



## University Technical College Warrington (UTCW)

# Whistleblowing Policy

Document Detail	
Reference Number	UTCW053
Category	HR
Authorised by	Trust Board
Author	CFO
Version	2
Status	Approved
Issue Date	June 2017
Reviewed	May 2023
Next Review Date	May 2024

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## **1 SCOPE AND PURPOSE**

- 1.1 University Technical College Warrington (“UTCW”) is committed to conducting itself with honesty and integrity, and it expects all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.
- 1.2 The aims of this policy are:
- 1.2.1 to encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
  - 1.2.2 to provide staff with guidance as to how to raise those concerns; and
  - 1.2.3 to reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.
- 1.3 This policy does not form part of any employee's contract of employment and it may be amended at any time.
- 1.4 The requirement to have clear whistle-blowing procedures in place is set out in the Academies Financial Handbook.
- 1.5 This policy has been written in line with the above document, as well as government guidance on whistle-blowing. We also take into account the Public Interest Disclosure Act 1998.
- 1.6 This policy complies with our funding agreement and articles of association.

## **2 WHO IS RESPONSIBLE FOR THE POLICY?**

- 2.1 The Trust Board has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 2.2 The Whistleblowing Officer has day-to-day operational responsibility for this policy, and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.
- 2.3 All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

### 3 **WHO IS COVERED BY THIS POLICY?**

This policy applies to all individuals working at all levels of UTCW, including officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term workers, casual and agency staff and volunteers (collectively referred to as **staff** in this policy).

### 4 **WHAT IS WHISTLEBLOWING?**

4.1 **Whistleblowing** is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- 4.1.1 criminal activity;
- 4.1.2 miscarriages of justice;
- 4.1.3 danger to health and safety;
- 4.1.4 damage to the environment;
- 4.1.5 failure to comply with any legal or professional obligation or regulatory requirements;
- 4.1.6 bribery;
- 4.1.7 financial fraud or mismanagement;
- 4.1.8 negligence;
- 4.1.9 breach of UTCW 's internal policies and procedures;
- 4.1.10 conduct likely to damage UTCW's reputation;
- 4.1.11 unauthorised disclosure of confidential information;
- 4.1.12 concerns about the harm or risk of harm to children;
- 4.1.13 the deliberate concealment of any of the above matters.

4.2 A **whistleblower** is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of UTCW's activities (a **whistleblowing concern**) you should report it under this policy.

4.3 This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you

should use UTCW's Grievance Procedure or Anti-harassment and Bullying Policy as appropriate.

- 4.4 If you are uncertain whether something is within the scope of this policy you should seek advice from the Whistleblowing Officer, whose contact details are at the end of this policy.

## **5 RAISING A WHISTLEBLOWING CONCERN**

- 5.1 UTCW hope that in many cases you will be able to raise any concerns with the Senior Leadership Team or Principal. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Whistleblowing Officer.
- 5.2 However, where the matter is more serious, or you feel that the Senior Leadership Team or the Principal has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact the Whistleblowing Officer, Miss T Fabian. Contact details are set out at the end of this policy.
- 5.3 UTCW will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- 5.4 UTCW will take down a written summary of your concern and provide you with a copy after the meeting. UTCW will also aim to give you an indication of how it proposes to deal with the matter.

## **6 CONFIDENTIALITY**

- 6.1 UTCW hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, UTCW will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, UTCW will discuss this with you.
- 6.2 UTCW does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if it cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Officer and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Public Concern at Work, the independent

whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

- 6.3 Information which is recorded and retained is compliant with Data Protection and GDPR legislation.

## **7 INVESTIGATION AND OUTCOME**

7.1 Once you have raised a concern, UTCW will carry out an initial assessment to determine the scope of any investigation. The Trust Board will inform you of the outcome of its assessment. You may be required to attend additional meetings in order to provide further information.

7.2 In some cases, the Trust Board may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable UTCW to minimise the risk of future wrongdoing.

7.3 UTCW will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Trust Board giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

7.4 If the Trust Board conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.

## **8 IF YOU ARE NOT SATISFIED**

8.1 While UTCW cannot always guarantee the outcome sought, it will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help UTCW to achieve this.

8.2 If you are not happy with the way in which your concern has been handled, you can raise it with one of the Governors.

## **9 EXTERNAL DISCLOSURES**

9.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

9.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. UTCW strongly encourages you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

9.3 Whistleblowing concerns usually relate to the conduct of UTCW’s staff, but they may sometimes relate to the actions of a third party, such as a supplier or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, UTCW encourages you to report such concerns internally first. You should contact the Senior Leadership Team or the Whistleblowing Officer for guidance.

**10 PROTECTION AND SUPPORT FOR WHISTLEBLOWERS**

10.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. UTCW aims to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

10.2 Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Whistleblowing Officer immediately. If the matter is not remedied, you should raise it formally using UTCW’s Grievance Procedure.

10.3 Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

**11 CONTACTS**

<b>Whistleblowing Officer</b>	<b>Tiffany Fabian</b> <a href="mailto:tfabian@utcw.co.uk">tfabian@utcw.co.uk</a>  <i>in her absence</i> <b>Lindsey Devine</b> <a href="mailto:ldevine@utcw.co.uk">ldevine@utcw.co.uk</a>
<b>Whistleblowing – Trustee contact</b>	<b>John McCann</b> <a href="mailto:jmccann@utcw.co.uk">jmccann@utcw.co.uk</a>

<b>PROTECT (Previously Public Concern at Work)</b> (Independent whistleblowing charity)	Helpline: <b>020 3117 2520</b> Website: <a href="https://protect-advice.org.uk/">https://protect-advice.org.uk/</a>
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## **12 MONITORING & REVIEW**

- 12.1 The responsibility for ensuring that this policy and its associated processes and procedures remain appropriate and comply with changes in legislation will be held by the Principal.