



**WHISTLEBLOWING  
FRAMEWORK**

**2011**

## Purpose

- This Framework is founded on the principle that the College, its employees and Corporation Members should carry out their business and personal conduct in an ethical manner and in line with the values and objectives of the College.
- From time to time, a situation may arise where a member of staff has serious concerns about perceived irregularities in the running of the College or the activities of staff within the College. The concern may be that they are unlawful, or against College policies and/or established standards of practice. Such concerns might relate to, for example, financial malpractice, breach of trust, or departures from statutory or other requirements for good governance. In their second report, the Committee on Standards in Public Life (the 'Nolan Committee') recommended that local public spending bodies should have appropriate channels through which staff can express such concerns (referred to as "Whistleblowing") and that the position in the institution of the individual expressing such concerns should not be jeopardised, provided that they are made lawfully, without malice and in the public interest.
- The Corporation of Greenhead College is committed to a framework which minimises the risk of fraud and corruption in the organisation. It encourages the reporting of any information which might lead to the discovery of a fraudulent or corrupt practice but at the same time it wishes to reassure staff that they will be protected if, as part of the framework, they raise a concern in good faith. This framework aims to encourage and enable staff to raise serious concerns through avenues within the institution through approved channels rather than overlooking a problem or raising the issue outside the institution through unapproved channels. The Whistleblowing.
- Framework reinforces existing procedures and clarifies and secures the position of employees.
- This Framework is for use by Staff employed by Greenhead College. The Framework has been considered by stakeholders within the College and is available from the HR office; alternatively, it can be viewed via the College website.

## Existing Controls within Greenhead College

- The Principal has overall responsibility with the Corporation Board for ensuring the Policies, Procedures and ways of operating within College are free from fraud and corruption.

## The Audit Committee and Internal Audit

- The College Audit Committee is a Committee of the Corporation which has the responsibility for ensuring that adequate controls exist to regulate the College's business. It meets at least once each term under specified terms of reference.
- The Corporation appoints Internal Auditors who review College systems in accordance with a planned annual programme. Their reports help to provide assurance that sound arrangements exist for the management of College financial systems. The Internal Auditors submit regular reports to the Audit Committee and report any difficulties encountered. The minutes of the Audit Committee are subsequently reported to the Corporation.

## External Audit

- The main duty of the External Auditor is to provide an opinion on the College accounts. They also review the level and effectiveness of internal control within the College and review the work and effectiveness of Internal Audit. The College has a duty to report all suspected fraud to its Internal and External Auditors.

## Financial Regulations and Procedures

- The financial systems of the College operate under published formal regulations supported by Financial Regulations. It is a requirement that all senior staff are familiar with this document and adhere to the regulations. A copy of these regulations is available (on request) to all staff.
- Budget holders are supplied with copies of the financial regulations which make reference to the Public Interest Disclosure Framework. Any requests for information regarding the financial regulations should be directed to the Director of Financial Services who is responsible for their publication and updating.

## Register of Interests

- The Corporation Board has adopted a Register of Interests of Corporation Members and this is maintained by the Clerk to the Corporation. It is the responsibility of Corporation Members to declare any business or commercial interests, which may conflict with their responsibilities and duties as a Member of the College Corporation Board.
- Members of the staff of the College will be expected to maintain a high degree of integrity in their decision making and day to day actions. Whilst there is not a requirement for staff to make public declaration of business and commercial interests, it is expected that no staff member will allow such interests to affect their judgement and actions in carrying out the main business of the College.
- The contract of employment of a member of staff may require them to declare interests which conflict with their role responsibilities.

## Existing procedures

- Procedures exist to enable staff to work in an environment free from harassment and to raise grievances if they are not being treated correctly. The Whistleblowing framework has a wider application and is intended to cover any form of malpractice, including fraud, theft and corruption. Whistleblowing is not a substitute for the College's Grievance Procedure and is not a channel for staff to raise grievances in relation to their conditions of service and personal circumstances. Staff are encouraged to raise with the Principal any weaknesses in College systems which could lead to abuse.

## Acceptance of Gifts and Hospitality

- It is important to distinguish between fraud and corruption. Both are serious matters but fraud tends to be characterised by complicity. Corruption is often more difficult to prove. Accepting money or hospitality is the most obvious form of corruption in public life. Under no circumstances should a gift or concession of any sort be accepted where this could be construed as a reward for special or unwarranted favours. In the event of any doubt, the Principal should be consulted regarding the acceptance of any gifts.

## Safeguards

- The College recognises that a decision to “blow the whistle” can be a difficult one to make, not least because of the fear of reprisal from those who may be guilty of the malpractice that is the source of the concern or from the organisation as a whole. The College will not tolerate any victimisation and will take every appropriate action to protect any person who raises a concern in good faith, including any necessary disciplinary action. If a member of staff has a concern they can seek information and guidance with anonymity from the HR office.
- The College will strive to protect the identity of any member of staff who raises a concern anonymously and who does not want his/her name disclosed. However, this may not always be possible, as any investigation process may reveal the source of information and a statement by the whistleblower may be a necessary part of the evidence.
- The College will protect individuals from false, malicious or vexatious expressions of concern. Disciplinary action may be taken against any member of staff who is discovered to have made allegations maliciously. In addition, the College will try and ensure that the negative impact of either a false or unfounded allegation on any “accused” person is minimised where possible. Such allegations will not be kept on the personal file of the “accused” person.
- Concerns expressed anonymously will be considered at the discretion of the College, considering the seriousness and the credibility of the concern.

## Procedure for Reporting Concerns

- An individual wishing to raise a concern may, in the first instance, contact the HR office to obtain a copy of the Whistleblowing procedure and have explained to them the process. However, it should be noted that if an individual detects a possible instance of fraud or corruption they have a responsibility to report the matter.
- Concerns should normally be raised with the line manager of the member of staff, however, the most appropriate person to contact to report a concern will depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. Staff may therefore contact any of the following, who will be trained to deal with the procedure for handling concerns:
  - a. their Line Manager
  - b. a member of the Senior Management Team
  - c. the Principal
  - d. the Clerk to the Corporation
- If a member of staff believes that the Senior Management of the College are involved in the issues that are a matter of concern, contact should be made with the Clerk to the Corporation.
- Staff may contact their trade union or professional association to raise an issue on their behalf.
- Whilst staff will not be expected to prove the truth of an allegation that is made, it will be necessary to demonstrate to the person contacted that there are reasonable grounds for concern.

- Issues may be raised in person or in writing but the full extent of the allegations should be made clear.

### **Procedure for dealing with issues raised**

- It is important that all matters are handled in confidence and not discussed outside those directly involved as far as possible.
- Concerns or allegations raised which fall within the scope of specific established procedures may be referred for consideration under those procedures. Concerns should not be brought under this procedure where the college already has guidelines/procedures in place to deal with the issue e.g. purchase of I.T. equipment.
- A referral of a concern will be acknowledged by the person having received the concern, within five working days and an indication given of how the College proposes to deal with the issue within 10 working days of the initial concern.
- As detailed a written record as possible of all salient points and dates should be kept by the person to whom the allegations were made.
- Some concerns may be capable of resolution by agreed action without the need for investigation.
- However, usually the matters raised will be investigated by management, by internal audit or through disciplinary procedures. Alternatively they may be subject to independent enquiry. Relevant matters may also be subject to investigation by police.
- Therefore, any person as identified above who receives a concern should contact the Principal so that an appropriate course of action can be agreed. If appropriate, initial enquiries would be made to assist in determining the most appropriate process for the consideration of the concern. Alternatively, a senior manager may be requested to undertake further work to establish the facts or the College's Internal Auditors may be asked to assist.

*“This framework has been impact assessed to ensure it complies with all aspects of Equality and Diversity.*

*This framework is compliant with current equality legislation”.*

**Framework prepared by: Debra Todd – Clerk to Corporation (February 2009)**