



BASIS Registration Ltd

BASIS REGISTRATION Ltd WHISTLEBLOWING POLICY **(Public Interest Disclosure)**

1. INTRODUCTION

A Whistleblower is a person who tells the public or someone in authority about alleged dishonest or illegal activities occurring in a government department, a public or private organisation, or a company. The alleged misconduct may be classified in many ways; for example, a violation of a law, rule, regulation and/or a direct threat to public interest such as fraud, health/safety violations, and corruption. Whistleblowers may make their allegations internally (for example, to other people within the accused organisation) or externally (to regulators, law enforcement agencies, to the media or to groups concerned with the issues).

2. WHISTLEBLOWING LEGISLATION

The Public Interest Disclosure Act 1998 protects people who 'blow the whistle' about wrongdoing. It applies where a person has a reasonable belief that their disclosure tends to show one or more of the following offences or breaches as a criminal offence;

- the breach of a legal obligation;
- a miscarriage of justice;
- a danger to the health and safety of any individual;
- damage to the environment; or
- deliberate covering up of information tending to show any of the above.

Making a disclosure in the public interest (Whistleblowing) means that if you believe there is wrongdoing in an organisation you can report this by following the correct processes, and your rights are protected.

If you decide to blow the whistle on an organisation you are protected and the organisation cannot victimise you (eg by not offering you the pass rate you deserve or other opportunities it would otherwise have offered). Whistleblowers are protected in the public interest, to encourage people to speak out if they find malpractice in an organisation or college. Malpractice could be improper, illegal or negligent behaviour by anyone in the teaching environment.

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3. POLICY STATEMENT

BASIS is committed to maintaining the highest levels of probity and behaviour amongst its members and associates, and takes very seriously any form of malpractice that is identified or uncovered. As an organisation, our values are to be fair, helpful and authoritative and we expect our associates to work in accordance with these values.

This whistleblowing policy sets out arrangements for BASIS candidates, members and associates to raise serious concerns about malpractice or serious wrongdoing in ways which will protect them from reprisal.

Those who have concerns are able to raise disclosures about wrongdoing under this policy, so that problems can be identified and resolved quickly. Where a concern is raised in good faith and reasonably believed to be true, they will be protected from possible reprisals or victimisation. If an individual raises a genuine concern under this policy, they will not be at risk of losing their job or suffering any form of retribution as a result. Provided they are acting in good faith, it does not matter if they are mistaken.

However, in making a disclosure the individual should take care to ensure the accuracy of the information. This assurance cannot be extended to someone who it can be shown, has raised matters which are untrue. Employees should give this careful consideration and take advice prior to making a complaint. If it can be shown that the individual who raises the disclosure has done so vexatiously, mischievously, maliciously or for personal gain, disciplinary action may be taken.

This policy and procedure provides a mechanism for individuals to raise serious concerns about wrongdoing and get feedback on any action taken as a result. BASIS candidates, members and associates are encouraged to feel confident in raising such concerns.

This policy aims to:

- Encourage individuals to feel confident in raising serious concerns and to question and act upon concerns about mal practice.
- Provide avenues for individuals to raise those concerns and receive feedback on any action taken.
- Ensure individuals receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied.
- Reassure them that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.



The whistleblowing policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other colleagues
- Damage to the environment
- The unauthorised use of public funds
- Possible fraud or corruption
- Sexual or physical abuse, or other unethical conduct

4. SAFEGUARDS

BASIS is committed to good practice and high standards and wants to be supportive of its, candidates, members and associates.

We recognise that the decision to report a concern can be a difficult one to make. If what they are saying is true, they should have nothing to fear because they will be doing their duty to BASIS, colleagues, and those for whom they are providing a service.

BASIS will not tolerate any harassment or victimisation and will take appropriate action to protect individuals when they raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect them.

5. CONFIDENTIALITY

All concerns will be treated in confidence and every effort will be made not to reveal the individuals identity if they so wish. At the appropriate time, however, they may need to come forward as a witness.

6. ANONYMOUS ALLEGATIONS

This policy encourages individuals to put their name to their allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of BASIS.



In exercising this discretion the factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

7. UNTRUE ALLEGATIONS

If individuals make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, they make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

8. HOW TO RAISE A CONCERN

Concerns should be raised with Stephen Jacob, Chief Executive Officer BASIS Registration Ltd, St Monica's House, 39 Windmill Lane, Ashbourne, Derbyshire, DE6 1EY. stephen@basis-reg.co.uk, tel: 01335 301204.

Concerns may be raised verbally or in writing. Individuals who wish to make a written report are invited to use the following format:

- The background and history of the concern (giving dates)
- The reason why you are particularly concerned about the situation.
- The earlier you express the concern the easier it is to take action.

Although they are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

Individuals may invite their trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns they have raised.

9. HOW BASIS WILL RESPOND

BASIS will respond to individuals concerns. In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquires will be made to decide whether an investigation is appropriate and, if so, what form it should take.



Where appropriate, the matters raised may:

- Be investigated by management and internal audit
- Be referred to the police
- Be referred to the Board
- Form the subject of an independent inquiry

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within ten working days of a concern being raised, Stephen Jacob will write to the individual:

- Acknowledging that the concern has been received
- Indicating how we propose to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Telling them whether any initial enquiries have been made
- Supplying them with information on staff support mechanisms, and
- Telling you whether further investigations will take place and if not, why not.

BASIS will take steps to minimise any difficulties which individuals may experience as a result of raising a concern.

BASIS accepts that individuals need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, BASIS will inform individuals of the outcome of any investigation.