

## **RAISING CONCERNS PROCEDURE (WHISTLEBLOWING)**

### **About this procedure**

The Bedford College Group (TBCG) is committed to conducting our business with honesty and integrity and we expect all those working within TBCG to maintain high standards. This procedure deals with how to raise concerns such as malpractice, misuse of public funds and fraud and we encourage you to report suspected wrongdoing as soon as possible.

### **Who is covered by this procedure?**

This procedure applies to The Bedford College Group and to any wholly owned subsidiary of the economic entity of Bedford College.

This procedure applies to all those working within TBCG and to anyone else who may be defined as a “worker” by the Act from time to time.

Most of us at one time or another might have concerns about what is happening at work. Usually these concerns are easily resolved. However they may involve the reporting of suspected wrongdoing or dangers in relation to our activities. A non exhaustive list of such activities includes;

- bribery, fraud or corruption;
- conduct which has failed, or is likely to fail, to comply with a legal or professional obligation;
- disclosure related to miscarriages of justice;
- actions which endanger the health or safety of any individual, including risks to children or the public as well as other workers;
- sexual or physical abuse of children/staff;
- neglect or emotional abuse of children in the College;
- damage to the environment;
- theft or misuse of College property or assets;
- the unauthorised use of public funds;
- serious departure from professional standards.

### **What is the basis of this procedure?**

The Public Interest Disclosure Act 1998 (“the Act”) as amended by the Enterprise & Regulatory Reform Act 2013 gives rights and protection to specified individuals who make “protected disclosures” about suspected wrongdoing.

“Protected disclosure” means any disclosure of information that, in the reasonable belief of the worker, is made in the public interest. Disclosures are often referred to in lay terms as whistleblowing.

This procedure is drafted taking the provisions of the Act into account, but is not intended to provide you with detailed information about your rights under the Act. This policy should not be interpreted as being a statement of the relevant law and nothing in it is intended to limit in any way any rights you have under the Act.

This procedure enables you to raise your concerns at an early stage and to raise such matters while they are a concern rather than to wait for proof.

This procedure cannot be used for anonymous complaints. It does not take the place of the Grievance Procedure (which is used if you have a concern about your own employment) or of the Professional Boundaries Guidelines (which sets out what is expected of you at work)

### **What do I do if I have a concern?**

Where you have any concern relating to your role with or to our practices or activities we hope that in the first instance you can raise it with your line manager.

However, where you prefer not to raise it with your manager for any reason or where the matter is more serious or the manager notified has not addressed the concern you should contact:

- the Group Director of Governance who is outside of the College management structure and the responsible officer for the Public Interests Disclosure Act), or
- Human Resources, or
- the Chief Executive

If you aren't sure whether the matter is one covered by this procedure you can get confidential advice from Protect, a registered charity offering advice on public concerns at work by visiting <https://protect-advice.org.uk/>

Depending on your role you may also have access to our Employee Assistance Programme and further details of this are available from our HR department.

You can raise your concern verbally or put it in writing. Where a concern is raised verbally, you will be asked to put that concern in writing and to provide as much supporting written evidence as possible.

### **What happens next?**

All concerns covered by this procedure will be referred to the Group Director of Governance as the officer responsible for whistleblowing to make arrangements for an appropriate investigation or determination (unless the concern relates to the Group Director of Governance in which case the appropriate investigation or determination will be arranged by the CEO).

We will arrange for you to meet the person leading the investigation and to discuss your concerns fully. During the investigation we will look into your concern carefully and thoroughly. We will be fair to you and also to anyone else involved and if anyone is accused of misconduct we will find out their side of the story as well. During the investigation we will respect any concerns you have expressed about your safety or career.

You may bring a work colleague or accredited trades' union representative along to any meetings arranged, as long as they are not from the area of work the concern relates to. This person can attend to offer you support but will not be allowed to become involved in proceedings.

The Group Director of Governance, in liaison with the person leading the investigation will decide following the investigation either to conclude matters through advice, or to progress the matter to the relevant manager and using the appropriate procedure. This stage may also involve referral to the Police or other external agency if criminal activity is indicated or as otherwise appropriate.

A record of the nature and outcome of the investigation will be kept by the Group Director of Governance, who will monitor any pattern of concern and report any patterns of behaviour identified at a high level to the Corporation. If you ask us to give you feedback at the end of the investigation we will do so; however, we will have to respect the confidentiality of other employees as well.

### **What assurances can I expect?**

Our assurances to you are that:

- concerns raised under this procedure will be treated seriously and sensitively;
- where possible immediate steps will be taken to remedy the situation, the final outcome may take longer depending on the concern raised;
- we will make every effort to keep your identity confidential if you wish us to. If this may not be possible (for example if you are asked to give evidence) we will discuss this with you;
- we will take all reasonable steps to ensure you will not be treated less favourably by us as a result of raising concerns under this procedure we will not tolerate harassment or victimisation of anyone raising a concern under this procedure, regardless of whether it proves well founded.
- Any report that an individual believes they have been victimised as a result of making a disclosure should report their concerns to the Group Director of Governance

### **What do you expect of me?**

The purpose of this procedure is to enable you to raise your concerns with us in confidence and without fear of reprisal. In most cases you should not find it necessary to alert anyone externally.

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. We strongly encourage you to seek advice before reporting a concern to anyone external. Protect operates a confidential helpline and their contact details are listed below under useful contacts

If you raise a concern falsely or maliciously, disclose confidential information to a third party where you have no legal right to do so or make external disclosures about us which damage our reputation, or the reputation of our employees, where you have no right to do so the College may take disciplinary action under the Disciplinary procedure or other appropriate legal action.

We therefore ask that:

- you do not take your concern externally, other than as stated in this procedure or in accordance with the law
- when you raise the concern you make us aware of any interest you have in the matter.

**NOTE:** The above reflects the Legislation and applies to The Bedford College Group and any wholly own subsidiary of the economic entity of Bedford College.

Useful Contacts

Group Director of Governance  
01234 291003  
[rnicol@bedford.ac.uk](mailto:rnicol@bedford.ac.uk)

Chief Executive  
01234 291001  
[ykoursis@bedford.ac.uk](mailto:ykoursis@bedford.ac.uk)

Executive Director of Human Resources  
01234 291006  
[cbiddle@bedford.ac.uk](mailto:cbiddle@bedford.ac.uk)

Protect  
<https://protect-advice.org.uk/>