

Public Interest Disclosure (Whistleblowing) Policy

WHC reserves the right to amend this policy at its discretion. The most up-to-date version can be downloaded from our website



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ELT manager	Director of Finance & Resources
Responsible officer	Director of Finance & Resources
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Next Review Date	May 2023
Equality impact assessment	4 May 2020
Further information (where relevant)	

Reviewer	Date	Review Action/Impact	BoM
MS	June 2017	Minor updates	06/17
RMP	1 st May 2020	Minor changes to Introduction	
RMP	25 th May 2020	Split Policy & Procedure	

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1.0 Introduction

West Highland College UHI (WHC) is committed to the highest standards of openness, probity and accountability. It seeks to conduct its affairs in a responsible manner taking into account the requirements of SFC and other key stakeholders and the standards in Public Life set out in the reports of the “Committee on Standards of Conduct in Public Life”.

The Public Interest Disclosure Act, which came into effect on 1 January 1999, amends the Employment Rights Act 1996, to give legal protection to employees against being unfairly dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. It is a fundamental term of every contract of employment that an employee will faithfully service his or her employer and not disclose confidential information about the employer’s affairs. However, where an individual discovers information, which he or she believes shows malpractice or wrongdoing within the organisation, then this information should be disclosed without fear of reprisal and may be made independently of line management.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions properly taken by the College, nor may it be used to reconsider any matters which have already been addressed under harassment, complaint or disciplinary procedures. Once it is in place, it is reasonable to expect employees and others associated with the College to use it rather than air their complaints outside.

2.0 Scope of Policy

This policy is designed to allow employees or others associated with WHC to raise, at a high level, concerns and/or disclose information which the individual believes shows malpractice.

This policy is intended to cover concerns, which are in the public interest and may (at least initially) be investigated separately, but might then lead to the invocation of such procedures. These might include:

- financial malpractice or impropriety, or fraud
- dangers to health and safety or the environment
- criminal activity
- academic or professional malpractice
- improper conduct or unethical behaviour
- failure to comply with a legal obligation or with the Articles of Association of West Highland College UHI
- attempts to conceal any of the above

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3.0 Safeguards

3.1 Protection

This policy is designed to offer protection to those employees, or others associated with WHC, who disclose such concerns, provided disclosure is made:

1. in good faith;
and
2. in the reasonable belief of the individual making the disclosure that it tends to show malpractice.

The individual will also be protected if they make the disclosure to an appropriate person or body (see section 4 below). It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure.

3.2 Confidentiality

WHC will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of information and the individual making the disclosure may need to provide a statement as part of the evidence required.

3.3 Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make.

Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of WHC.

In exercising this discretion, the factors to be taken into account will include:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

3.4 Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against him or her.

4.0 Policy Review

This policy will be reviewed every 3 years, or sooner if necessary.