

Whistleblowing Policy

Date of approval: April 2024

Review date: April 2026

Whistleblowing Policy

Contents

Introduction	3
Safety.....	4
Accusations	5
False Accusations.....	5
How to Raise Concerns.....	6
How will the Coleg respond?.....	7
Status.....	9

Whistleblowing Policy

Introduction

1. Members of staff are often in a good position to identify concerns regarding misconduct or suspected misconduct within the Coleg Cymraeg Cenedlaethol (the Coleg). However, it is possible that they will not express their concerns because they fear negative consequences, or because they understand that talking about the concerns would be disloyal in some way to their colleagues or the Coleg. In these circumstances, it can be easier to ignore the concerns rather than speak up about what could be just a suspicion of misconduct.

2. The intention of this policy is to encourage and enable members of staff to raise serious concerns within the Coleg rather than ignore the problem, and to outline when to consider blowing the whistle externally. The Coleg wants to:
 - Encourage you to feel confident when raising serious concerns, and to question and act on concerns regarding suspicions of misconduct within the Coleg.
 - Make sure you understand your responsibility to report misconduct or suspected misconduct.

- Provide avenues for you to raise concerns and receive a response on any action.
- Reassure you that you will be protected from retaliation or persecution if you have a disclosure to make which relates to suspected wrongdoing or danger affecting the Coleg's activities.

This includes disclosures about:

- Bribery, fraud or criminal activity;
- Miscarriage of justice;
- Health and safety risks;
- Damaging the environment; or
- A breach of any legal or professional obligation.

(It is important to note that the disclosures covered in this policy are **disclosures in the public interest**, that is, the matter affects other people, for example, the public. Personal complaints are not relevant in this context – the Complaints Policy should be used for these).

Safety

Harassment or persecution

3. The Coleg recognises that deciding to report concerns is a difficult step, partly due to fear of retaliation or persecution from those responsible for the alleged misconduct. If you decide to make a

sincere disclosure, you should have nothing to fear because you will be doing your duty to your employer and to those you serve.

4. Harassment or persecution of individuals who have raised concerns, including informal pressure, will not be permitted and will be treated as a serious disciplinary offence. The Coleg will deal with such matters under our disciplinary procedure.
5. Any whistleblowing investigation will not influence any disciplinary or compulsory redundancy procedures that already affect you. It also does not mean that any such procedures that affect you will be stopped as a result of any whistleblowing investigation.

Accusations

6. We advise you to put your concerns in writing and to put your name to them. Concerns expressed anonymously will be much less convincing. If you do not say who you are, it will be harder to defend your position or to fully explore a matter.

False Accusations

7. If you make a sincere accusation, but this is not substantiated by an investigation, no action will be taken against you. However, if an accusation is made frivolously, maliciously, or for personal gain,

disciplinary action may be taken against you in accordance with the Coleg's Disciplinary Policy.

Confidentiality

8. All disclosures will be treated confidentially, and every effort will be made not to reveal your name if you so wish. However, you must appreciate that the investigation process may reveal the source of the information, and a statement from you may be required as evidence.

9. How to Raise Concerns

- Do not accuse anyone or investigate the matter yourself.
- Raise the matter with your line manager or with the manager with responsibility for human resources in the first instance (unless the seriousness or nature of the concerns makes it more appropriate to go directly to the Chief Executive. If the matter relates to the Chief Executive, you should contact the Chair of the Coleg Board.)
- If you can, make a written record of your concerns in as much detail as possible, or if there is a sufficient reason why you cannot do this, contact or arrange a meeting with your line manager or the manager with responsibility for human resources (unless the seriousness or nature of the concerns makes it more appropriate

to go straight to the Chief Executive. If the matter relates to the Chief Executive, you should contact the Chair of the Coleg Board.)

- You are not expected to prove the veracity of the disclosure, but you will need to prove that you have a reasonable basis for raising the matter.
- If you feel you need independent advice, contact the independent body ACAS.

10. How will the Coleg respond?

This will depend on the nature of the accusation / disclosure. They could:

- be audited internally, including by the Coleg Board;
- be referred to the external funders;
- be referred to the police in circumstances where that is appropriate.

Where and when possible and appropriate, the Coleg will communicate with you regarding progress, including how they propose to deal with the matter, how long the process is likely to continue and whether further investigations will take place, and if not, why not.

You will receive as much feedback as possible, unless giving you feedback means breaching the confidentiality of others.

If a meeting is arranged with you to discuss the matter, you will be entitled to bring a colleague or representative from the workplace with you to the meeting (provided that the colleague or representative is not involved in the matter at hand).

The Coleg will ensure that you are notified of the outcome of the investigation (subject to any legal restrictions).

If you are not happy with the Coleg's response to the concerns you raised under this policy and procedure, you can contact external bodies (examples below).

Protect (Independent whistleblowing charity)	Helpline: 020 3117 2520 Website: protect-advice.org.uk
Police	101
Health and Safety Executive	0300 003 1747

If you decide to take the matter outside the Coleg, you should ensure that you do not disclose confidential information that is irrelevant to the matter at hand.

Status

11. This policy does not form part of any staff member's employment agreement, and the Coleg may modify it from time to time.