

HR1.3 Cenit College UK Whistleblowing Policy

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1 Whistleblowing Policy

1.1 Introduction

Whistleblowing is one of the most effective ways to detect and prevent corruption and other malpractice. Whistleblowers' disclosures have exposed wrongdoing and fraud, helped save millions in public funds, avoid disasters for health, the environment. Whistleblower's important role in safeguarding the public good is repeatedly proved by the scandals they uncover, such as industry-scale tax avoidance amongst others. While Cenit College believes it does everything it can to protect the organisation and its stakeholders against any wrongdoing, it is still important to have a whistleblowing policy to ensure that if any stakeholder does have any concerns, then they can be raised and investigated in the appropriate manner.

1.2 Policy Ownership

This policy will be owned by the Board of Directors.

1.3 Purpose

The purpose of this policy is:

- to encourage employees to report suspected wrongdoing as soon as possible.
- to reassure employees that their concern will be treated with confidentiality, sincerity and seriousness and investigated in an appropriate manner.
- to reassure employees they can report these concerns, without fear of reprisals or even in the event that their concerns are mistaken, there they should be able to bring these genuine concerns to the College without fear of reprisals, even if they turn out to be mistaken.
- To provide employees with guidance on how to raise a concern.

1.4 Scope

This policy applies to all employees of Cenit College, irrespective of their employment status. This policy should be applied fairly and in accordance with employment legislation, the Data Protection Act 1998 and other Cenit College policies.

1.5 Responsibilities

The **Board of Directors** has overall responsibility for this policy and monitoring the effectiveness of the actions taken under this policy and any subsequent review required.

The **senior managers** have a responsibility for implementing this policy in the area that they manager. Should training be required the senior managers are responsible for ensuring that their staff receive the appropriate training.

1.6 Definitions

According to the EU whistleblowers are "persons who report (within the organisation concerned or to an outside authority) or disclose (to the public) information on a wrongdoing obtained in a work-related context, help preventing damage and detecting threat or harm to the public interest that may otherwise remain hidden". The UK Whistleblowing: Guidance for employers and code of practice documents sets out some whistleblowing categories;

- criminal offences (this may include, for example, types of financial impropriety such as fraud)

- failure to comply with an obligation set out in law
- miscarriages of justice
- endangering of someone's health and safety
- damage to the environment
- covering up wrongdoing in the above categories

A whistleblower is a person who raises a genuine concern relating to the above.

Not all concerns count as whistleblowing. For example, personal staff grievances such as bullying, or harassment do not usually count as whistleblowing. If something affects an employee as an individual, or relates to an individual employment contract, this is likely a grievance. In this instance, the employee complaints or grievance procedure should be followed.

If a concern is raised that affects the safeguarding and welfare of the Cenit College students, this should be raised in accordance with the Cenit College Safeguarding policy.

The difference between Whistleblowing and a grievance is set out on the Protect website;

<https://protect-advice.org.uk/what-is-whistleblowing/>

Protect also has a free confidential advice line and can be contacted on 020 3117 2520.

1.7 Policy Statement

Cenit College has the following standards of practice with regard to whistleblowing; Cenit College will;

- Provide a clear definition of what is whistleblowing.
- Ensure that all staff will receive whistleblowing training.
- Ensure that all concerns raised will be treated with confidence.
- Encourage all employees to engage in whistleblowing should their concerns meet the criteria and will be supported once they do so.
- Assure employees that any clauses in settlement agreements do not prevent employees from making disclosures in the public interest.
- Promises to create an organisational culture where employees feel safe to raise a disclosure in the knowledge that they will not face any detriment from the organisation as a result of speaking up.
- Undertake that any detriment towards an individual who raises a disclosure is not acceptable.
- Make a commitment that all disclosures raised will be dealt with appropriately, consistently, fairly and professionally.
- Undertake to protect the identity of the employee raising a disclosure, unless required by law to reveal it and to offer support throughout with access to mentoring, advice and counselling.
- Provide feedback to the employee who raised the disclosure where possible and appropriate subject to other legal requirements. Feedback will include an indication of timings for any actions or next steps.

1.8 Procedure

The following sections describe the procedure for raising a concern, investigation and feedback.

1.8.1 Procedure for an employee raising a concern

If an employee feels that their concern falls within the categories specified in 1.6 then they should raise a concern under this whistleblowing policy. To do so they should

Report their concern to the Director of Human Resources, Organisational Development and Strategy using the following email address Suzanne.mullahy@cenitcollege.ie. If this director is the subject of the concern, or is believed to be involved in any wrongdoing, then the employee should report their concern to the Managing Director of Cenit Group at the following email address karl.milne@seetec.ie.

1. All concerns should be made in writing and should include the following;
 - Names of those committing the wrongdoing
 - Dates
 - Locations
 - Any other evidence deemed relevant.
 - Any personal interest of the employee raising the concern.
2. The Director of Human Resources, Organisational Development and Strategy (or Managing Director) will provide support and guidance for the whistleblower. Clear lines of communication with any support given to the whistleblower will be provided. If leave is required in order to fulfil any obligations of the whistleblower or for support, then this will be given within reason.
3. Whistleblowers who are concerned about possible reprisals if their identity is revealed should mention this to the person, they raised the concern with. Then appropriate measures can then be taken to preserve confidentiality. If in any doubt employees can seek advice from Protect.
4. While it is encouraged to make complaints in writing, a whistleblower can make an anonymous complaint. Where an anonymous complaint is received a decision as whether to investigate will be based on:
 - the seriousness of the issue raised.
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from other sources.
5. In all cases a record of disclosures made under the Whistleblowing Policy will be kept on a secure drive which will be encrypted, and password protected and will comply with data protection requirements.

1.8.2 Procedure for investigating a concern.

When a concern is received by the relevant persons, (referred to from here as the 'recipient') - they will:

1. Issue support and advice in line with that offer by Cenit College under this policy
2. Contact the Local Authority Designated Officer (LADO) where there are safeguarding concerns.
3. Meet with the employee raising the concern within a reasonable time. The employee raising the concern may be joined by a trade union or professional association representative.
4. Reiterate, at this meeting, that the employee is protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken.
5. Get as much detail as possible about the concern at this meeting and record the information. A note taker may be present for this purpose. Possible conclusions are:
 - The disclosure meets the whistleblowing criteria and needs to be progressed to a formal investigation.
 - The disclosure is based on a misunderstanding of legitimate behaviours by other staff.
 - The disclosure constitutes a personal grievance rather than whistleblowing.
 - The disclosure is potentially malicious.

6. The conclusion reached must be based on:
 - the evidence available
 - objective assessment
 - treating all individuals potentially involved equitably and fairly.
 - based on the principles of natural justice.
7. If it becomes apparent the concern is not of a whistleblowing nature, the recipient should handle the concern in line with the appropriate policy/procedure.
8. The investigating person will then establish whether there is sufficient cause for concern to warrant further investigation. If there is:
 - The recipient should then arrange a further investigation into the matter, involving the appropriate directors. If the case warrants, it may need to be brought to an external, independent body to investigate. In other cases, they may need to report the matter to the LADO and/or the police.
 - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps.

1.8.3 Procedure post investigation

Once all investigations are complete;

1. The investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the local authority or police. The employee will be informed that the concern has been raised in the appropriate manner.
2. The employee who raised the concern will when be informed of the outcome of the investigation, barring details restricted due to confidentiality.
3. Cenit College will, if necessary, review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.
4. If an employee is not happy with the way their concern has been handled, they can raise it with one of the key contacts in section 1.6.
5. Employees are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

1.8.4 Procedure for external disclosures

Cenit College aim to deal with all concerns raised internally. However, Cenit College does recognise that employees may feel in certain circumstances the need to report concerns to an external body. In such a case Cenit College will make sure that the employee has chosen the correct person or body for their concern.

Here is a list of the prescribed persons and bodies to whom staff can raise concerns. This list is prescribed by the UK government;

[Whistleblowing: list of prescribed people and bodies - GOV.UK \(www.gov.uk\)](https://www.gov.uk/whistleblowing)

The NSPCC Whistleblowing Helpline 0800 0280285 is also available. The Protect advice line, referred to in section 1.6 of this policy, can also help staff when deciding whether to raise the concern to an external party.

1.9 Monitoring

This policy will be reviewed annually by the board of directors. Furthermore, it will be reviewed in the aftermath of any wrongdoing to ensure that the policy has provided the adequate steps to ensure the whistleblowing process has been handled as recommended by legislation.

The monitoring instruments are as follows;

- Confirm with the recipient that the concern was made in writing.
- Confirm with the recipient that all records are kept on a secure location – the QA manager will test that location to ensure it has been encrypted and is password protected.
- Confirm with the recipient that the employee was informed of feedback.

1.10 Version Control

Version	Date	Description	Originator	Approved by
New Policy Version 1.0	20/7/2021	New Policy	Perri Williams (QA)	Board of Directors
V1.1	21/03/2025	Amendment to section 1.8.1 due to change in senior management team	Celia Robotham	Board of Directors