



HOW TO RAISE A CONCERN ABOUT MALPRACTICE (WHISTLEBLOWING)

**If you require this information in large print, on audio tape or in
another format:**

**Please telephone the Clerk's Office on 01792 284222 or
e-mail: sharon.barron@gowercollegeswansea.ac.uk**

What is the Whistleblowing Policy and Procedure?

This procedure enables Gower College Swansea staff and agency contract workers to raise any concerns they may have regarding malpractice in connection with the College.

It provides a rapid, confidential mechanism for disclosing information relating to such malpractice to unbiased assessors without any fear of reprisal or victimisation.

However, the Whistleblowing Policy and Procedure is not a mechanism for employees to raise grievances about their personal situation.

The College's Grievance Procedure is in place to deal with such matters and can be accessed via the Staff Intranet (see "Policies and Procedures" section).

Before disclosing, you might wish to seek guidance from the following sources:

- Employee Assistance Programme (EAP)
- Talk to your Union
- The College's HR Team
- www.pcaw.co.uk

What should you do if you wish to disclose malpractice?

If you have grounds to believe that malpractice has occurred, or is likely to occur, you should disclose this to one of the current Designated Assessors:

Mrs Chantal Patel
Dr Peter Padley
Mr Gary Williams

To disclose malpractice (defined below), please telephone:

The Clerk's Office on 01792 284222

By e-mail via the Clerk:

sharon.barron@gowercollegeswansea.ac.uk

or write to:

Private and Confidential: Addressee Only (PID)
The Clerk to the Corporation
Gower College Swansea
Tycoch Road
Swansea SA2 9EB

Examples of malpractice covered by this procedure are:

Here are some examples of matters regarded as malpractice relating to this procedure:

- Fraud, financial or academic irregularity;
- corruption, bribery or blackmail;
- criminal offences;
- failure to comply with a legal or regulatory obligation;
- miscarriage of justice;
- endangering the health or safety of any individual;
- endangering the environment;
- improper use of authority;
- serious financial mal-administration arising from the deliberate commission of improper conduct;
- unethical conduct;
- deliberate concealment of information which tends to show evidence of any of the above.

What you can expect from us:

Gower College Swansea will not (and it will take all reasonable steps to ensure that its employees do not) subject the Discloser to any detriment, including bullying or harassment from another employee on the grounds of the Discloser's disclosure of information under this procedure.

No disciplinary action will be taken against a Discloser on the grounds of a disclosure made by the Discloser in accordance with this procedure, unless it is established that the disclosure was malicious or vexatious. However, if an employee has abused this policy to make false or malicious allegations, this will be treated as a serious disciplinary offence under the College's Disciplinary Procedures. A malicious allegation is a concern that is motivated by or resulting from a desire to cause harm or pain to another.

The Procedure:

1. Wherever possible, you should disclose information regarding the malpractice in writing but, if that is not practicable, the disclosure may be oral.
2. After receiving the information, the Designated Assessor will offer to interview you, in confidence, normally within 10 working days. You may be accompanied by a local trade union representative or a work colleague at the interview.
3. As soon as possible after the interview (normally within 10 working days), the Designated Assessor will recommend what further steps should be taken. These could include one or more of the following:
 - an internal investigation by the Designated Assessor in consultation with appropriate internal/external bodies;
 - reporting the matter to DfES, the Welsh Government, the Wales Audit Office or other appropriate public authority;
 - reporting the matter to the Police;
 - dealing with the matter under the College's grievance or disciplinary procedures (this will be in conjunction with the HR Team).

You will be informed of the outcome of any investigation as far as possible, subject to the rights of any third parties, and will be made aware of what steps have been taken in response to the concerns raised.

Malpractice involving the Clerk to the Corporation or the Principal:

Where the allegation of malpractice involves the Clerk to the Corporation, the complainant should first contact the Chair of the Corporation prior to contacting the College's solicitors, who are Morgan Cole, Llys Tawe, Kings Road, Swansea, SA1 8PG.

Recommendations will also be referred to the Chair or Vice Chair of Corporation Board if it is alleged that the Principal is involved in alleged malpractice or there are reasonable grounds for not referring the matter to Principal.

If you are unsatisfied with the way in which the disclosure was dealt with:

If the Discloser is not satisfied, s/he can raise matter with Clerk to the Corporation Board (see 6.1 of Whistleblowing Policy) within 10 working days of the date on which the outcome was notified to him/her who will refer it to another Designated Assessor.

The Discloser will be informed of the outcome of that investigation as far as possible and will be made aware of steps taken in response to concerns raised.

The Discloser is entitled to request a maximum of two investigations into their concerns under this policy.

If having followed the procedure, the Discloser is still not satisfied, s/he may raise matter on a confidential basis with the external parties described in point 7 of Whistleblowing Policy and Procedure.