



CENTRAL SUSSEX COLLEGE

Whistleblowing Procedure

Ref.	General 2.1P
Effective	28.02.07
Planned Review Date	01.03.08

Procedure for addressing allegations or evidence of any potential irregularities, including fraud, corruption or impropriety

1. The Corporation is committed to conducting its business in accordance with the highest standards of public life and business ethics and is implacably opposed to any unethical or unlawful conduct by any of its members, employees or students.
2. Any evidence of malpractice, be it in respect of financial irregularity or fraud, misrepresentation, or danger to the health and safety of staff and students, will be treated with the utmost seriousness.
3. To that end it is the duty of every member of Staff or Corporation to report any concerns they may have.
4. The Public Interest Disclosure Act 1998 gives protection to any worker who makes a “disclosure... which, in the reasonable belief of the worker making the disclosure, tends to show:
 - Criminal offence
 - Failure to comply with legal obligation
 - Miscarriage of justice
 - Danger to health or safety
 - Damage to environment
 - Deliberate concealment of any of the above”.
5. The provisions of the Act are not meant to displace normal grievance procedures for staff. The procedure is not intended to cover the raising of grievances about a personal employment situation or against another member of staff, nor does it cover mis-management which may arise from, for example, weak management rather than malpractice.

Procedures for Members of the Corporation

6. Any concerns should be raised with the Clerk to the Corporation, who will record the concern in a “Whistleblowing Register” and inform the Chair of the Corporation (or in his absence the Vice-Chairman), the Principal and the Chair of Audit. The Clerk will investigate the concerns, drawing upon the professional support of the College auditors and solicitors as necessary and will report the outcome of his investigations to the Audit Committee and Corporation.
7. If matters of criminal responsibility are involved, the Clerk will, having sought the advice of the College solicitors, consult with the Chair of the Corporation and the Chair of Audit as to whether to inform the police.
8. If the allegations concern the Chair of the Corporation and/or the Principal, the Clerk will inform the Partnership Director West Sussex of the Sussex Learning and Skills Council and seek his/her advice.
9. If the allegations concern the Clerk, then the Chairman of the Corporation (and in his absence the Vice-Chairman) and the Chair of Audit shall be informed and the College solicitors shall be commissioned to conduct an investigation in place of the Clerk.

Procedures for Members of Staff

10. In accordance with the Financial Regulations 11.6, "Whenever any employee becomes aware of any matter that involves, or is likely or suspected to involve, any irregularity or illegality, the employee concerned shall immediately inform the appropriate member of the College Leadership Team, who shall forthwith draw the matter to the attention of the College Secretary, so that such audit action may be instigated as may be deemed necessary".
11. It is recognised that an employee may wish to raise their concerns confidentially in the first instance. If that is the case, the employee should raise their concerns with the Clerk, who will record the concern in the Whistleblowing Register and investigate the matters raised either personally, or with the assistance of other senior members of staff, as appropriate. He will also inform the Chair of Corporation and the Chair of the Audit Committee.
12. While every reasonable endeavour will be made to maintain confidentiality during the investigation, it should be noted that if there is evidence of criminal activity, then, subject to the advice of the College's solicitors, the Clerk will seek the approval of the Chair of Audit and the Chair of the Corporation to inform the police. Except as described above, or where it conflicts otherwise with obligations under current law, the matters will not be made more widely known except with the complainant's agreement.
13. If the allegations concern the Clerk, they should be raised with the Principal, who will inform the Chair of Audit and the Chair of Corporation and make arrangements for the complaints to be investigated.
14. All complaints will be dealt with as speedily as practicable. There are no set timescales for the investigations, as they need to remain flexible, bearing in mind the variations in time required depending on the complexity of the concerns raised. However, the complaint will be acknowledged immediately and a written response will be provided within ten working days. Where the matter remains under investigation at that time, a progress report will be sent and the complainant will be kept informed of progress.
15. All written communications will be sent to the individual's home address.
16. If a member of staff is not satisfied that their concern is being properly dealt with by the Clerk, they may raise it via the Principal with the Chair of the Audit Committee, or with the Chair of the Corporation.
17. If the internal procedures have been exhausted and the complainant is dissatisfied with the response received, they may refer their complaint to the Partnership Director West Sussex of the Sussex Learning and Skills Council at 53 Princes House, Queens Road, Brighton, BN1 3XB.

Procedures for Students and Members of the Public

18. Grievances from students and complaints from members of the public should normally be dealt with in accordance with the published procedures.
19. Where a concern is raised with the Clerk to the Corporation and he is satisfied that it falls outside those procedures he will enter the concern in the register and give the complainant a register number acknowledgement.
20. The Clerk will investigate the concerns in accordance with the same procedure as is applicable for members of staff.

Anonymous Concerns

21. It is recognised that a number of serious issues within the Further Education sector have first been raised anonymously. On receipt of an anonymous allegation it will be recorded in the register and the Clerk will consult with the Chair of Audit and the Chair of the Corporation as to whether to investigate the allegation as far as is practicable, or whether to take no further action until or unless other corroborative evidence becomes available.

