



QUALITY ASSURANCE

Public Interest Disclosure Procedure

Policy Ref: S/4/16

1 Purpose

The Public Interest Disclosure Act 1998 provides legal protection to employees against being dismissed or otherwise disciplined as a consequence of raising, serious concerns which they have reasonable grounds indicating malpractice or wrongdoing within the organisation.

2 Scope

These procedures are intended to cover concerns that are in the public interest provided they are made lawfully and without malice. Such concerns may include:

- criminal activity
- financial malpractice, impropriety or fraud
- failure to comply with legal obligations
- serious danger to health, safety and the environment
- professional malpractice
- improper conduct or ethical matter
- academic or professional malpractice
- abuse or misuse of College property
- attempts to conceal of the above

And those individuals are acting in good faith and have reasonable ground for believing that the information disclosed indicated the existence of one or more of the above issues.

Where such concerns have been raised through this procedure, individuals will suffer no detriment as a result of the disclosure.

The Collegiate has a separate grievance procedure for staff wishing to raise matters relating to their individual treatment. Matters which are proper to the grievance procedure will not be considered under the Public Interest Disclosure Procedures.

3 Procedure for Raising Concerns (Whistle Blowing)

In the event an individual has a legitimate cause for concern regarding matters identified in Section 2 above:

- 3.1 They should normally raise this matter verbally or in writing with the Director of Human Resources. Any disclosure shall, wherever possible be in writing, but if this is not practicable, any such disclosures may be oral at the choice of the Discloser. The Discloser should provide as much supporting written evidence as possible about the disclosure and the grounds for believing that there has been malpractice.
- 3.2 The individual will not be identified in any oral or written report unless they give their prior approval
- 3.3 A full note outlining the nature of the concern, however, will be made by the person hearing it, but this will not include the individual's name, unless consent is given for this to happen
- 3.4 The Director of Human Resources will deal with the concern and make preliminary enquiries to determine whether a full investigation is required. Should a full investigation be required then the matter will either:
 - be investigated internally by the appointment of an investigation officer or;
 - referred to the appropriate external body eg police/professional bodies subject to any legal constraints,

Investigation

If a full investigation is required, the Investigating Officer will offer to interview the Discloser in confidence such interview to take place as soon as practicable (normally within ten working days) after the initial disclosure.

The purpose of the interview will be for the Investigating Officer to obtain as much information as possible from the Discloser about the grounds of the belief of the malpractice and to consult with the Discloser about further steps which would be taken.

The Discloser may be accompanied at the interview by:

- a trade union representative or
- a work colleague.

- 3.5 The College will inform the member of staff of the outcome.

4 Access to the Governing Body

In the event the individual who has raised a concern feels that the matter is not being dealt with appropriately, they may raise it with the Chair of the Audit Committee.

5 Malicious Accusations

No disciplinary action will be taken against a Discloser on the grounds of a disclosure made by the Discloser in accordance with this procedure. However, this will not prevent the College from bringing disciplinary action in cases where there are grounds to believe that the disclosure that has been made is malicious or vexatious or where

an external disclosure had been made without reasonable grounds or has been made to someone other than to an appropriate authority.

In the event that deliberately false and malicious accusations are raised, individuals may be subject to disciplinary proceedings being brought against them.

6 Report

A written report concerning each disclosure and any subsequent action taken will be made by the Designated Person to the Chairman of Board of Governors in order that the Chairman may seek to assure the Board that disclosures made under this Procedure are dealt with appropriately.