



HARROW INDEPENDENT COLLEGE

School of Mathematics, Science & Economics

WHISTLEBLOWING POLICY OF HARROW INDEPENDENT COLLEGE

Introduction

Harrow Independent College (HIC) is committed to the highest possible standards of openness, probity and accountability in all of its activities. It also expects a high standard of conduct and integrity from employees. Any employee who has a serious concern about any aspect of HIC's work or the actions of any of its employees should voice their concerns through established internal channels, without fear of harassment or victimisation.

Purpose

The purpose of the policy is to:

- encourage employees to feel confident in raising concerns and to question and act upon their concerns,
- provide avenues for employees to raise these concerns and receive feedback on any action taken,
- allow employees to take the matter further if they are dissatisfied with HIC's response,
- reassure them that they will be protected from reprisals or victimisation for whistleblowing in good faith in accordance with the procedure,

This policy applies to all employees and volunteers including those working on a temporary or casual basis.

There are existing procedures and policies in place to allow staff to lodge a grievance relating to their own employment within College's Discipline, Conduct and Grievance Procedures.

This Policy is intended to cover reasonably serious concerns that fall outside the scope of other procedures. That concern may be about any of the following:

- A Criminal conviction that has been, is being or is likely to be committed
- Fraud and Corruption
- Unauthorised use of public funds
- A failure to comply with a legal obligation
- A health and safety risk relating to any individual
- A miscarriage of justice
- A damage to the environment
- Actions that are contrary to any of HIC's policies
- Action and behaviour that falls below established standards of practice
- Abuse and welfare of students or staff
- Harassment or victimisation of students or staff
- Any actions or concerns regarding practice that could result in a financial loss to HIC

- The deliberate concealment of information relating to any of the above matters
- Other unethical conduct

This list is not exhaustive.

Procedure

Making a disclosure – initial action

As soon as an employee becomes reasonably concerned about a matter, they should first raise the issue with their immediate line manager. i.e. the Year Head or the Department Head, unless the disclosure concerns them, in which case the employee should write to the Principal.

Disclosures involving the Principal should be raised with the Chair of Governors. In this case, the Chair of Governors may appoint an independent investigator to consider the case and if there are grounds for proceedings. Disclosures concerning a member of the Senior Leadership Team (SLT) should be raised with the Principal. This can be done via the employee's immediate line manager.

All staff members have a responsibility to act on the concerns raised, in accordance with this procedure. Failure to do so in accordance with the policy and procedure may lead to disciplinary action.

Concerns may be raised in writing and should give the background, the nature of the malpractice that is alleged; relevant dates where possible; the reasons for the concern and the names of individuals against whom the allegations are made.

If the concern is raised verbally, then the person receiving the information should put in writing, an outline of the matters raised and this should be confirmed in writing to the employee. This should be done within ten working days.

Once a concern is raised the receiving manager should report the matter to the Principal who will appoint an appropriate manager to investigate (the "investigating manager"). This could be the receiving manager. The Principal will determine whether the matter constitutes a disclosure or whether it should be dealt with under another procedure [the employee will be informed of this]. If the matter is dealt with under the Whistleblowing policy then the employee will then be informed of the name of the investigating manager. If the matter relates to the Principal, the Chair of Governors will appoint the investigating manager. Due to the nature of the disclosure the Principal may appoint an independent external investigator to look into the matter. If the matter relates to the Principal then decisions for proceeding will be made by the Chair of Governors.

The receiving manager will then inform the employee in writing of the process to be followed. The receiving manager will also inform any employee against whom allegations are made of the allegations. This will normally be done in writing within ten working days. However this may be delayed if it is likely to jeopardise the investigation.

The employee(s) involved in the investigation will be supported by the college throughout the process.

Handling a disclosure

The investigating manager will be responsible for deciding whether there are grounds for proceeding further with the case. Potential action that the investigating manager could take includes a clarification of the facts, a more formal investigation or the employee may be advised that the matter is better dealt with under another policy.

Where appropriate, the matters raised may:

- be investigated by the competent investigator for the situation
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry by an outside body

This will be determined by the investigating manager in conjunction with the Principal and the HR Advisor.

Within four weeks of a concern being raised, the investigating manager will write to both parties:

- Indicating how HIC proposes to deal with the matter, and where an internal investigation is to take place giving an estimate of how long it will take to provide a full response.
- Indicating whether further investigations will take place and if not, why not.

Any internal investigation should take no longer than three months to complete from the date of receipt of original disclosure.

As part of the investigation, the investigation manager will decide:

- whether disciplinary action be taken against any employee
- whether changes should be recommended to any HIC procedure
- whether any other action should be recommended These will be detailed in a final report

The investigating manager will send a copy of the final report, including recommendations, to the Principal who will consider the recommendations and determine what action, if any, to take. The investigating manager will also give a response in writing to the employee who made the disclosure as soon as possible after the completion of the investigation. This response will include the outcome of the investigation and what action, if any, is to be taken, although precise details may not be given where there are legal constraints, or it would infringe a duty of confidence owed by us to someone else or where there are business reasons for not doing so. The individual who is subject to the disclosure will also be informed of the outcome in writing and what action, if any, is to be taken as soon as possible after the completion of the investigation.

Appeals Procedure

An employee who raises a concern and is not satisfied with the outcome or action proposed may appeal against the decision to a more senior manager within HIC. An appeal should be made to the HR Officer within five days' of receipt of the outcome letter.

The Principal will determine who should hear the appeal. The appeal should be completed within one month. If the employee appeals against the decision of the Principal, the matter would be directed to the Governor Staffing Committee Panel for consideration.

After the appeal process is exhausted, there is no further right of internal appeal. However, if the employee remains dissatisfied they may raise the matter further by contacting an outside agency. An employee who is subject to action arising from a whistleblowing disclosure will be able to make representations, within five working days, to the Principal about the outcome of the report. The Principal will consider these representations and may direct further investigation or review as appropriate.

Timescales Action	Timescale	By Who
Written acknowledgement of disclosure made in writing or if received verbally, including an outline of process to be followed	Within 10 working days	Person who receives the disclosure – the receiving manager
Confirm in writing to the person complained of that a disclosure has been received and that it is being considered. Outline the process to be followed	Within 10 working days	Person who receives the disclosure – the receiving manager
Confirmation of whether the matter is to be investigated, and if so, how it will be investigated Letters sent to employee and who the complaint is regarding.	Within four weeks of receipt of disclosure	Person appointed to investigate – the investigating manager
Written confirmation of outcome of investigation and action to be taken. Report sent to the Principal recommendations and determines what action to take. Letters sent to employee and who the complaint is regarding.	Within three months of receipt of disclosure	Person appointed to investigate – the investigating manager
Appeal against outcome of investigation	Within five working days from receipt of outcome	Employee who makes the disclosure
Appeal carried out	Within one month of appeal	Manager appointed to hear the appeal
Appeal to the Principal	Within five working days from receipt of outcome	Employee subject to the disclosure

Policy effective from: 15th March 2017

1st Review Date: 21st Sept 2018

2nd Review Date: 22nd Aug 2019

3rd Review Date: 20th Aug 2020

4th Review Date: 26th October 2021

Next Review : September 2022