



CC CLEVELAND COLLEGE OF
AD ART & DESIGN

<i>Title</i>	Public Interest Disclosure Policy (known as “Whistle-blowing”)		
<i>Version number:</i>	3		
<i>Author:</i>	Clerk to the Corporation – John Cooke		
<i>Consultation taken place with:</i>	Director of Personnel	<i>Date:</i>	November 2011
<i>Approved by:</i>	SMT Audit Committee	<i>Date:</i>	31/05/2011 02/03/2012
<i>Approved by:</i>	Corporation Board	<i>Date:</i>	30/03/12
<i>Date to be reviewed:</i>	Autumn Term 2013		
<i>Minor amendments:</i>	<i>Date:</i>		
	<i>Nature of:</i>		
<i>Equality & Diversity Impact Assessment Screening completed (date):</i>			20/05/2011

Equality and Diversity Impact Assessment Screening

Who does the policy impact on?	Staff	Y	Students	Y	Visitors	Y	Other	Y
What data is available to screen the impact?	None – the policy has not been used to date.							
Is there sufficient data to screen the policy effectively?					Yes		No	Y
What data will be needed in the future to ensure more effective monitoring?	Should the policy be used then collect data on whether the complainant has any protected characteristics or the person who is the subject of the complaint has any protected characteristics.							
Is there any existing evidence of the impact of this policy on people with different protected characteristics of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, or sexual orientation? e.g. higher or lower participation rates.	Yes – positive impact		Yes – negative impact		No evidence			Y
	Evidence of positive impact:							
	Evidence of negative impact:							
Has consultation with relevant groups raised any E&D issues?					Yes		No	Y
What action needs to be taken before further or full assessment can be made?	None							
Screening completed by: (screening must always be done by at least 2 people)								
Name	John Cooke							
Job Title	Clerk to the Corporation							
Name	Catherine Clennett							
Job Title	Director of Personnel and Student Support							

INTRODUCTION

1. The policy is designed to protect employees from dismissal or other unfavourable treatment if they make disclosures in accordance with the Public Interest Disclosure Act 1998.
2. Such disclosures have become known as “Whistle-blowing” and the second report of the Nolan Committee on Standards in Public Life recommended that codes of practice be adopted to enable concerns to be raised confidentially inside, and if necessary outside, the organisation about fraud, malpractice, health and safety or unethical conduct.
3. The policy is designed to meet the requirements of the Public Interest Disclosure Act 1998 and also to set in place recommendations made in the 2nd Nolan Report on Standards in Public Life regarding the ability to raise confidentially matters about fraud, malpractice, health and safety or other unethical conduct.

SCOPE

4. The policy covers all employees and other workers and excludes students.
5. This is an updated version of the policy previously approved by Corporation Board in 1999.

DEFINITIONS

What is Whistle-blowing?

6. Although not legally defined, whistle-blowing is generally taken to mean the usually public disclosure by an employee of wrong-doing within an organisation. Whistle-blowing does not include personal grievances about managers.
7. The Public Interest Disclosure Act 1998 protects disclosure if the worker can show one or more of the following:
 - a. that a criminal offence has been committed, is being committed, or is likely to be committed;
 - b. that a person has failed, is failing, or is likely to fail to comply with any legal obligation to which she/he is subject;
 - c. that a miscarriage of justice has occurred, is occurring or is likely to occur;

- d. that the health and safety of any individual has been, is being, or is likely to be endangered;
- e. that the environment has been, is being, or is likely to be damaged;
- f. that information tending to show any matter falling within any one of the preceding paragraphs has been, is being, or is likely to be deliberately concealed.

POLICY

- 8. The College takes malpractice seriously and will have a procedure to allow all involved in reporting and investigating alleged malpractice to act professionally and with propriety, to preserve the confidentiality of the person raising the concern and to ensure that College management will investigate properly the concern(s) raised before it falls into the public domain. The College expects and encourages employees to use the 'Whistle-blowing' Procedure to raise concerns internally, and that employees will not take their concerns outside the College until they have exhausted the procedure.
- 9. The College's Grievance Procedure is designed to deal with employees' private grievances about their personal employment situation and it is not appropriate for the Whistle-blowing Procedure to be used as well as or instead of the College's Grievance Procedure.
- 10. The Clerk to the Corporation will be responsible for implementing and reviewing this policy in liaison with the Director of Personnel.

EQUALITY STATEMENT

- 11. This policy will be implemented in line with the principles of the college's commitment to equality and diversity which is: Cleveland College of Art and Design is committed to the principles of equality and diversity and aims to ensure that all employees and college users are treated fairly and equally regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

PROCEDURES RELATED TO THE POLICY

- 'Whistle-blowing' Procedure
- Complaints Procedure
- Student Grievance Policy and Procedure

- Staff Grievance Policy and Procedure
- Student Disciplinary Policy and Procedure
- Staff Disciplinary Policy and Procedure