



UNIVERSITY  
TECHNICAL COLLEGE BOLTON

**UTC Bolton**

**Public Interest Disclosure Policy**

**(Whistleblowing Policy)**

**2017-2019**

**Approved:**

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<b>Revision History</b>			
<b>Revision</b>	<b>Date</b>	<b>Owner</b>	<b>Summary of Changes</b>
1	May 2017	LM	Removal of reference to CEO Change reference from Governing Body to Interim Management Committee
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## **PUBLIC INTEREST DISCLOSURE POLICY**

### **1. INTRODUCTION**

- 1.1 This policy applies to all staff employed by UTC Bolton. It also extends to those who perform functions in relation to UTC Bolton, e.g. agency workers or employees of contractors in the context of raising concerns about the College.
- 1.2 Should a parent / member of the public raise a concern regarding malpractice and / or wrongdoing at UTC Bolton, the process outlined in this policy will be followed.

### **2. GENERAL PRINCIPLES**

- 2.1 Members of staff are often the first to realise that there are concerns within an organisation. In some circumstances, they may not raise their concerns because they fear that speaking up could be viewed as disloyal to their colleagues or the organisation. They may also fear harassment or victimisation. UTC Bolton wishes to make it very clear that it takes malpractice very seriously. UTC Bolton expects employees, and others, who have genuine and serious concerns about any aspect of its operations to come forward and voice these concerns.
- 2.2 This policy does not apply where employees seek to raise a grievance relating to their own employment or alleged unfair treatment.
- 2.3 Through the application of this policy, UTC Bolton aims to:
- Encourage employees and relevant individuals to raise concerns or question practices;
  - Ensure that any public interest disclosure is investigated thoroughly within a timely manner;
  - Reassure employees and relevant individuals that they will not be treated unfairly or suffer any detriment as a result of making a public interest disclosure.

### **3. THE LEGAL POSITION**

- 3.1 The law provides protection for those who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. A qualifying disclosure is one made in the public interest by a worker 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;
- A breach of any other legal obligation;
- Or concealment of any of the above is being, has been, or is likely to be committed.

#### **4. MAKING A DISCLOSURE**

- 4.1 In the first instance, a worker is expected to exhaust all internal informal and formal avenues where he/she has a concern. Where this has happened is not appropriate, the worker is able to make a qualifying disclosure in writing to the Principal. The Principal will normally acknowledge receipt of the disclosure within 5 working days. The Principal will inform the Chair of the Interim Management Committee as soon as reasonably practicable unless he/she is the subject of the disclosure. The Principal will also gather further information if necessary, and this may involve arranging a meeting with the person making the disclosure. Where the person making the disclosure is an employee of UTC Bolton, he/she can be accompanied by an official of a recognised Trade Union or by a fellow employee at this meeting.
- 4.2 When the precise nature of the malpractice has been established, a decision will be taken regarding what further action, if any, is needed, which may comprise:
- Internal investigation;
  - Report to the Police;
  - Independent enquiry;
  - Any combination of the above.
- 4.3 Through the process, the Principal will keep the individual informed on progress where possible.
- 4.4 Although the person making the disclosure will not be expected to prove the allegation, he/she will need to provide sufficient information to demonstrate that reasonable grounds for the allegation exist.
- 4.5 All concerns will initially be treated confidentially and every effort will be made not to reveal the identity of the person making the disclosure. It must be acknowledged that the success of the investigation may be dependent upon the willingness of the person who made the disclosure agreeing to participate and the availability of supporting evidence.

## **5. PROTECTION OF INVOLVED PARTIES**

- 5.1 UTC Bolton recognises that the decision to make a disclosure can be a difficult one. Where a disclosure is made in good faith based on a genuine belief, individuals do not need to fear unfair treatment or victimisation.
- 5.2 Conversely, UTC Bolton has a responsibility to protect its employees and third parties from vexatious or malicious disclosures. Where there are reasonable grounds to believe this is the case or where an external disclosure is made in breach of this policy, UTC Bolton reserves the right to invoke disciplinary action if the disclosure has been made by an employee.

## **6. POLICY APPLICATION**

- 6.1 A review has been carried out to establish whether this policy will impact employees with any protected characteristics more than others. UTC Bolton considers that this document does not discriminate on any of the protected grounds.
- 6.2 UTC Bolton will monitor the application of this policy through consultation with HR and will review this accordingly.

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