



## Whistleblowing Policy

### Introductions

IBS is committed to upholding the highest standards of integrity, transparency and ethical conduct in the management of its affairs. The College ensures that its governance, management and operational arrangements are conducted with probity and in a manner that is consistent with regulatory expectations and public accountability.

The College actively promotes a culture of openness and accountability across all levels of the organisation. This culture is intended to support staff, contractors and other stakeholders in raising genuine concerns about malpractice, wrongdoing or breaches of policy, without fear of detriment or reprisal. IBS recognises that staff are often the first to identify issues of this nature and places significant importance on ensuring that they feel confident and supported in reporting such concerns.

All disclosures are treated seriously and are handled promptly, fairly and sensitively, in accordance with the College's approved policies and procedures. Appropriate action is taken where concerns are substantiated, and the College ensures that individuals who raise concerns in good faith are protected and supported throughout the process.

All employees of IBS are subject to an implied contractual duty to act honestly, in good faith and in the best interests of the College. This duty includes an obligation to safeguard the College's confidential information and not to disclose to external parties any trade secrets or other confidential material acquired in the course of employment. Employees are also expected to conduct themselves in a manner that maintains the mutual trust and confidence that underpins the employment relationship.

These contractual obligations are complemented by the provisions of the **Public Interest Disclosure Act 1998**, which affords statutory protection to employees who make qualifying disclosures in the public interest. Such disclosures may, by their nature, involve confidential information and are protected where they relate to specified categories of wrongdoing and are made in accordance with the requirements of the legislation and the College's approved policies.

### Purpose

The purpose of this policy is to provide a clear, accessible and confidential framework through which members of staff may raise concerns, in the public interest, about suspected wrongdoing or malpractice within IBS. The policy supports the College's commitment to effective governance, probity, transparency and regulatory compliance, in line with the Office for Students' expectations under Condition E.

Specifically, this policy aims to:

- Provide members of staff with appropriate and clearly defined routes to raise concerns relating to suspected malpractice or wrongdoing, including, but not limited to:

- fraud, financial irregularity, corruption, bribery or dishonesty.
- criminal activity or suspected breaches of the law.
- miscarriages of justice.
- breaches of the College's Code of Conduct or other approved policies.
- poor, unsafe or unethical practice.
- actual or potential failures in the College's safeguarding arrangements; and
- circumstances where a serious risk to health, safety or the environment has been created or has not been adequately addressed.
- Ensure that staff who raise concerns under this policy receive appropriate feedback, where possible, on the action taken in response to their disclosure, subject to confidentiality and legal constraints.
- Enable staff to escalate concerns where they reasonably believe that the College's response has not adequately addressed the issues raised, in accordance with the procedures set out in this policy.
- Provide assurance to staff that disclosures made in good faith will be treated seriously and that individuals will be protected from detriment, victimisation or retaliation as a result of raising a concern.

This policy is not intended to replace existing procedures for the resolution of personal employment matters and does not apply to individual grievances relating solely to personal employment circumstances, nor to appeals against management decisions, unless such matters involve suspected fraud, corruption or malpractice as defined above.

Low-level concerns that do not meet the threshold for formal whistleblowing should be reported in accordance with the Staff Code of Conduct and directed, in the first instance, to the Head of Human Resources or their nominee.

Unless there are exceptional circumstances, the College will adhere to the timescales set out in this policy to ensure that concerns are addressed promptly, fairly and proportionately.

## **Legislative and Quality Framework**

This policy will be kept under regular review and updated as necessary to reflect changes in legislation, regulatory requirements and relevant professional or sector-body guidance, ensuring that it remains current, effective and appropriate to the College's operating and regulatory context.

## **Scope**

This policy applies to all employees of IBS, including permanent, fixed-term, part-time and temporary staff, as well as individuals engaged on a casual or sessional basis, where applicable. The policy provides a framework for raising concerns, in the public interest,

about suspected wrongdoing or malpractice arising in connection with the College's activities.

The investigation and management of disclosures made under this policy are normally coordinated by the Human Resources function, which is responsible for ensuring that concerns are handled promptly, fairly and in accordance with the College's approved procedures and applicable legal and regulatory requirements.

Where it would be inappropriate for the Human Resources function to coordinate the investigation—such as in circumstances where Human Resources staff are directly or indirectly implicated in the matters raised—the responsibility for oversight and coordination will be assumed by the Director of Governance or an appropriately independent senior officer, to ensure objectivity, independence and integrity in the handling of the disclosure.

## **Initial Considerations**

### **Definition of Whistleblowing**

For the purposes of this policy, whistleblowing refers to the disclosure by a member of staff, or a group of staff, of information which they reasonably believe indicates suspected wrongdoing, malpractice or impropriety arising in connection with the activities of IBS. Such disclosures must be made in the public interest and will ordinarily relate to matters that pose a risk or potential harm to others, including learners, staff, members of the public or the wider community. In limited circumstances, the concern may also have a direct impact on the individual raising the disclosure.

Whistleblowing is not intended to provide a mechanism for the resolution of personal employment grievances or for appeals against management decisions, unless such matters involve suspected fraud, corruption or malpractice as defined within this policy. Where concerns relate solely to personal employment circumstances, staff should refer to the College's Grievance Policy and/or relevant internal employment procedures.

In accordance with the **Public Interest Disclosure Act 1998**, disclosures that may be protected under this policy include, but are not limited to, concerns relating to:

- criminal offences or suspected criminal activity.
- fraud, financial irregularity or corruption.
- financial mismanagement or misuse of public or institutional funds;
- miscarriages of justice.
- physical, emotional or other forms of abuse of children, young people or vulnerable adults.
- health and safety risks or unsafe working practices.
- failure to comply with legal or regulatory obligations.
- breaches of legislation or regulatory requirements; and

- actual or potential risks to the environment.

Concerns should also be raised in accordance with this policy where a member of staff reasonably believes that any of the matters outlined above are being deliberately concealed.

### **Safeguarding Individuals Raising a Disclosure**

IBS recognises that raising a concern under this policy can be a difficult decision and acknowledges that individuals may fear adverse consequences or reprisals as a result of making a disclosure. The College is committed to creating a supportive and protective environment and will not tolerate harassment, victimisation or any form of detriment to an individual who raises a concern in good faith.

The College will take all reasonable steps to protect the identity of individuals who raise concerns under this policy, where confidentiality is requested. However, it is recognised that, in some circumstances, the investigation process may require the source of the information to be disclosed, including where a formal statement is necessary as part of the evidential process. Where possible, the College will seek to establish the facts through alternative or independent sources.

Staff are encouraged to raise concerns openly and to provide their name when making a disclosure. While anonymous disclosures may be considered at the College's discretion, they are generally more difficult to investigate and may limit the ability to provide feedback or take appropriate action.

In determining whether to investigate an anonymous disclosure, the College will take account of:

- the seriousness of the issues raised.
- the credibility and plausibility of the concern; and
- the likelihood of obtaining corroborating evidence from identifiable sources.

Ordinarily, where a disclosure is made anonymously, the College may be unable to provide feedback on the outcome of any investigation.

Any action by a member of management or staff intended to prevent an individual from raising a genuine concern, or to subject them to detriment or victimisation because of doing so, will be treated as a serious disciplinary matter.

### **Malicious or Vexatious Allegations**

IBS recognises that malicious or vexatious allegations may cause significant harm to individuals and to the reputation and effective operation of the College. Such allegations may include those that are knowingly false, trivial, unfounded, persistently repeated without reasonable basis, or raised for the purpose of causing disruption rather than to disclose a genuine concern in the public interest.

Where it is established that a member of staff has knowingly made a malicious or vexatious allegation, the College may take disciplinary action in accordance with the

Managing Discipline Policy. Any disclosure made in good faith will be protected under this policy, even where the concern is not substantiated.

#### Procedural Steps

A summary of the whistleblowing procedure is provided in Appendix A. Each disclosure will be handled fairly, proportionately and in accordance with this policy.

#### Raising a Formal Disclosure

Staff should complete the Initial Disclosure Form (Appendix B) and submit it to an appropriate senior officer. Internal processes should normally be exhausted before any external disclosure.

#### Investigation Process

Human Resources will coordinate the investigation and appoint an Investigating Officer. Meetings will normally take place within five working days, with a written report produced as soon as practicable.

#### Outcomes

Investigations may result in substantiated or unsubstantiated outcomes. Disciplinary or external action may be taken where appropriate.

#### Appeals Procedure

Staff may appeal investigation outcomes in writing within five working days. Appeals will be heard by a senior manager not previously involved.

#### External Body Referrals

Following exhaustion of internal processes, concerns may be referred to appropriate external bodies.

### **Appendix A – Summary of Procedure**

- Disclosure
- Assessment
- Investigation
- Outcome
- Appeal
- Closure

### **Appendix B – Initial Disclosure Form**

- Name (optional)
- Role
- Concern

- Details
- Evidence
- Contact Details

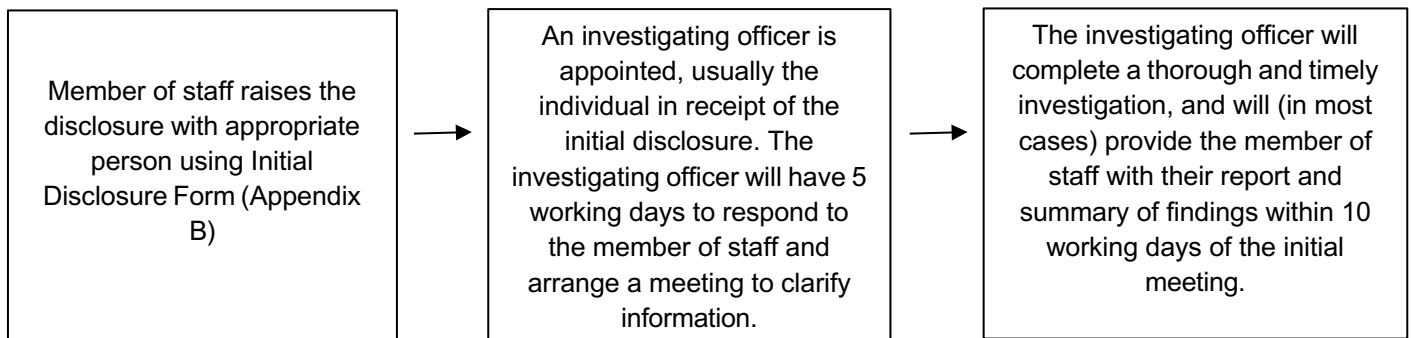
### **Appendix C – Appeal Form**

- Contact Details
- Name
- Grounds for Appeal
- Supporting Evidence
- Requested Outcome

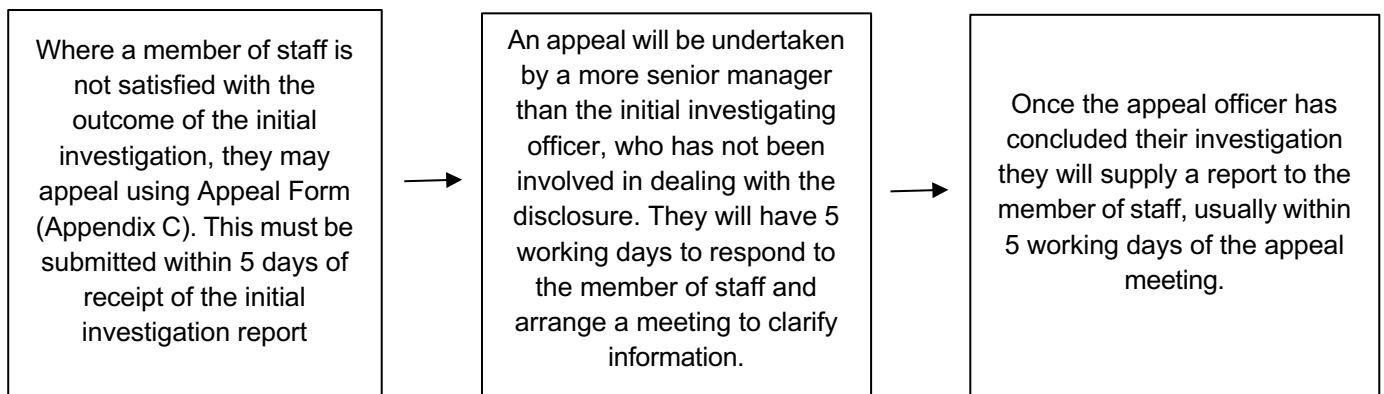
## Appendix A – Process Summary

### The Whistleblowing Procedure

#### Raising the formal disclosure



#### Appeal



## Appendix B – Initial Disclosure Form

### Notification of disclosure under the College's Whistleblowing Policy

Name:

Division/Department:

### Nature of the complaint:

Please outline the nature of your complaint in sufficient detail to enable us to commence an investigation into the issues that you have raised.

### Reason for raising under Whistleblowing Policy:

Please detail why this issue would constitute an issue of "public interest".

Signed:

Date:

Please submit the completed form to an appropriate individual as identified in the policy, or to the HR Team.

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### For completion by HR Team:

Date received by initial individual: Name of

investigating officer appointed:

Date of latest response to member of



## Appendix C – Appeal Form

### Notification of appeal under the College's Whistleblowing Policy

Name:

Division/Department:

#### Nature of the appeal:

Please outline the nature of your appeal including the reasons why you believe the decision to be unfair and/or why you believe the investigation was flawed.

Signed:

Date:

Please submit the completed form to an appropriate individual as identified in the policy, or to the HR Team.

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#### For completion by HR Team:

Date received by HR/Director of Governance: Name of appeal

officer appointed:

Date of latest response to member of staff