Matters Covered

This Policy is designed to be used to raise serious concerns which are reasonably believed by the person raising them to be in the public interest. Examples of serious misconduct, impropriety or malpractice which may prompt such a disclosure are those which tend to show one or more of the following matters is either happening now, took place in the past, or is likely to happen in the future:

- committing a criminal offence
- failing to comply with a legal obligation
- a miscarriage of justice;
- endangering the health and safety of an individual
- damage to the environment;
- financial or non-financial maladministration, malpractice or fraud;
- the exercise of academic freedom being obstructed or frustrated;
- serious failure to comply with the Regulations of the College;
- evidence of academic or professional malpractice;
- failure of (an) individual(s) to disclose a serious conflict of interest;
- deliberate covering up or suppression of information relating to any of the above matters.
- an act of bribery, in contravention of the Bribery Act (2010)
- supply chain activities that give rise to an enhanced risk of slavery or human trafficking
- concealing any information relating to the above
- Data breach

The procedure is not designed to be used:

- For complaints relating to a member of staff's employment, the way they have been treated at work, or personal circumstances, which are covered by other procedures such as those listed in the Appendix to this policy;
- for complaints relating to a student's study, or personal circumstances, which are covered by other procedures;
- to consider any matters which should be addressed under other internal procedures, for example complaints, disciplinary or grievance procedures;
- to reconsider any matters already addressed under other internal procedures, for example complaints, disciplinary or grievance procedures;
- by individuals to challenge decisions properly taken by the college; or
- which otherwise fall outside the matters covered in this Policy as described above.

Confidentiality

All disclosures under this Policy will be treated in a confidential and sensitive manner. If required, the identity of the person raising the matter will be kept confidential for as long as possible provided that this is compatible with an effective investigation. The investigation process may, however, at some stage have to reveal the source of the information and the individual making the disclosure may need to make a statement as part of the evidence required.

Anonymous Disclosures Individuals are encouraged to put their name to any disclosures they make since part of the purpose of this Policy is to promote openness and discourage a fear of reprisals. Disclosures raised anonymously are far less capable of being addressed effectively but may be considered after taking into account the seriousness of the issue, the credibility of the disclosure, the likelihood of being able to investigate the matter and confirm the allegation from alternative sources, and fairness to any individual mentioned in the disclosure. Any individual wishing to make a disclosure orally or to give further details as the matter is investigated may be accompanied by a member of the College. The chosen companion must respect the confidentiality of the disclosure and any subsequent investigation.

Procedure for Making a Disclosure

In the first instance, concerns must be reported to your line manager or course leader, however, if this is not appropriate to the principal or again if not appropriate to the chair of trustees.

The Designated Person to whom the disclosure has been made, or their nominee, will consider the matters disclosed and, if in their reasonable opinion there is a prima facie case that there are grounds for proceeding further, will:

- decide whether an investigation should be conducted;
- determine what form the investigation should take; and
- appoint a relevant person to carry out the investigation.

The relevant person selected will observe the rules of procedural fairness and natural justice, namely that they should have no personal interest in the outcome of the case and that there should be no real likelihood of bias. If the Designated Person, or their nominee, decides that there are not grounds for proceeding further, the person making the disclosure will be informed. As the person conducting the investigation must not be the person who would ultimately take the decisions based on outcomes, the Designated Person to whom the disclosure has been made, or their nominee, will not personally conduct the investigation and will remain separate from it.

Reporting on the findings of any investigation will depend on the nature of the disclosure as it is not appropriate to be prescriptive as to the correct level of reporting in every case. This Policy does not remove the right of individuals to invoke the relevant statutory procedures.

Individuals Named in a Disclosure When an allegation is made against a "named individual", they will be informed of the allegation and supporting evidence. The point at which this occurs will depend on the specific nature of the case. They will be given an opportunity to respond either in writing or orally and, if interviewed about the matter, will be given an opportunity to be accompanied by a member of the University.

Unfounded Disclosures A disclosure made which is reasonably believed to be in the public interest and which is not confirmed by subsequent investigation will not lead to any action against the person making the disclosure. Individuals making disclosures which are found by subsequent investigation to be malicious and/or vexatious may be subject to disciplinary or other appropriate action.

Victimisation - Victimisation of a member of the College who has made a disclosure under this Policy may provide grounds for grievance, disciplinary or other appropriate action.

Timescales - Investigations will be conducted as speedily as possible having regard to the nature and complexity of the disclosure.

Feedback through the Process, ForMission College will aim to keep the person making the disclosure informed as to the handling of the matter. However, the need for confidentiality may prevent the College giving specific details of the investigation, outcome or any disciplinary action taken as a result. The person making the disclosure should treat any information about the investigation as confidential.

Records All concerns raised and action taken in response to disclosures will be recorded and reports on all disclosures and investigations will be retained by the Designated Person or their nominee for 5 years.

Review of Policy The implementation of this Policy will be subject to regular review

FORMISSION is committed to the highest standards of openness, honesty and accountability. It seeks to conduct its affairs in a responsible manner taking into account the requirements of the law and the standards required from a socially responsible business/employer.

The company takes malpractice and health and safety breaches very seriously and you are encouraged to raise any concerns in these areas.

Where an individual discovers information, which shows malpractice within the organisation, then this information should be disclosed without fear of reprisal.