

Whistleblowing Policy

Purpose of this policy

The College of Legal Practice (“the College”) strives to operate with a culture of ethical and appropriate corporate behaviour in all its business activities. The College is committed to maintaining the highest standards of honesty openness and accountability and to conducting its business in a responsible way, reflecting the standards in public life as set out in the reports of the Nolan Committee.

The purpose of this policy is to ensure anyone contractually connected to the College is encouraged to report concerns about suspected wrongdoings as soon as possible, in the knowledge that those concerns will be taken seriously, investigated appropriately and that confidentiality is respected.

Applicability of this policy

This policy applies to all individuals contractually connected to the College, including employees, students, and contractors.

The policy is not intended to create any contractually binding obligation on the College and does not form part of any contract of employment or other contract for services with the College.

What is Whistleblowing

Whistleblowing is the term used when an individual, typically an employee, speaks up about certain types of actual or potential wrongdoing that they have seen or know about whilst at work. The wrongdoing will typically (although not necessarily) be something they have witnessed.

The Public Interest Disclosure Act 1998 (the “Act”) applies to individuals raising genuine concerns relating to some actual or potential danger, fraud or other illegal or unethical conduct.

The Act provides legal protection to prevent individuals being penalised as a result of making a qualifying disclosure. A qualifying disclosure is one which, in the reasonable belief of the person making the disclosure, is in the public interest and tends to show one or more of the following:

- a) a criminal offence;
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- b) failure to comply with a legal obligation;
- c) miscarriage of justice;
- d) endangering of health and safety;
- e) damage to the environment; or
- f) deliberate concealment of any of the above

Concerns which are in the public interest and covered by this policy may include:

- a) financial fraud, mismanagement or impropriety
- b) failure to comply with a legal or regulatory obligations
- c) academic or professional malpractice
- d) improper conduct or unethical behaviour including unauthorised disclosure of confidential information
- e) corruption, bribery or blackmail

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Who is responsible for this Policy

The Whistleblowing Officer is the Registrar, who is overall responsible for this policy and has day-to-day operational responsibility.

The Whistleblowing Officer will report annually to the Audit, Risk and Compliance Committee on the operation of this policy and whether any disclosures have been made.

Raising a Whistleblowing Concern

The College encourages anyone contractually connected to the College to raise any of the concerns listed above. Concerns can be raised verbally or in writing and in most cases, it is hoped that a quick and effective resolution can be found.

- Employees are encouraged to contact their Line Managers in the first instance.
 - Students are encouraged to contact their Programme Manager in the first instance.
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- Contractors and other individuals contractually connected to the College are encouraged to contact a member of the Senior Executive team.

Where any of the above are not possible, the individual may contact the Whistleblowing Officer or any member of the Senior Executive team. Individuals are requested to make it clear they are raising your concern under this Policy.

Line Managers, Programme Managers and members of the Senior Executive team will try to find a quick and effective resolution. Where this is not possible, or where they feel the issue should be referred to the Whistleblowing Officer, the Line Manager, Programme Manager or Senior Executive Member will discuss this with the Whistleblower before making a referral.

All concerns will be acknowledged and recorded within 5 working days.

If an individual is uncertain whether this policy applies to their concern they should contact the Whistleblowing Officer, who will advise on the appropriate procedure to apply. The decision of the Whistleblowing Officer will be final.

What Happens After a Concern has Been Raised

After a referral to the Whistleblowing Officer has been made, a meeting will be arranged with the Whistleblower to discuss their concerns.

The Whistleblower may be accompanied to any meetings under this policy with a representative, also contractually connected to the College. The Whistleblower and their representative are expected to maintain confidentiality throughout the entire process, including the investigation and any subsequent actions.

The Whistleblowing Officer will then carry out an initial assessment to determine the scope of any investigation.

The Whistleblower will be provided with a written summary of the concern they raised and, where appropriate, given an indication of how the College will process the matter.

The Whistleblowing Officer may determine that no further investigation or action is necessary.

Where the Whistleblowing Officer considers an investigation necessary, they will consider:

- Who is best place to consider the investigation, typically this would be a member of the Senior Executive team. The investigation itself would not normally be considered by the Whistleblowing Officer.
- Whether the investigation should be conducted under another College policy, for example the Anti Bribery Policy; and
- Whether to refer the matter to external authorities, for example, the police.

The outcome of the investigation should be reported to the Whistleblowing Officer, for them to consider what actions should be taken.

The College will endeavour to undertake the investigation as sensitively and effectively as possible.

The College will endeavour to keep the Whistleblower informed throughout the stages of the investigation.

**Supporting
Whistleblowers,
providing fair
treatment and
protection from
detriment**

The law provides protection for Whistleblowers, who report genuine concerns, to ensure you are not treated unfairly by raising a concern.

The College encourage openness and will support you if you raise a genuine concern under this policy, even if it turns out to be mistaken.

You may seek support from the Whistleblowing Officer at any time.

Whistleblowers should not suffer any detriment because of raising a genuine concern, including but not limited to, dismissal, disciplinary action, threats, or other unfavourable treatment. If you believe you have suffered any such treatment, you should let the Whistleblowing Officer know immediately.

Confidentiality

The College aims to promote a culture in which individuals feel confident to raise their concerns. Anyone reporting a disclosure is encouraged to identify themselves.

However, if you wish to raise your concern confidentially, we will respect this and will not reveal our identity to anyone, other than to those investigating your concern.

If it becomes necessary for anyone else to know your identity to adequately investigate the concern, we will discuss this with you first.

What Happens if the Whistleblower is Dissatisfied with the Outcome

We hope that we can resolve all matters quickly and effectively but appreciate there may be occasions where the Whistleblower will be dissatisfied with the outcome. We will seek to deal with any concerns fairly and appropriately.

The decision of the Whistleblowing Officer is final, and a review of the decision cannot be requested by the Whistleblower. However, if the Whistleblower is concerned about the way in which the Whistleblowing Officer handled the matter, because for example, they do not consider they were given an opportunity to voice their concern effectively at a meeting, they may require another member of the Senior Executive Team to review the Whistleblowing Officer's conduct in the matter.

Relationship with Other Policies

If it is concluded that the Whistleblower has made a malicious or vexatious allegation or with a view to personal gain and particularly where they persist in making them, disciplinary action may be taken against the individual concerned, for example through the Code of Conduct for Personal or through the Student Disciplinary Procedure.

The mechanisms set out in this policy are distinct from existing procedures for dealing with individual complaints by individuals connected with their personal circumstances at work or study, for example through the HR Grievance Policy or the Student Disciplinary Procedure.

This policy may not be used to re-open or review a matter already decided in such procedures or to question or reconsider financial or business decisions taken by the College. The purpose of this policy is to assist individuals who believe that they have discovered wrongdoing at the College to have their concerns considered.

Related Documents

- Code of Conduct for Personnel
 - Anti-Bribery and Anti—Corruption Policy
 - HR Grievance Policy
 - Student Disciplinary Policy
 - Student Complaints Policy and Procedure
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