

CCEA

WHISTLEBLOWING ARRANGEMENTS

Introduction

All of us at one time or another may have concerns about what is happening at work. However, when it is about unlawful conduct, a possible fraud or a danger to the public or the environment, or other serious malpractice, it can be difficult to know what to do.

You may be worried about raising such a concern and may think it best to keep it to yourself, perhaps feeling it is none of your business or that it is only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

The purpose of these arrangements is to reassure you that it is safe and acceptable to speak up. They also enable you to raise your concern about such malpractice at an early stage and in the right way. Rather than wait for proof, we would prefer you to raise the matter when it is still a concern.

If something is troubling you of which you think we should know about or look into, please let us know.

We have implemented these whistleblowing arrangements for you to raise any concern where the interests of others, including candidates or the organisation itself are at risk.

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If your concern is about possible fraud, you may also wish to refer to our Counter-Fraud Policy and Fraud Response Plan which can be found on CCEA's intranet at About CCEA/General polices/Counter-fraud policy or Fraud Response Plan or on CCEA's internet site: www.ccea.org.uk/AboutUs/Fraud/Counter-fraud policy. A hard copy can also be obtained from Marisa Getgood, Business Assurance Manager at 02890 261407.

If in doubt, raise it!

Our Assurances to you

Your safety

We are committed to making whistleblowing work. If you raise a genuine concern under these arrangements, you will not be at risk of losing your job or suffering any form of retribution as a result. Provided you are acting in good faith, it does not matter if you are mistaken. Of course, this assurance does not extend to someone who maliciously raises a matter they know to be untrue.

Confidentiality

We will not tolerate the harassment or victimisation of anyone who raises a genuine concern either within CCEA or a centre. With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone in confidence first. If this is the case, please say so at the outset. If you ask us not to disclose your identity, we will not do so without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such cases, we will discuss with you whether and how the matter can best proceed.

Anonymity

Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter, to protect your position, or to give you feedback. Accordingly, while we will consider anonymous reports, these arrangements are not well suited to deal with concerns raised anonymously.

If you are unsure about raising a concern you can get independent advice from Public Concern at Work on 020 7404 6609 or by email at helpline@pcaw.co.uk.

How to raise a concern within CCEA

Please remember that you do not need to have firm evidence of malpractice before raising a concern. However we do ask that you explain as fully as you can the information or circumstances that gave rise to your concern.

Step One

If you have a concern about malpractice, we hope you will feel able to raise it first with your line manager or with their immediate manager. This can be done orally or in writing.

Step Two

If, for whatever reason, you feel that raising it with your line manager or their immediate manager is not appropriate or it has not worked, you can raise the matter with one of the following:

Director of Corporate Services: Martin Quinn at 02890 261454 or by e-mail at mequinn@ccea.org.uk

Business Assurance Manager (Quality and Risk Management): Marisa Getgood
at 02890 261407 or by e-mail at mgetgood@ccea.org.uk

If you want to raise the matter in confidence, please say so at the outset so that appropriate arrangements can be made.

Step Three

If these channels have been followed and you believe there is an ongoing risk, or you feel the matter is so serious that you cannot discuss it with any of the above, you can raise your concern directly with:

The designated Council member: Mr Jim Collins, 31 Waterloo Park, Antrim Road, Belfast. BT15 5HU. Telephone number 02890370136 or e-mail: James.collins15@ntlworld.com

How we will handle the matter

Once you have told us of your concern, we will look into it to assess initially what action should be taken. This may involve an informal review, an internal inquiry or a more formal investigation. Where it is decided that a formal investigation is necessary the overall responsibility for the investigation will lie with a nominated "investigation officer." In any event, we will tell you within 7 working days who is dealing with the matter, how you can contact him or her, and whether your further assistance may be needed. If you request, we will write to you summarising your concern and setting out how we propose to handle it.

When you raise the concern you may be asked how you think the matter might best be resolved. If you do have any personal interest in the matter, we do ask that you tell us at the outset. If your concern falls more properly within the Grievance Procedure we will tell you.

We will give you as much feedback as we properly can, and if requested, we will confirm it in writing. However, we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.

Cases of Malpractice

Although whistleblowing is more generally applicable to the employees of an organisation, CCEA are responsible for the regulation of qualifications in Northern Ireland and are, as an awarding body, responsible for ensuring the conduct of its examinations in accordance with the Code of Practice.

Consequently any external party who raises concerns with CCEA about Examination Malpractice can do so under CCEA's whistleblowing policy where the principles of safety, confidentiality and anonymity are enshrined.

You need to have some evidence of malpractice before raising a concern and we would ask that you explain as fully as you can the information or circumstances that gave rise to your concern. This should be done in writing.

Action will be taken in line with the steps set out in this policy and the JQC publication '*Suspected Malpractice in Examinations and Assessments*'

You can raise your concern with:

Business Assurance Manager (Quality and Performance Management):

Heather Clarke at 02890261244 or by email at hclarke@ccea.org.uk

Independent advice

If you are unsure whether or how to raise a concern or you want confidential advice at any stage, you may contact your union. You may also contact the independent charity Public Concern at Work on 020 7404 6609 or by email at helpline@pcaw.co.uk. Their lawyers can talk you through your options and help you raise a concern about malpractice at work. For more information, you can visit their website at www.pcaw.co.uk.

External disclosures

While we hope we have given you the reassurance you need to raise your concern internally with us, we recognise that there may be circumstances where you can properly report a concern to an outside body. In fact, we would rather you raise a matter with the appropriate regulator – such as the Northern Ireland Audit Office or the Health and Safety Executive of Northern Ireland - than not at all. Public Concern at Work (or your union) will be able to advise you on such an option and on the circumstances in which you may be able to contact an outside body safely. Other external bodies who you may wish to contact in appropriate circumstances include the Department of Education, The Equality Commission and the Complaints Commission.

Conclusion

While we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and properly. By using these whistleblowing arrangements you will help us to achieve this.

Please note, this document has been developed to meet best practice and comply with the Public Interest Disclosure (NI) Order 1998 (PIDO) which provides employment protection for whistleblowing.

Frequently Asked Questions and Exemplars

Why is whistle blowing necessary?

Every organisation faces the risk that something will go seriously wrong. Whenever such a risk arises, the first people to know about it will usually be those who work in or with the organisation. Yet while employees are the people best placed to raise the concern and so enable the risk to be removed or reduced, they are also the people who have the most to lose if they do.

It is vital for effective risk management that employees are confident that they can raise their concerns with their employer without suffering any detriment. Without this confidence, employees may stay silent where there is a threat, even a grave one, to the employer or its stakeholders. Such silence denies organisations a fail-safe opportunity to deal with a serious problem before it causes real damage. The cost of such a missed opportunity can be huge - fines, compensation, higher insurance premiums, damaged reputation, regulatory investigation, lost jobs, and even lost lives.

A positive whistleblowing culture has numerous advantages. It:

- detects and deters wrongdoing;
- provides managers with the information they need to make decisions and control risk;
- demonstrates to stakeholders and regulators that we are serious about good governance;
- reduces the chance of anonymous or malicious leaks (including to the media); and
- reduces the chance of legal claims against our organisation.

What is whistleblowing?

Whistleblowing occurs when someone raises a concern about dangerous or illegal activity that they become aware of through their work. If it has a good policy and culture, the concern will be raised with the employer in the first instance. As the Committee on Standards in Public Life has explained:

“The essence of a whistleblowing system is that staff should be able to by-pass the direct management line if required because that may well be the area about

which their concerns arise. They should also be able to go outside the organisation if they feel the overall management is engaged in an improper course.”

Whistleblowing is an early warning system that can alert employers to such things as:

- an employee defrauding the organisation;
- faulty machinery/building infrastructure that puts the safety of employees or customers at risk;
- professional negligence;
- the taking of payments in exchange for awarding contracts;
- deliberate interference with results;
- examination malpractice;
- unethical practice; or
- deliberate breach of legislation.

What is the difference between blowing the whistle and making a complaint?

In practical terms, whistleblowing occurs when someone raises a concern about danger or illegality that affects others (e.g. customers, members of the public, or their employer). The person blowing the whistle is usually not directly, personally affected by the danger or illegality. Consequently, the whistleblower rarely has a personal interest in the outcome of any investigation into their concerns. As a result, the whistleblower should not be expected to prove their case; rather he or she raises the concern so others can address it.

This is different from a complaint. When someone complains, they are saying that they have personally been poorly treated. This poor treatment could involve a breach of their individual employment rights or bullying and the complainant is seeking redress or justice for themselves. The person making the complaint therefore has a vested interest in the outcome of the complaint and, for this reason, is expected to be able to prove their case.

On issues of personal complaints or grievances, please refer to CCEA's Grievance or Complaints Procedure rather than CCEA's Whistleblowing Policy.