



## UTC Cambridge Whistle Blowing policy

Lead member of SLT: HR Manager / Business Manager  
Designated Governor: Chair of Governors FGB

### Legislation and reference:

The Public Interest Disclosure Act 1998

ACAS code of practice: Whistleblowing, Available at: <http://www.acas.org.uk/>

Legislation update proposed 2nd February 2016: <http://www.legislation.gov.uk/ukpga/1998/23/contents>

### Associated documentation

UTC Cambridge Equality and Diversity policy (July 2015)

UTC Cambridge Complaints policy (July 2015)

### UTC Cambridge Vision

UTC Cambridge: Delivering Future Scientists

### UTC Cambridge Mission

Through an innovative curriculum, developed with leading scientists from industry and academia, UTC Cambridge builds bespoke learning solutions delivered in a state of the art science and technology environment that empowers students to manage their academic and career development.

### UTC Cambridge Values

We set ourselves challenging goals, are agile and resilient, to achieve our personal best.

By respecting one another we enhance our experience and benefit from different perspectives.

We take individual responsibility, ensuring team delivery.

By respecting our environment, our world, we make a difference.

We celebrate positive contribution and aspire to excellence.

We are morally and ethically responsible in scientific and environmental innovation.

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**Review date: August 2017**

## 1. Introduction

1.0 In this policy 'Whistleblowing' means the reporting by employees of suspected misconduct, illegal acts or failure to act within UTC Cambridge (UTCC).

The aim of this Policy is to encourage employees and others who have serious concerns about any aspect of the UTC Cambridge's work to come forward and voice those concerns.

Employees are often the first to realise that there may be something seriously wrong within UTCC.

'Whistleblowing' is viewed by UTCC as a positive act that can make a valuable contribution to UTCC's efficiency and long-term success. It is not disloyal to colleagues or UTCC to speak up. UTCC is committed to achieving the highest possible standards in education and the professional environment, in all of its practices. To help achieve these standards it encourages freedom of speech.

1.1 If you are considering raising a concern you should read this Policy first. It explains:

- the type of issues that can be raised
- how the person raising a concern will be protected from victimisation and harassment
- how to raise a concern, and what UTCC will do.

1.2 If you are unsure whether to use this Policy or want independent advice at any stage, you may contact the governing body, chair of finance, Scott Haldane [Scott.Haldane@cpft.nhs.uk](mailto:Scott.Haldane@cpft.nhs.uk)  
Mr Haldane can give you free confidential advice on how to raise a concern about serious malpractice at work.

## 2. Aims of the Policy

2.0 The Policy is designed to ensure that you can raise your concerns about wrongdoing or malpractice within UTCC without fear of victimisation, subsequent discrimination, disadvantage or dismissal.

It is also intended to encourage and enable you to raise serious concerns within UTCC rather than ignoring a problem or 'blowing the whistle' outside.

This Policy aims to:

- encourage you to feel confident in raising serious concerns at the earliest opportunity and to question and act upon concerns about practice
- provide avenues for you to raise those concerns and receive feedback on any action taken
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- Reassure you that you will be protected from possible reprisals or victimisation if you have made any disclosure in good faith.

## 3. Scope of this Policy

**This Policy is intended to enable those who become aware of wrongdoing at UTCC affecting some other person or service, to report their concerns at the earliest opportunity so that they can be properly investigated.**

3.0 The Whistleblowing Policy is not intended to replace existing procedures:

- If your concern relates to your own treatment as an employee, you should raise it under the existing grievance or harassment procedures with HR.
- if a client has a concern about services provided to him/her, it should be raised as a complaint to the Principal, Deputy Principal or concerning a member of staff - HR
- Complaints of misconduct by teaching staff are dealt with under a separate procedure (for further information please see UTCC complaints procedure).

3.1 Who can raise a concern under this Policy?

- The Policy applies to all:
- employees of UTCC

- Employees of contractors working for UTCC, for example, agency staff.
- employees of suppliers
- Voluntary workers working with the Council.

### 3.2 What should be reported?

- Any serious concerns that you have about service provision or the conduct of staff of UTCC or others acting on behalf of UTCC that:
  - make you feel uncomfortable in terms of known standards
  - are not in keeping with the UTCC's ethos and policies
  - fall below established standards of practice; or
  - Are improper behaviour.
- These might relate to:
  - conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation)
  - disclosures related to miscarriages of justice
  - racial, sexual, disability or other discrimination
  - health and safety of the public and/or other employees
  - damage to the environment
  - unauthorised use of public funds or other assets
  - possible fraud and corruption
  - neglect or abuse of clients, or
  - Other unethical conduct.
- This list is not exhaustive.

## 4. Protecting the Whistleblower

### 4.0 Your legal rights

This policy has been written to take account of the Public Interest Disclosure Act 1998 which protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in good faith.

The Act makes it unlawful for the Council to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

Rarely, a case might arise where it is the employee that has participated in the action causing concern. In such a case it is in the employee's interest to come into the open as soon as possible. UTCC cannot promise not to act against such an employee, but the fact that they came forward may be taken into account.

### 4.1 Harassment or victimisation

UTCC is committed to good practice and high standards and to being supportive of you as an employee.

UTCC recognises that the decision to report a concern can be a difficult one to make. If you honestly and reasonably believe what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer, your colleagues and those for whom you are providing a service.

UTCC will not tolerate any harassment or victimisation of a whistleblower (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith and will treat this as a serious disciplinary offence which will be dealt with under the disciplinary rules and procedure.

### 4.2 Support to you

Throughout this process:

- you will be given full support from the Senior Management team
- your concerns will be taken seriously; and
- UTCC will do all it can to help you throughout the investigation.
- If appropriate, UTCC will consider temporarily re-deploying you for the period of the investigation.

For those who are not UTCC employees, UTCC will endeavour to provide appropriate advice and support wherever possible.

#### 4.3 Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of your disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.

#### 4.4 Anonymous allegations

This Policy encourages you to put your name to your allegation whenever possible. If you do not tell us who you are it will be much more difficult for us to protect your position or to give you feedback. This Policy is not ideally suited to concerns raised anonymously.

Concerns expressed anonymously are much less powerful but they may be considered at the discretion of UTCC. In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issue raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from other sources.

#### 4.5 Untrue allegations

If you make an allegation in good faith and reasonably believing it to be true, but it is not confirmed by the investigation, UTCC will recognise your concern and you have nothing to fear. If however, you make an allegation frivolously, maliciously or for personal gain, appropriate action that could include disciplinary action, may be taken.

### 5. Raising a concern

#### 5.0 Who should you raise your concern with?

This will depend on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. You should normally raise concerns with:

- Your Line Manager
- HRM/Business Manager Tel: 01223 724303
- The Principal Tel: 01223 724333
- UTCC Governor Scott.Haldane@cpft.nhs.uk
- The address for correspondence is UTC Cambridge, Robinson Way, Cambridge, CB2 0SZ

If, exceptionally, the concern is about the Principal, the HRM/Business Manager or the Governor, Scott Haldane your concern should be raised with the Chair of Governors who will decide how the investigation will proceed. This may include external investigation.

#### 5.1 How to raise a concern

You may raise your concern by telephone, in person or in writing. The earlier you express your concern, the easier it is to take action. You will need to provide the following information:

- the nature of your concern and why you believe it to be true
- the background and history of the concern (giving relevant dates).

Although you are not expected to prove beyond doubt the truth of your suspicion, you will need to demonstrate to the person contacted that you are acting in good faith and there are reasonable grounds for your concern.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

You may invite a professional member of staff or a friend to be present for support during any meetings or interviews in connection with the concerns you have raised.

## 6. What UTCC will do

6.0 UTCC will respond to your concerns as quickly as possible. Do not forget that testing your concerns is not the same as either accepting or rejecting them.

6.1 The overriding principle for UTCC will be the public interest. In order to be fair to all employees, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

6.2 The investigation may need to be carried out under terms of strict confidentiality, i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. In certain cases however, such as allegations of ill treatment of others, suspension from work may have to be considered immediately. Protection of others is paramount in all cases.

6.3 Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary/grievance process
- be referred to the police
- be referred to the external auditor
- be referred and put through established child protection/abuse procedures
- form the subject of an independent inquiry.

6.4 Within ten working days of a concern being raised, the person investigating your concern will write to you:

- acknowledging that the concern has been received
- indicating how UTCC proposes to deal with the matter
- supplying you with information on staff support mechanisms
- telling you whether further investigations will take place and if not, why not.

The amount of contact between you and the officers considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of your information. It is likely that you will be interviewed to ensure that your disclosure is fully understood.

6.5 Any meeting can be arranged away from your workplace, if you wish, and a union or professional association representative or a friend may accompany you in support.

6.6 UTCC will do what it can to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are asked to give evidence in criminal or disciplinary proceedings, UTCC will arrange for you to receive appropriate advice and support.

6.7 You need to be assured that your disclosure has been properly addressed. Unless there are any legal reasons why this cannot be done, you will be kept informed of the progress and outcome of any investigation.

## 7. The responsible officer

7.0 The HR/ Business manager in conjunction with Scott Haldane has overall responsibility for the maintenance and operation of this Policy.

## 8. How the matter can be taken further

8.0 This Policy is intended to provide you with an avenue within UTCC to raise concerns. UTCC hopes you will be satisfied with any action taken. If you are not, and you feel it is right to take the matter outside UTCC, the following are UTCC's prescribed contacts:

- The Chair of Governors: [aconstanine@camre.ac.uk](mailto:aconstanine@camre.ac.uk)
- your trade union
- the police

- other relevant bodies prescribed by legislation – the Council’s Monitoring Officer or Public Concern at Work will be able to advise you who you can contact.

8.1 If you raise concerns outside UTCC you should ensure that it is to one of these prescribed contacts. A public disclosure to anyone else could take you outside the protection of the Public Interest Disclosure Act and of this Policy.

8.2 You should not disclose information that is confidential to UTCC or to anyone else, such as a client or contractor of UTCC, except to those included in the list of prescribed contacts.

This Policy does not prevent you from taking your own legal advice.

## 9. Review of the Policy

9.0 UTCC’s Governing Committee will review this Policy annually.

## 10. Corporate Recording and Monitoring

10.0 The Monitoring Officer will maintain a corporate register containing all concerns that are brought to his attention. All officers allocated to look into a concern must ensure the Monitoring Officer is provided with sufficient details for the corporate register.

10.1 The Monitoring Officer will review the corporate register and produce an annual report for the Chief Executive and the Standards Committee. The report will include a summary of the concerns raised, to which department they related, the post to which the concerns related (if not confidential) and any lessons learned. The report will not include any employee names. The aim of this is to ensure that:

- UTCC and/or the relevant department learns from mistakes and does not repeat them, and
- Consistency of approach across the departments.

10.2 The corporate register together with the annual reports will be available for inspection by internal and external audit, after removing any confidential details.

## Appendix I

# Child Protection Whistle Blowing Policy: Guidance for Employees

This guidance is written for staff working with children and young people working in education settings and should be read in conjunction with Cambridgeshire LA's whistleblowing procedures (2012)

Staff must acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant agencies. Although this can be difficult this is particularly important where the welfare of children may be at risk.

You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation; these feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young person who is targeted. These children need someone like you to safeguard their welfare.

***Don't think what if I'm wrong - think what if I'm right***

### Reasons for whistle blowing

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour
  - To prevent the problem worsening or widening
  - To protect or reduce risks to others
  - To prevent becoming implicated yourself

### What stops people from whistle blowing

- Starting a chain of events which spirals
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of not being believed

### How to raise a concern

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier concern is expressed the easier and sooner it is possible for action to be taken
- Try to pinpoint what practice is concerning you and why
- Approach someone you trust and who you will believe will respond
- Make sure you get a satisfactory response – don't let matters rest

- Ideally you should put your concerns in writing
- A member of staff is not expected to prove the truth of an allegation but you will need to demonstrate sufficient grounds for the concern

### **What happens next**

- You should be given information on the nature and progress of any enquiries
- Your employer has a responsibility to protect you from harassment or victimisation
- No action will be taken against you if the concern proves to be unfounded and as raised in good faith
- Malicious allegations may be considered as a disciplinary offence

### **Self reporting**

Staff have a responsibility to report any relevant changes of circumstance to their employer. These include any criminal investigations, convictions or warnings they may become the subject of and/or if their own children become involved in any child protection related concern

There also may be occasions where a member of staff has a personal difficulty maybe a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered to the member of staff concerned.

Confidentiality cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children

### **Further advice and support**

Full details of Cambridgeshire County Council's whistleblowing policy and procedures can be obtained from the HR Department of the County Council.

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager, your HR provider and/or your professional or trade union

***"Absolutely without fail - challenge poor practice or performance. If you ignore or collude with poor practice it makes it harder to sound the alarm when things go wrong". With acknowledgement to Sounding the Alarm - Barnardos***