

1 INTRODUCTION

Members of staff may be the first to spot something that is seriously wrong in connection with learners within South West Regional Assessment Centre (SWRAC) and its activities. They might not say anything, however, because:

- they may be worried that their suspicions might not be justified or
- they may be worried that they or someone else might be victimised.

This is why SWRAC has this whistle blowing policy to help staff and/or other organisations and/or individuals with whom it has contact, express their concerns. SWRAC is committed to being open, honest and accountable and therefore wishes to be alerted to any problems at the earliest opportunity. This will enable SWRAC to take action, as appropriate to:

- pre-empt crime, extremism, radicalisation, Safeguarding or other wrong doings, where possible
- where a crime or something suspicious has taken place, to instigate an appropriate investigation
- bring to account the perpetrators
- minimise and contain any adverse impact
- take corrective action to eliminate or significantly reduce the scope for repeat occurrences.

Staff and learners are informed of all policies at induction.

2 TYPES OF ACTION COVERED BY THE POLICY

Concerns about the following types of wrongdoings are covered by SWRAC's whistle blowing policy (this list is not exhaustive):

- Corruption
- Fraud (including unauthorised use of SWRAC's money, for example)
- Theft
- Mistreatment of clients
- An unlawful act
- Any danger to health and safety
- Sexual, physical or emotional abuse, or other unethical conduct
- Discrimination on the grounds of belief or religion, culture, ethnic origin, disability or health status, gender, age, marital status, political leaning, sexuality, HIV status, or other reasons
- Extremism or radicalisation
- Safeguarding
- Serious failure to comply with appropriate professional standards and / or Awarding Body requirements



- Cheating and plagiarism particularly in connection with assessment, test or examination
- A person abusing their position in connection with unauthorised activity for personal gain
- Damage being caused to the environment (by pollution for example)
- Misuse of SWRAC's property.

3 CONFIDENTIAL REPORTING PROCEDURE

Any suspicion of fraud or other wrongdoing will be treated seriously and will be reviewed and analysed in accordance with the Public Interest Disclosure Act and the Human Rights Act.

Agency staff, contractors and SWRAC's staff should be aware that they have statutory protection against victimisation and dismissal under the Public Interest Disclosure Act, if they speak out genuinely against corruption and malpractice at work.

It is essential for all concerned that disclosures of wrongdoing or irregularity are dealt with properly, quickly and discreetly. This is in the interests of SWRAC, its employees, any persons who are the subject of such allegations, as well as the person making the disclosure.

Confidential reporting is the disclosure or communication of information about possible malpractice by individuals or organisations, either internally or externally, to an organisation, in this case, SWRAC

SWRAC is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect all organisations that deal with us who have serious concerns about any aspect of SWRAC's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This procedure statement makes it clear that it can be done without fear of victimisation, subsequent discrimination or disadvantage and is intended to encourage and enable employees to raise serious concerns within SWRAC rather than ignoring a problem or 'blowing the whistle' to external sources.

The procedure applies to all members of the public, employees and contractors working for SWRAC. It also covers suppliers and those providing services under a contract with SWRAC in their own premises.

4 AIMS

The procedure aims to:

- encourage you to feel confident in raising serious concerns 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 disadvantage if you have a reasonable belief and that you have made any disclosure in good faith.

The Confidential Reporting Procedure is intended to cover major concerns that fall outside the scope of other procedures. Such concerns include:

- conduct which is an offence or a breach of law, including failure to comply with a legal obligation
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damage to the environment

Thus, any serious concerns that you have about any aspect of service provision or the conduct of employees of SWRAC or others acting on behalf of SWRAC can be reported using the confidential Safeguarding Incident Report Form.

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

5 ANONYMOUS ALLEGATIONS

This procedure encourages you to put your name to your allegation whenever possible.

Where an individual chooses to report their concerns anonymously, such anonymity will be respected. However, it should be noted that concerns expressed anonymously are much less powerful and will only be considered at the discretion of SWRAC.

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

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

It should be noted that, if the report suggests criminal activity, and the case is to be pursued by police, the identity of the person reporting the details may be important at a later date if criminal proceedings are to be pursued effectively; identification is preferred and will assist the investigation.

6 UNTRUE ALLEGATIONS

If you make an allegation in good faith and you have a reasonable belief in the truth of the allegation but it is not confirmed by the investigation, there will be no recrimination against you.

If, however, you make an allegation frivolously, in bad faith, maliciously or for personal gain, disciplinary action may be taken against you if you are a member of SWRAC's staff.

7 HOW TO RAISE A CONCERN

Members of the public, employees and contractors may raise their concerns orally or in writing, by letter or email. Those who wish to make a written report to Viv Green, are invited to use the following format:

- the background and history of the concern (giving relevant dates);
- the reason why you are particularly concerned about the situation

The earlier you express the concern the easier it is to take definitive action. Although you are not expected to prove beyond reasonable doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

8 WHAT NOT TO DO

You must not do any of the following:

- contact the suspected perpetrator in an effort to determine facts or demand restitution
- if you are an employee of SWRAC, discuss the case facts, suspicions, or allegations with anyone outside SWRAC (including the Press) unless specifically asked to do so by a SWRAC Director
- discuss the case with anyone within SWRAC other than the people listed above
- attempt to personally conduct investigations or interviews or question anyone unless asked to do so by Viv Green.

9 HOW SOUTH WEST REGIONAL ASSESSMENT CENTRE WILL RESPOND

SWRAC will respond to your concerns, and where appropriate, the matters raised may:

- be investigated by the appropriate management team, internal audit, or through the disciplinary process

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- be referred to the police
- be referred to the appropriate professional body
- form the subject of an independent inquiry.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within ten working days of a concern being raised, Viv Green will write to you:

- acknowledging that the concern has been received
- indicating how SWRAC propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling you whether any initial enquiries have been made, and
- telling you whether further investigations will take place and if not, why not.

The amount of contact between SWRAC's team considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, SWRAC will seek further information from you.

SWRAC accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

10 CONFIDENTIAL REPORTING

This procedure is intended to provide you with an avenue within SWRAC to raise concerns. SWRAC hopes you will be satisfied with any action taken.

You may wish to speak to someone externally before raising a concern.

Public Concern at Work's free, confidential helpline can advise you on how to safely and effectively raise a concern. Their helpline can be contacted on 020 7404 6609 or by e-mailing whistle@pcaw.co.uk.