

## FFURFLEN MANYLION POLISI - POLICY IDENTIFICATION FORM

Policy Title:	Whistle Blowing Policy / Code of Conduct	
Policy Owner:	Toby Prosser	
Responsible Executive Director:	Sharon Bowker	
Purpose:	To provide staff and others associated with the Institution the opportunity to raise genuine concerns, which are reasonably believed in good faith, should they arise	
Review Cycle:	2 years	
Approval Checklist (to be instigated by Owner):	Actioned by:	Date:
<ul style="list-style-type: none"> <li>First draft uploaded to Grŵp Portal for initial consultation with staff (via ELD)</li> </ul>	November 2024	
<ul style="list-style-type: none"> <li>First draft sent to JCC for initial 2 week consultation (via AAH)</li> </ul>	November 2024	
<ul style="list-style-type: none"> <li>Impact Assessments completed</li> </ul>	22/10/2024	
<ul style="list-style-type: none"> <li>Final draft presented to TS</li> </ul>	18/11/2024	
<ul style="list-style-type: none"> <li>Final draft presented to JCC (if applicable)</li> </ul>	27/11/2024	
<ul style="list-style-type: none"> <li>Final draft presented to SHE (if applicable)</li> </ul>	N/A	
<ul style="list-style-type: none"> <li>Union Approval at JCC / SHE</li> </ul>	YES	
<ul style="list-style-type: none"> <li>Policy presented to FRC Committee*</li> </ul>	05/12/2024	
<ul style="list-style-type: none"> <li>Policy presented to Board</li> </ul>	12/12/2024	
<ul style="list-style-type: none"> <li>Policy translated and uploaded to Grŵp Portal</li> </ul>	13/03/2025	

*Original wording was negotiated in consultation with UCU and Unison.*



## **Whistle Blowing Policy/Code of Conduct**

## **PURPOSE AND SCOPE OF WHISTLEBLOWING POLICY:**

The Grŵp is committed to developing a climate of openness in its dealings. This it seeks to achieve by having in place commonly understood systems and procedures, which protects the integrity of individuals and the Institution.

In response to the Public Interest Disclosure Act 1998, it has been agreed to incorporate a procedure for 'Whistleblowing', which is designed to provide staff and others associated with the Institution the opportunity to raise genuine concerns, which are reasonably believed in good faith, should they arise. These concerns by their very nature will be outside the day to day scope of management and, in the public interest, to be investigated.

Such concerns do not include mismanagement or issues of personal grievance or the handling of disciplinary process as regards employees or students but relate to such issues as fraud, maladministration, unethical activities or acts of a criminal nature. A list of more detailed examples of issues which would fall within the remit of this policy is given in Appendix I. This, however, should not be viewed as an exhaustive list.

Departure from established Grŵp procedures or a breach of the code of conduct could also constitute serious malpractice, which could fall within the scope of the whistle blowing procedures (see Appendix 2 for details of how to access the Grŵp Code of Conduct).

Any concerns raised must be substantiated by evidence and facts and individuals must be aware that they could be subject to the Grŵp disciplinary procedures and the law of defamation if they make false, malicious or unsubstantiated allegations. Any issues arising from disclosure at exit interviews will be considered, and if necessary the whistle blowing procedure can be followed.

## **POLICY STATEMENT:**

The whistle blowing procedure is designed to provide a channel and process for individual employees to raise genuine and legitimate concerns. The procedure also allows the employer to have the opportunity to investigate those concerns and take appropriate actions so that the matter is resolved effectively within the institution.

We welcome whistleblowing in Welsh and English and we will respond in your language of choice. For any complaints relating to the Welsh Language Standards with which the Grŵp recognizes its particular duty to comply reference will be made to the Welsh Language Standards (No.6) Regulation 2017, the Compliance Notice – Section 44 Welsh Language (Wales) Measure 2011 for Grwp Llandrillo Menai and the Explanatory Memorandum to the Welsh Language Standards (No.6) Regulation 2017.

## **UNDERLYING PRINCIPLES - WHISTLEBLOWING & GRIEVANCE:**

The term 'whistle blowing' is most commonly used to refer to a situation whereby an employee (or ex-employee) publicly discloses what he or she perceives as wrongdoing within an organisation.

Grievance on the other hand, generally relate to such matters as conditions of service of individuals or groups of staff or disputes with other individuals, and are dealt with under the Institution's Grievance Procedures. This requires the employee to discuss his or her grievance with their Functional Manager, with the grievance hopefully being resolved at that stage. In the event of a grievance not being resolved, there is the right of redress to the Head of Personnel and then to the appropriate Executive Director and / or CEO.

If necessary, there is final referral to the Corporation Board, where the matter ends subject to the application of an external conciliation process.

Responsibility for investigating allegations made by a 'whistleblower' should normally reside outside the senior management structure of the Institution, whilst allowing for direct access to the Corporation Board. The Grievance Procedure, with its different focus, does not provide this direct contact, hence the need for specific Whistle blowing Procedures.

### **Whistle blowing Procedures**

These procedures are summarised in Appendix 3.

Throughout these procedures efforts will be made to protect your anonymity, in so far as this is possible. There may be circumstances in which your identity becomes generally known, e.g. as a result of the activities of journalists. If you do not wish to remain anonymous then you should indicate this at the time of raising the matter. All correspondence will be to your home address or other contact address chosen by yourself.

1. If you reasonably believe that a wrong-doing has been, is being or is likely to be committed within the Institution, including any criminal offence, a failure to comply with legal obligations, a miscarriage of justice, a health and safety danger, an environmental risk or a concealment of any of these matters, then you should report this wrong-doing to the Director, Governance and Information. In exceptional circumstances, for example, where the wrong-doing involves the Director, Governance and Information, you should contact the Corporation Board Chair directly.
2. You can talk to the Director, Governance and Information about your concerns – you do not need to put anything in writing at this stage. The Director, Governance and Information will record the details of your concerns.
3. The Director, Governance and Information will be able to advise you as to whether your concerns come within the scope of these procedures or whether they should be dealt with under the Grŵp's Grievance Procedures. If the latter is the case, the Director, Governance and Information will advise you on how to proceed.
  - 3.1 Within five working days of your initial meeting with the Director, Governance and Information, you will receive a copy of the record of the meeting. Where the concern involves a member of Tîm Polisi, such as the CEO or an Executive Director, a copy of the record will be forwarded to the Chair of the Corporation Board. In all other instances the record will be copied to the CEO and appropriate Principal.
4. If your concerns come within the scope of these procedures, the Director, Governance and Information will carry out an initial investigation. You will receive a report on the outcomes of this investigation, normally within twenty working days. Where the concern involves a member of the Tim Polisi, such as the CEO or Principals, a copy of the report will be forwarded to the Chair of the Corporation Board. In all other instances the report will be copied to the relevant Principal.
5. The possible outcomes to this initial investigation are:
  - 5.1 For issues involving a member of Tîm Polisi such as the CEO or a Principal:
    - 5.1.1 The issue is resolved/explained to the satisfaction of yourself, the Director, Governance and Information and the Chair of the Corporation Board and the case is closed.

- 5.1.2 The Director, Governance and Information and the Chair of the Corporation Board are satisfied that the issue is resolved/explained but you are not. In this case you may follow the procedures set out 6 below.
  - 5.1.3 The Director, Governance and Information instigates a full investigation
- 5.2 For all other issues:
  - 5.2.1 The issue is resolved/explained to the satisfaction of yourself, the Director, Governance and Information and the Principal and the case is closed.
  - 5.2.2 The Director, Governance and Information and the Principal are satisfied that the issue is resolved/explained but you are not. In this case the Director, Governance and Information will arrange for you to present your concerns to the Chair of the Corporation Board.
  - 5.2.3 The Director, Governance and Information instigates a full investigation.
6. In the case of 5.1.2 and 5.2.2 the Chair of the Corporation Board would also receive a copy of the report on the initial investigation carried out by the Director, Governance and Information. The outcome of the meeting between you and the Chair to the Corporation will be one of the following:-
  - 6.1 The Chair agrees with the findings of the Director, Governance and Information and you are satisfied with the Chair's findings. In this case, the file will be closed.
  - 6.2 If you are still not satisfied, you may follow the procedures set out in 9 below.
  - 6.3 The Chair is not satisfied with the findings of the initial investigation and instigates a full investigation following the procedures set out in 8 and 9 below.
7. In the case of 6.3, one or more of the following bodies will carry out a full investigation:-
  - The Police
  - The Audit Committee
  - Internal Auditors
  - The Safety, Health and Environment Committee
  - Others as deemed appropriate
8. With the exception of the Police, those carrying out the full investigation will report directly to the Corporation Board who will then decide on appropriate action. You will receive details of the reports to the Corporation Board at the same time as they are circulated to the Board members. In the event that the full investigation is carried out by the Police, the Corporation Board will seek to obtain details of their findings, and will publish these in a report to the Corporation Board, details of which will be forwarded to you at the same time. You will receive details of any action to be taken by the Board, within five working days of the relevant meeting of the Board.

External bodies will, of course, take action as they deem appropriate.
9. If, after the Board has reported and specified the action it is to take, you are not satisfied that your concerns have been dealt with effectively, then you can report them to the National Assembly or DfES or, if you believe that a criminal offence has been committed, the Police. There may be other

appropriate persons to whom your concerns should be reported, for example in a matter concerning Health & Safety, the Health & Safety Executive. The Director, Governance and Information will be able to advise you on how to report your concerns and who the appropriate person would be to make the report to.

10. These procedures have been drawn up to ensure your concerns will be fully investigated and appropriate action taken. Any concerns that you have about wrongdoing at the Institution should therefore be raised by using the above procedures, unless there are exceptional reasons which would merit you bypassing this.

## **MONITORING AND IMPACT MEASUREMENT:**

The Grûp is committed to creating a climate of openness, where concerns which are reasonably believed in good faith, can be raised through the proper channels without any fear of victimisation or reprisal. However, if it becomes clear that the procedure has not been invoked in good faith, for example for malicious reasons or to pursue a personal grudge against another person, or where false accusations are made, this will be viewed as serious misconduct in the case of a member of staff and will be dealt with accordingly under the Grûp's Disciplinary procedures. In the case of an ex-employee or external person, malicious or false accusations could result in legal action by the organisation or any individual named.

Where a reasonably believed bona-fide concern is raised under this procedure, the Grûp undertakes that the person raising that concern will not be subjected to any detriment. In the event that any person within the Grûp, as a result of their decision to invoke this procedure, subjects the person to a detriment they should inform the Director, Governance and Information of this immediately and any appropriate action will be taken to protect them. In so far as the person raising the concern is a worker of the Grûp, they will be protected by the provisions of the Public Interest Disclosure Act 1998, provided that the subject matter of the disclosure and the manner in which it is made, is of a type which qualifies for protection under that Act.

**1 GENERAL**

Educational Partners. These include situations where:

- a member of staff persistently departs from the established procedures contained in any of the Grŵp policies or procedures;
- a member of staff is required to act in a way which:
  - \* is illegal, improper or unethical, or commits a criminal offence;
  - \* is in breach of constitutional convention or a relevant professional code;
  - \* is inconsistent with the Grŵp's policies and procedures;
- there is a failure to respond to an identified, serious threat to health and safety;
- there is an offer or acceptance of any inducement or bribe intended to influence a decision, policy, plan or purchasing arrangement;
- a miscarriage of justice has occurred.
- information tending to show any of the above matters has been deliberately concealed;

**2 STAFF – STUDENT**

These include situations where:

- a member of staff assists a student to gain prior knowledge of external or internal examinations:
  - \* by making the contents known to students, or
  - \* by making opportunities for students to discover prior knowledge, or
  - \* by letting students take advantage of an unforeseen opportunity to discover that prior knowledge;
- a member of staff solicits or accepts the offer of sexual favours or other inducement from a student in return for the award of higher results or grades in coursework, assignments, and examinations to the student. (See Consensual Relations Policy).

### **3 STAFF - EMPLOYER**

These include situations where:

- a member of staff takes advantage of their position and/or access to information in order to enable themselves to compete with the employer for clients or to compete in the future with the employer for clients;
- a member of staff gains a secret profit from:
  - \* performance of services for which remuneration, fees, emoluments, salary, wages or other payment has already been made by the employer;
  - \* the securing of a contract of any kind on behalf of the Grŵp, whether securing of contracts is part of the member of staff's normal duties or not;
  - \* the submission of false invoices, orders, bills and the like, either to the Grŵp's own finance department or an external supplier of goods or services;
- a member of staff persistently, without permission, uses Grŵp property for their own private concerns;
- a member of staff, by any means, threatens or appears to threaten the independence of a governor or governors.

### **4 EMPLOYER – STAFF**

These include situations where:

- a member of staff, with line management responsibility, persistently overlooks or fails to deal appropriately with breaches of Grŵp procedures, policies and/or code of ethics by other members of staff;
- a member of staff with line management responsibility or timetabling responsibility persistently, without justification, adopts a pattern of conduct towards another member of staff, where that pattern departs from existing Grŵp procedures, policies or schemes with respect to any of the matters contained in the following non-exhaustive list:
  - \* arranging for staff training or development or for particular staff training or development;
  - \* reducing allocated workloads;





- \* the allocation to or away from particular duties selected by the member of staff;
- \* the provision of resources and other similar matters.
- a member of the Grŵp management team, at any level, persistently fails to adequately respond to legitimate concerns raised by employees in good faith by failing to adhere to the procedures laid down in the Grŵp Grievance Procedures

**Appendix 2**

Personnel are directed to comply with the current Code of Conduct for Grŵp Llandrillo Menai Staff, which is available on the Grŵp Portal at [www.gp.gllm.ac.uk/policies](http://www.gp.gllm.ac.uk/policies).

Complainant

Oral report

Director, Governance and Information

Written report

To grievance procedures

Initial investigation

Report

Chief Executive Officer  
Or  
Board Chair

Chief Executive Officer  
Or  
Board Chair

**WHISTLEBLOWING  
PROCEDURES  
FLOWCHART**

Issue resolved

Complainant not in agreement

All parties in agreement

Board Chair hears complaint

Case closed

Report

Issue not resolved

Full investigation

Issue resolved?

Reports from investigating bodies

All agreed

Corporation Board

Complainant not in agreement

Case closed

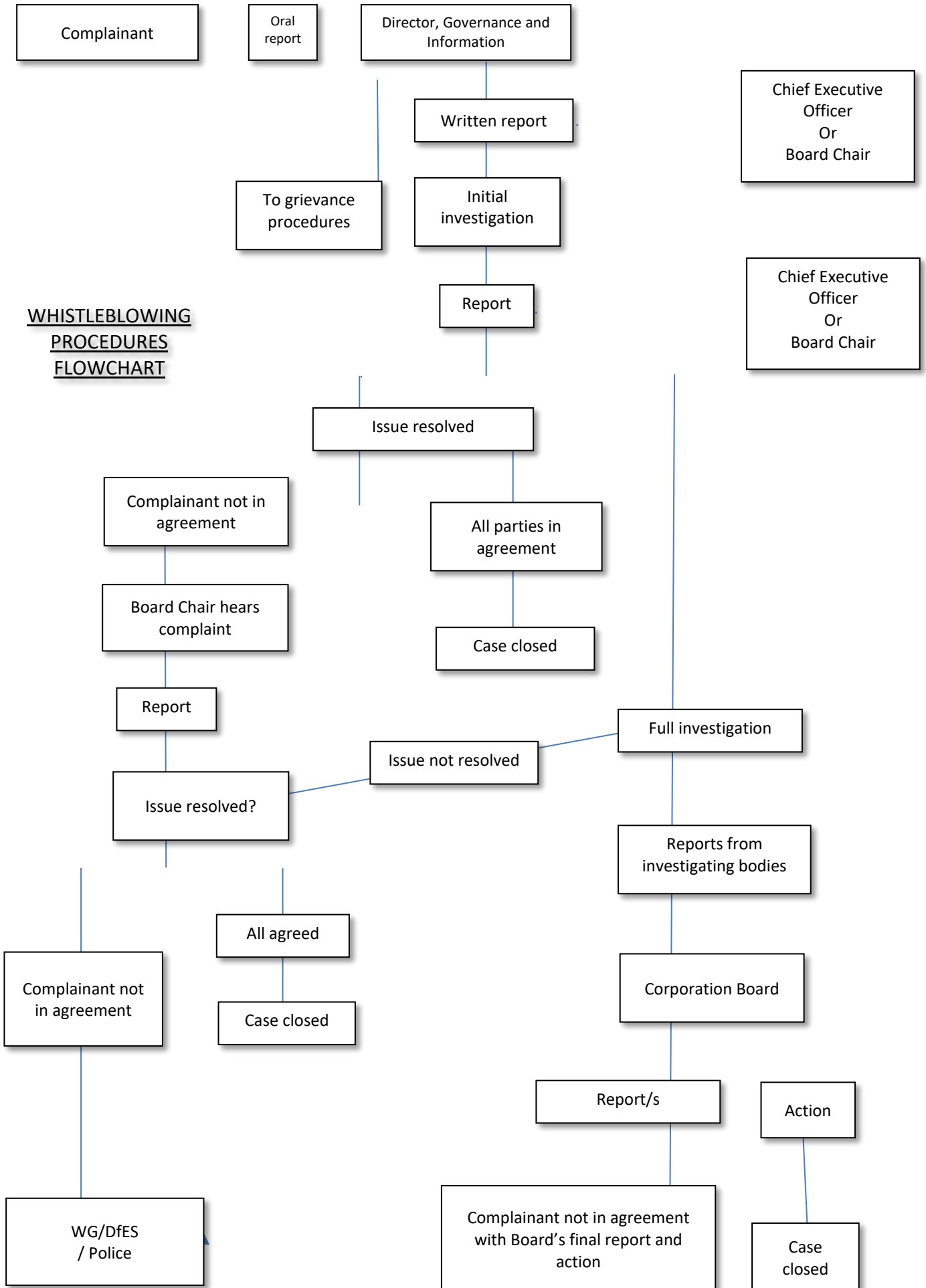
Report/s

Action

WG/DfES  
/ Police

Complainant not in agreement with Board's final report and action

Case closed



**(Whistleblowing Procedures - Section 1)**

**All issues with the exception of those directly involving the Governance Officer should be directed to:**

- (a) Director, Governance and Information  
Grŵp Llandrillo Menai  
Llandudno Road  
Rhos-on-Sea  
Colwyn Bay  
LL28 4HZ.

Telephone No: Direct Line 07936 930569

**Where an issue directly involves the Director, Governance and Information please contact (marking all correspondence as confidential):**

- (b) The Chair  
Grŵp Llandrillo Menai  
Llandudno Road  
Rhos-on-Sea  
Colwyn Bay  
LL28 4HZ

Equality Impact Assessment			
<b>Assessment completed by:</b>	Angharad Roberts/ Siân Pritchard	<b>Dated:</b>	22.10.2024
<b>Assessment approved by:</b>	Equality Panel	<b>Dated:</b>	
Consideration	Response	Special requirements / controls	
Which protected groups might be disadvantaged by the policy/process?	It is not anticipated that any protected groups will be disadvantaged by this policy as the policy aims to create a culture of openness.	<p>Consideration should be given to any support that may be appropriate for whistleblowers. For example, if a whistleblower does not speak Welsh or English as their first language, cultural considerations include the opportunity for whistleblowers to bring a colleague or another appropriate person when meeting with investigators and communication needs for individuals who are neurodiverse or have an ALN.</p> <p>Consider addition to the policy of the following statement:</p> <p><i>In implementing this policy, managers must ensure that all staff are treated fairly and within the provisions and spirit of the organisation's Equality and Diversity Policy. Special attention should be paid to ensuring the policy is understood where there may be barriers to understanding caused by the individual's circumstances, where the individual's literacy or use of English is weak, or where the individual has little experience of working life.</i></p>	
Which protected groups might benefit from the policy/process?	<p>This policy provides an internal mechanism for reporting, investigating, and remedying any workplace wrongdoing.</p> <p>The policy should therefore have a positive impact on all employees with protected characteristics. Whistleblowing is governed by law, therefore the Grŵp has a legal requirement to ensure this policy is available to all workers.</p> <p>Grŵp data shows that there is significant majority of women in the workforce compared to males.</p>	<p>When implementing the policy controls should include provisions for support services or referral to external support services, such as counselling or legal advice, particularly for groups who may face additional barriers.</p> <p>The policy should include mechanisms to track the demographics of whistleblowers.</p>	

	<p>This could suggest that there may be more women who raise concerns than males. However, the Grŵp currently has insignificant data on whistleblowing by Sex. Across all Grŵp staff there is a very small sample size of staff who have utilised this policy. There is insignificant data to suggest employees protected under the Sex protected characteristic have specific issues in accessing or utilising the policy.</p> <p>We understand that some groups may find the process of whistleblowing challenging. We believe the policy, being governed by law and protecting the individual from reprisal could alleviate some concerns.</p> <p>Neutral equality related impact is recorded for this area.</p>	
Does the policy advance equality and foster good relations?	Yes, by fostering a spirit of openness and justice for perceived wrongdoing.	
Could any part of the process discriminate unlawfully?	Not if the policy is fully adhered to	
Are there any other policies that need to change to support the effectiveness of this one?	The Grŵp Disciplinary and Grievance Policy should be followed where Whistleblowing procedures are not appropriate.	
<b>Conclusion</b>	Implement controls and continue the policy or procedure	

<b>Llofnod:</b>	Angharad Roberts	<b>Dyddiad:</b>	22.10.2024
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Welsh Language Impact Assessment			
<b>Assessment completed by:</b>	Siân Pritchard / Angharad Roberts	<b>Dated:</b>	22.10.2024
<b>Assessment approved by:</b>	Panel Iaith	<b>Dated:</b>	
<b>Consideration</b>	<b>Response</b>	<b>Special requirements / controls</b>	
What positive effects will the implementation of the policy or procedure have on the use of Welsh language?	<p>It is not anticipated that the policy will have any impact on the use of Welsh.</p> <p>This policy will provide staff and others associated with the Institution the opportunity to raise genuine concerns, which are reasonably believed in good faith, should they arise. The policy makes it clear to staff and others that whistleblowing in Welsh is welcome and the response will be in the whistleblower's language of choice.</p>		
What negative effects will the implementation of the policy or procedure have on the use of Welsh language?	It is not anticipated that the policy will have any negative effect on the use of Welsh.		
<p>Are there sufficient Welsh speaking staff available to implement the policy or procedure?</p> <p>If not, what steps will be taken to ensure that sufficient staff are available, and by when?</p>	There are sufficient Welsh speaking staff within the Grŵp to support the implementation of this policy through the medium of Welsh where required/needed. In addition, the Grŵp's translation team are available to provide written and simultaneous translation into Welsh should this be needed.		
Does the policy or procedure comply with Grŵp Llandrillo Menai Welsh Language Scheme / Language Strategy?	Yes		
<b>Conclusion</b>	Continue the policy or procedure		

<b>Llofnod:</b>	Angharad Roberts	<b>Dyddiad:</b>	22.10.2024
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