

# Whistleblowing Policy



**Approved:** September 2015

**Review Date:** September 2019

UTC@MediaCityUK is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, staff, governors and others that we deal with, who have serious concerns about any aspect of UTC@MediaCityUK are encouraged to voice those concerns.

Staff and governors at UTC@MediaCityUK are often the first to realise that there may be something seriously wrong within UTC@MediaCityUK. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or UTC@MediaCityUK. They may also fear harassment or victimisation. This document makes it clear that concerns may be reported without fear of victimisation, subsequent discrimination or disadvantage.

This Whistleblowing Procedure is intended to encourage and enable staff and governors to raise serious concerns within UTC@MediaCityUK, rather than overlooking a problem or raising the matter externally.

This policy sets out the way in which individuals and employees should raise any concerns that they have, and how this will be dealt with. If an individual is not sure whether to raise a concern, they should discuss the issue with their line manager or the Business Manager (HR).

## **Definition**

Whistleblowing inside the workplace is the reporting by workers, or ex-workers, of wrong doing such as fraud, malpractice, mismanagement, breaking of health and safety law or any other illegal or unethical act either on the part of the management, the UTC@MediaCityUK Trust or by fellow employees. This policy applies to all staff, governors and those contractors working for UTC@MediaCityUK.

## **Legislation**

The Public Interest Disclosure Act 1998 provides protection for workers who raise legitimate concerns about specified matters. These are called "protected disclosures". A protected disclosure is one made in good faith by an employee who has a reasonable belief that:

- A criminal offence
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment or a breach of any other legal obligation or concealment of any of the above is being, has been, or is likely to be, committed. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. It is then UTC@MediaCityUK's responsibility to ensure that an investigation takes place

A worker who makes such a protected disclosure has the right not to be dismissed, or subjected to victimisation, because they have made the disclosure. Victimisation of a worker for raising a protected disclosure will be dealt with under the disciplinary policy.

An instruction to cover up wrong doing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to an appropriate person as stated below.

## **Anonymous Allegations**

Staff should put their name to allegations whenever possible – anonymous concerns are much less powerful. Nonetheless anonymous allegations may be considered under this Whistleblowing Procedure, especially concerns raised relating to the welfare of children. In relation to determining whether an anonymous allegation will be taken forward the Governing Body will take the following factors into account:

- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources and obtaining information provided.

### **Malicious Accusations**

If an allegation is made in good faith, but is not substantiated, no disciplinary action will be taken against the person raising the concern. If, however, an allegation is made frivolously, maliciously or for personal gain, UTC@MediaCityUK will treat this as a disciplinary offence.

### **PROCEDURE**

This procedure applies to disclosures other than a breach of an employee's own contract of employment whereby he/she should use the UTC@MediaCityUK's Grievance Procedure. UTC@MediaCityUK will endeavour to keep the whistle-blower's identity confidential (although no absolute promise of confidentiality can realistically be made).

#### Stage 1:

Should an employee have evidence or genuinely suspect wrong doing in UTC@MediaCityUK, they should approach and disclose this to their line manager. This can be done in writing or verbally, and reference to this policy should be made.

The Line Manager will be responsible for liaising with the Business Manager (HR) in the first instance and:

- Assess whether the disclosure is appropriate to be dealt with under this policy
- Conduct a full, confidential and prompt investigation
- Within 10 working days, report back the outcome of the investigation to the employee who made the disclosure, the Principal and the Senior Leadership Team (SLT)
- The investigation report will be discussed between the Investigating Officer (usually the Line Manager), the Business Manager (HR) and the Principal.

The outcome of the investigation may be:

- To instigate disciplinary proceedings
- To contact appropriate external body/ies
- No further action

NB – should the allegation of wrongdoing involve a Senior Post holder, i.e. the Principal or Deputy Principal, the disclosure may be made directly to the Chair of the Governing Body either directly, or via the Clerk. The Chair will follow the process outlined above, starting on the date on which the disclosure is received by them.

#### Stage 2:

An employee may progress to stage 2 of this procedure under the following conditions:

- If there are concerns of failure to make a proper investigation or report the outcome of the investigations to the Principal and SLT at stage 1
- If there is suspicion that the Line Manager may be involved in the matter and therefore it is appropriate to move straight to stage 2
- At stage 2, the same process applies as at stage 1 with the exception that the employee/person who has concerns may make a protected disclosure under this policy to the Business Manager (HR)

- The Business Manager (HR) will therefore be responsible for allocating an investigation officer and ensure that the process is followed promptly and confidentially as stated at stage 1
- At this stage, the Principal will be involved to ensure that the investigation is conducted fairly and thoroughly. Again, the outcome of the investigation will be shared with the employee who has made the disclosure and the SLT

### Stage 3

This policy is intended to provide staff with a route to raise concerns within UTC@MediaCityUK. However, if on conclusion of stages 1 and 2 the employee reasonably believes that the appropriate action has not been taken and still has concerns, they are at liberty to raise the matter to the proper external authority. The legislation sets out a number of bodies to which protected disclosures may be made. These include:

- HM Revenue & Customs
- The Financial Services Authority or the Office of Fair Trading
- The Health and Safety Executive or the Environment Agency
- The Information Commissioner

### Whistleblowing Champion

In the event that an employee feels that it would be inappropriate to make a disclosure to their line manager, they may contact the Whistleblowing Champion, who will be responsible for ensuring that the correct procedure is followed.

The Whistleblowing Champion is the Clerk to the Governing Body:

[clerk@utcmediacityuk.org.uk](mailto:clerk@utcmediacityuk.org.uk)

### **Monitoring and Review**

The implementation of this policy throughout the UTC@MediaCityUK will be reviewed annually, with all relevant changes clearly identified and a report made to the Governing Body by the Principal.

### **Approval by Governing Body and Review Date**

This policy has been formally approved and adopted by the Governing Body at a formally convened meeting.

Signed: \_\_\_\_\_ (Chair of Governing Body)

Date: \_\_\_\_\_ Review date: \_\_\_\_\_