



# Whistleblowing Policy

|                            |                                  |
|----------------------------|----------------------------------|
| <b>Version</b>             | 5                                |
| <b>Date</b>                | August 2020                      |
| <b>Reason for review</b>   | Annual policy review             |
| <b>Changes</b>             | Email address to access policies |
| <b>Reviewed by</b>         | M Lovell - Responsible Officer   |
| <b>Ratified by</b>         | J Small – Head of Qualifications |
| <b>Date of next review</b> | August 2021                      |

RoSPA Qualifications aims to establish and maintain a culture of openness and transparency, and encourage our staff, centres and learners to raise issues which concern them, relating to the delivery of our qualifications and services.

If we are made aware of incidences of malpractice and maladministration, we will be able to take the necessary steps to safeguard the interests of our staff, centres and learners. So, if you come across anything of concern, please do not hesitate to get in touch with us and 'speak up' or 'blow the whistle'.

However, we recognise that you may worry that, by reporting such issues, you may be subject to adverse consequences. Therefore, this policy provides you with information about the Public Interest Disclosure Act, as well as our whistleblowing process. It also explains the different ways that whistle-blowers are protected.

## Centre's responsibility

It is important that your staff and learners are fully aware of this policy and its contents as well as our Malpractice and Maladministration Policy, which is available from the online Quality Management System (QMS) or at <https://www.rospa.com/Qualifications/Policies.aspx>

We also encourage centres to have a culture of transparency and openness where staff can freely raise concerns about activities and practices without the risk of adverse consequences to their employment or career.

## What is whistleblowing?

Whistleblowing is when an individual reports suspected malpractice or wrongdoing at work, or the covering up of malpractice or wrongdoing. Officially this is called "making a disclosure in the public interest".

The malpractice or wrongdoing may be committed by the individual's employer, or a learner's centre, although this is not necessarily always the case.

Whistleblowing is different from both complaints and employment disputes.

- Complaints tend to be an expression of personal dissatisfaction with a product or service received or encountered, and should be taken forward with the arrangements outlined in our Complaints Policy, which is available from the QMS or at <https://www.rospa.com/Qualifications/Policies.aspx>
- Employment disputes tend to be where a worker has a dispute about his or her own employment position or contract. If you are experiencing such a dispute you should take this up with your employer or another responsible body. We cannot investigate or take any action in such instances.

## Whistleblowing Policy

Individuals can raise a concern with us under the arrangements outlined in this policy, if they have a reasonable belief that malpractice or a wrongdoing is occurring, or is likely to occur, relating to one or more of the following categories, as set out in the Public Interest Disclosure Act 1998 (PIDA):

- A criminal act (e.g. the unauthorised use of public funds or possible fraud and corruption).
- A failure to comply with a legal obligation the individual or organisation may be subject to a miscarriage of justice.
- The endangerment of an individual's health and safety.
- Damage to the environment.
- The deliberate concealment of information about any of the above.

In addition, an individual raising an allegation under these whistleblowing arrangements should have a reasonable belief that the disclosure is in the public interest.

The Public Interest Disclosure Act also gives protection to whistle-blowers for disclosures to a number of different people including, employers, and legal advisers, Ministers of the Crown and to a number of prescribed regulators for specific purposes. Ofqual, our qualifications regulator in England, are a prescribed regulator for:

- Matters relating to the development, delivery and award of regulated qualifications.
- Matters relating to National Curriculum assessment arrangements.
- Matters relating to Early Years Foundation Stage assessment arrangements.
- Other matters likely to be of relevance or interest to their role as the regulator of qualifications, examinations and assessments in England and of vocational qualifications in Northern Ireland.

Ofqual has a public Whistleblowing Policy and in this they state that, if an individual who works for a centre which is delivering regulated qualifications, wishes to make a whistleblowing disclosure to someone outside of their organisation, they should normally consider making the disclosure to the relevant awarding organisation that has approved their centre to deliver the qualification, such as RoSPA Qualifications.

You may also decide to contact the qualifications regulator directly, but they will normally ask the relevant awarding organisation to investigate and report the disclosure.

We hope the clarification provided by this policy, gives you the reassurance you need to raise your concern with us. However, we recognise that in some situations you may still wish to report a concern directly to the appropriate regulator. In England, the qualifications regulator, Ofqual, can be contacted at <http://ofqual.gov.uk/complaints-and-appeals/whistleblowing/>.

Examples of whistleblowing disclosures that could be made to us might include:

- A member of staff at a centre making a disclosure about actual or possible malpractice at the centre, or failure to comply with the terms of our Centre Recognition Agreement (see our Malpractice and Maladministration Policy for examples).
- Possible malpractice by a member of RoSPA.
- A learner, or parent or guardian, making a disclosure about possible malpractice at one of our centres.



## Whistleblowing Policy

If you are uncertain as to how best to proceed, you can speak in confidence to a member of the RoSPA Qualifications team, using the contact details provided at the end of this document, or Public Concern at Work (see next section).

## Seeking independent advice

This policy sets out our whistleblowing arrangements which are aligned with the Public Interest Disclosure Act 1998 (PIDA).

This legislation protects workers who make a protected disclosure of information, concerning certain types of matters relating to their employment, from being dismissed or penalised by their employers as a result of the disclosure.

The act also has the effect of making confidentiality clauses unenforceable where a protected disclosure is made.

It is recommended that you take advice before making a whistleblowing allegation, to ascertain your rights under the act. For independent advice at any stage about your rights and protection, we recommend that you contact Public Concern at Work at [www.pcaaw.co.uk](http://www.pcaaw.co.uk), they are a registered charity and the independent authority on public interest whistleblowing.

## How to whistle blow

To raise an allegation under these whistleblowing arrangements, please contact RoSPA Qualifications using the contact details provided at the end of this document.

When making an allegation, it is helpful to provide as much information and supporting evidence as possible to inform any subsequent investigation.

However, please note that it is not essential to provide detailed evidence before making an allegation under this policy. We simply ask that you explain, as fully as you can, the nature of the allegation or circumstances that led to your concern.

## Protecting your identity

While it is always preferable to provide us with your contact details, we appreciate that sometimes a person making an allegation may wish to remain anonymous. If you are concerned about possible adverse consequences, please inform us that you do not wish your identity to be divulged and we will try to ensure your details are not disclosed.

## Whistleblowing Policy

When asked to do so, we will always aim to keep a whistle-blower's identity concealed however, we cannot always guarantee this as we may be required by law to disclose your identity to:

- The police, fraud prevention agencies, or other law enforcement agencies, to investigate or prevent crime, including fraud.
  - The courts, in connection with related court proceedings.
- OR
- Other third parties where we consider it necessary to do so, such as the qualifications regulator.

The investigator assigned to explore the allegation will not reveal your identity unless you agree, or it is absolutely necessary for the purposes of the investigation. The investigator will advise you if it becomes necessary to reveal your identity against your wishes.

A whistle-blower should also be aware that they may be identifiable to others due to the nature or circumstances of the disclosure. For example, the party about which the allegation is being made may be able to deduce the potential sources of the disclosure.

## What we will do upon receiving a whistleblowing allegation

Once a concern has been raised, we have a duty to pursue the matter. It will not be possible to prevent an investigation by subsequently withdrawing the concern, as we are obliged by the qualifications regulator to follow-up and investigate all allegations of malpractice or maladministration.

Depending upon the nature of the concern, we will appoint someone to investigate the allegation who has the appropriate level of training and competence and who has no previous involvement or personal interest in the matter.

The investigator will contact, or request to meet, the person who raised the concern (the whistle-blower) as soon as possible, to ascertain the details of their allegation. If the whistle-blower does not wish to make a written statement, the investigator will write a brief summary of the allegation and the whistle-blower will be asked to verify this. A work colleague, trade union representative or another individual (e.g. friend or independent witness), may accompany the whistle-blower to this and any subsequent meetings.

The investigator will then conduct an investigation to establish the facts in accordance with our Malpractice and Maladministration Policy, which is available from the QMS or at

<https://www.rospace.com/Qualifications/Policies.aspx>

In all cases, we will keep the whistle-blower updated on the progression of the allegation and any related investigation. The whistle-blower will also have the opportunity to raise any concerns with the investigator about the way the investigation is being conducted. However, for confidentiality and legal reasons we will not disclose full details of the investigation activities or the outcomes of the investigation and any actions taken against any affected parties. While we understand that the amount of detail we are able to disclose may not be as much as the whistle-blower might wish, they should be assured that we will always strive to handle the matter fairly and properly.

## Outcomes of an investigation

If the investigation results in a proven case of malpractice or maladministration, we will take action against the relevant parties in accordance with the arrangements in our Malpractice and Maladministration Policy.

If the allegation is not proven by the investigation, provided the whistle-blower did not deliberately raise an allegation which they knew to be untrue, no action will be taken against them by RoSPA Qualifications. If the allegation was due to a genuine misunderstanding, it is expected that the individual who was the subject of the investigation should bear no malice or ill feeling towards their accuser, and that colleagues should not mistreat a whistle-blower.

If, however, the investigation concludes that the whistle-blower raised an allegation which they knew to be untrue, disciplinary action may be taken against them by their employer.

## Review arrangements

We will review and update this policy annually and revise it on an ad hoc basis, in response to customer and learner feedback, observations from our monitoring data, changes in our practices, current best practice, guidance from the qualifications regulator or external agencies, or changes in relevant legislation.

If you would like to feed back any views or opinions or have a query about any aspect of this policy, please contact us using the details below.

## Contact us

Telephone RoSPA Qualifications on 0121 248 2115

Email us at [enquiries@rospaqualifications.com](mailto:enquiries@rospaqualifications.com)

Or write to us at:

RoSPA Qualifications  
RoSPA House  
28 Calthorpe Road  
Birmingham  
B15 1RP



---

**RoSPA Qualifications**

28 Calthorpe Road  
Birmingham  
B15 1RP

**t** +44 (0)121 248 2000

**e** [enquiries@rospaqualifications.com](mailto:enquiries@rospaqualifications.com)

**[www.rospa.com/qualifications](http://www.rospa.com/qualifications)**

An Ofqual-recognised Awarding Body. Ofqual recognition number RN5362

RoSPA Qualifications is wholly owned by RoSPA

Registered Charity No. 207823

VAT Registration No. 655 131649