

External Whistleblowing Policy and Procedures

November 2022

Contents

1. Introduction	3
1.1. Purpose of the policy	3
1.2. Scope of the policy	3
1.3. Regulatory authorities	3
1.3.1. Adverse effects.....	3
1.4. Definition of whistleblowing.....	4
1.5. Responsibilities	4
1.5.1. VTCT	4
1.5.2. Centres	4
1.6. Review arrangements	5
1.7. Confidentiality, anonymity and whistleblowing	5
2. Whistleblowing - process.....	6
2.1. Raising a concern with the centre.....	6
2.2. Raising a concern with VTCT	6
2.3. Actions upon receipt of a disclosure.....	6
2.4. Conclusion of investigation.....	6
2.5. External whistleblowing – flowchart.....	7
3. Appendix 1 – Whistleblowing report form	8

1. Introduction

1.1. Purpose of the policy

This policy provides a definition of external whistleblowing. It sets out VTCT's approach to whistleblowing and the procedures which should be followed when raising a concern with a centre or with VTCT.

This document should be read in conjunction with the following related policies and procedures:

- Malpractice and Maladministration Policy and Procedure;
- Plagiarism, Collusion and Cheating Policy Sanctions Policy;
- Adverse Effects Policy;
- Conflict of Interest Policy and Procedures.

This policy provides those wishing to make a disclosure about malpractice or other wrongdoing with a framework for doing so, in line with the Public Interest Disclosure Act 1998, which provides for protection of a person making a disclosure against dismissal or victimisation if the disclosure is made in good faith and believed to be true.

More information about the Act is available via this link: <https://www.gov.uk/government/publications/the-public-interest-disclosure-act>.

1.2. Scope of the policy

The External Whistleblowing Policy and Procedures apply to all VTCT qualifications. This policy is provided for the use of VTCT customers, being learners who are taking or have taken VTCT assessments (or their parent/guardian), and centre personnel with responsibilities for managing, administering, delivering, assessing and quality assuring qualifications in centres approved to offer VTCT qualifications.

This policy and procedures does NOT apply to:

- awarding organisation personnel or associates, for whom a separate, internal policy is available;
- complaints about VTCT qualifications or services, for which the Complaints Policy and Procedures should be used;
- appeals against assessment decisions, for which the Enquiries and Appeals Policy and Procedures should be used.

1.3. Regulatory authorities

In line with regulatory guidance, this policy sets out how whistleblowers should be treated by the centre and/or awarding organisation, ensuring that no individuals will be prejudiced by their actions.

1.3.1. Adverse effects

It is essential for VTCT to meet its obligations relating to notification of adverse effects to the regulators at all times. The awarding organisation will consider the implication of an allegation raised by a whistleblower in this context.

1.4. Definition of whistleblowing

Whistleblowing is a term used when an individual discloses information relating to malpractice, maladministration, wrongdoing, bad practice, corruption and/or the covering up of any of these. The malpractice or wrongdoing is often committed by the individual's employer, although this is not always necessarily the case.

A disclosure might be made relating to, for example:

- a criminal act such as fraud or bribery;
- a failure to comply with a condition of the Centre Agreement;
- action leading to illegal financial gain;
- observation of an irregularity in assessment not reported through the normal channels;
- failure to address health and safety issues.

1.5. Responsibilities

1.5.1. VTCT

VTCT will ensure that:

- it maintains high standards of ethical, moral and legal business conduct;
- it complies with relevant legislation at all times and stages;
- personnel are aware of, understand and receive training as appropriate about this policy and related procedures;
- personnel comply with this policy and procedures in addition to the Malpractice and Maladministration Policy and Procedures.

1.5.2. Centres

The centre is responsible for ensuring that:

- centre personnel involved in the administration, management, assessment and quality assurance of VTCT qualifications, and learners, are fully aware of the contents of this policy and have access to it;
- full cooperation is given to any investigation which is instigated following disclosure by a whistleblower, in line with its own and the awarding organisation's malpractice and maladministration policy and procedures and this external whistleblowing policy and procedure;
- the whistleblower is not subject to any prejudice as a result of making the disclosure;
- personnel dealing with and involved in a whistleblowing case comply with the relevant legislation at all stages.

1.6. Review arrangements

This policy is reviewed annually as part of VTCT's self-evaluation activity, which considers customer and regulatory feedback and good practice guidance, changes in VTCT's practices, actions from the regulators, changes in legislation, or trends identified from previous cases.

In addition, this policy may be updated following consideration of operational feedback to ensure VTCT's arrangements for dealing with suspected cases of malpractice and maladministration remain effective.

1.7. Confidentiality, anonymity and whistleblowing

VTCT:

- will maintain the confidentiality of information relating to all parties involved in the disclosure as far as possible (see 4th bullet point);
- is normally unable to accept and act upon anonymous allegations about a centre;
- may in some circumstances be prepared to investigate issues which are reported anonymously, after trying to confirm the allegation by means of a separate fact-finding exercise;
- will strive to keep a whistleblower's identity confidential where possible but may, for example, need to disclose their identity if the matter leads to issues that need to be taken up by other parties such as:
 - the police;
 - fraud prevention agencies or other law enforcement agencies;
 - the courts (regarding any court proceedings);
 - the regulators.

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous. A whistleblower who is concerned that possible adverse consequences may occur if their identity is revealed to another party should raise this with VTCT as soon as possible.

- The investigator(s) assigned to review the allegation will not reveal the whistleblower's identity unless the whistleblower agrees, or doing so is necessary for the purposes of the investigation.
- The investigator will advise the whistleblower if it becomes necessary to reveal their identity.
- A whistleblower may be identifiable by others due to the nature or circumstances of the disclosure (eg the party against whom the allegation is made may identify possible sources of disclosure without such details being disclosed to them).
- Once a concern has been raised, VTCT has a duty to pursue the matter. It will not be possible to prevent the matter being investigated by subsequently withdrawing a disclosure, as VTCT is obliged by the regulators to follow up and investigate all allegations of malpractice or maladministration.
- In all cases the whistleblower will have the opportunity to raise with the investigators any concerns about the way the investigation is being conducted. It should be noted that VTCT will not disclose details of all of the investigation activities, and it may not be appropriate to disclose full details of the outcomes of the investigation due to confidentiality.

2. Whistleblowing - process

2.1. Raising a concern with the centre

- A member of staff should raise their concern in the first instance through the centre's internal procedures.
- A learner's first point of contact is their main tutor or assessor.

2.2. Raising a concern with VTCT

- If the concerns are not addressed by the centre or the individual feels that it is not possible to raise the concerns internally, then the individual should raise their concerns by completing the form provided as an appendix to this document and submitting it to qualityassurance@vtct.org.uk.
- The disclosure should provide as much information as possible, including:
 - centre contact details;
 - qualification and units affected;
 - the date(s) of the alleged incident;
 - individuals involved in the alleged or suspected malpractice or maladministration, their roles and contact details;
 - full details of the allegation and those considered to be affected;
 - own name, role and contact details. (See section 1.7.)

2.3. Actions upon receipt of a disclosure

Upon receipt of the disclosure VTCT will:

- consider the disclosure sensitively and carefully. Information received in a disclosure may be shared with third parties where considered necessary;
- evaluate the matter raised and may ask for more evidence/information using the contact details provided on the whistleblowing form;
- decide whether and how to pursue the matter. Any investigation instigated is conducted in line with the Malpractice and Maladministration Policy and Procedures. An update on any course of action proposed will be provided to the informant within 10 working days of receipt of the disclosure.
- inform the regulator(s) of the matter raised if appropriate and the course of action to be taken, and update them regularly;

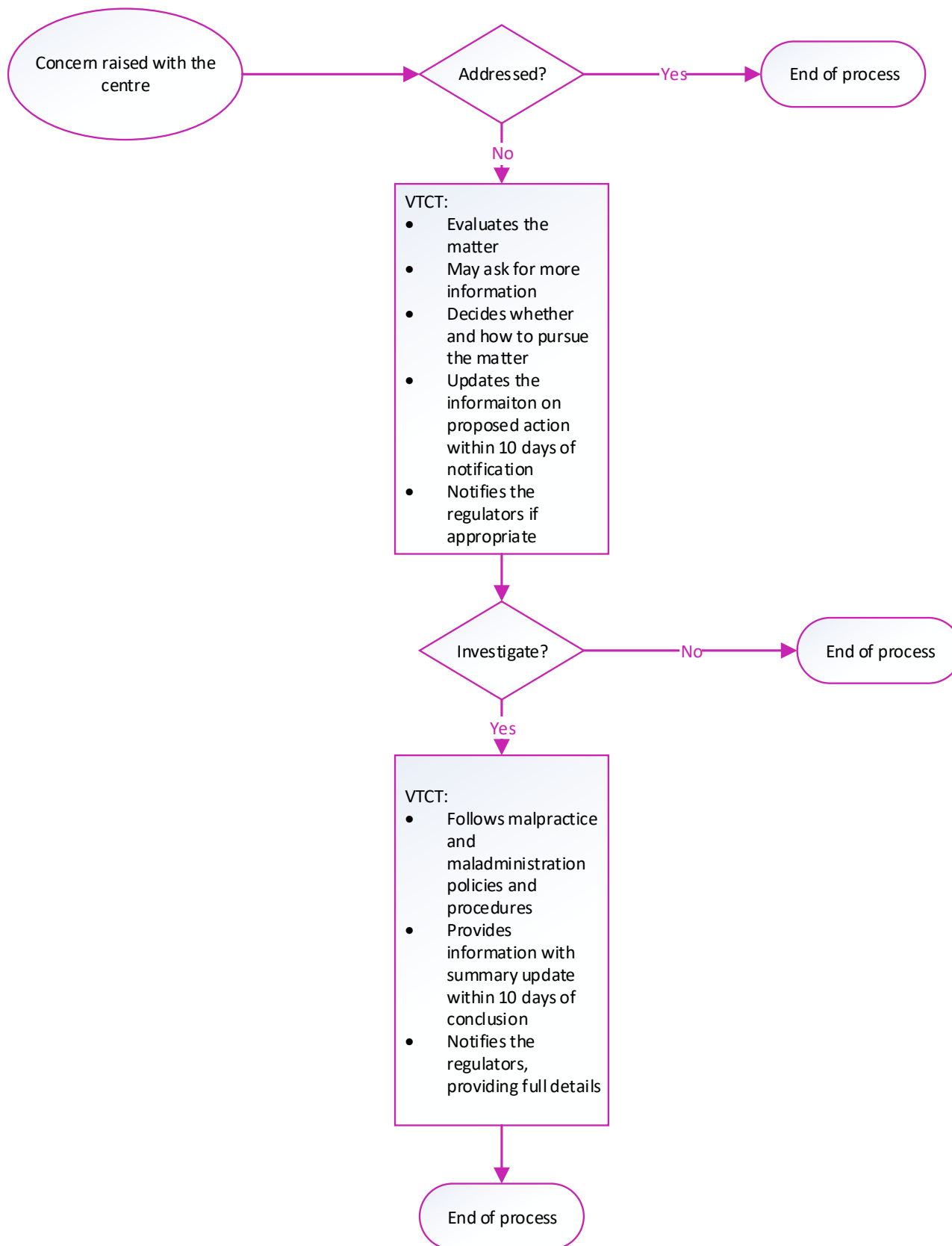
VTCT cannot respond to requests from whistleblowers for regular updates.

2.4. Conclusion of investigation

Upon conclusion of any investigation, VTCT will:

- provide the whistleblower with a summary update of outcomes within 10 working days. The update will not contain detailed confidential information relating to any individuals involved in the case.
- provide the regulators with full details of the investigation/evaluation. Where any serious issues are proven, other awarding organisations offering the same or similar qualifications will also be informed.

2.5. External whistleblowing – flowchart





3. Appendix 1 – Whistleblowing report form

Section 1 – Your contact information

Title:		Forename(s):		Surname:	
Role:				Centre:	
Address for correspondence:					
Email address:		Phone no.:		Alternative phone no.:	

Section 2 – Disclosure

Qualification and unit name (s):	
Date of incident being disclosed:	
Name and roles of individuals considered responsible for the incident:	
Full details of the incident and those affected by the incident:	

Signed:

Date:

Continue on to a second page if necessary.

Submit the completed form to qualityassurance@vtct.org.uk

Document amendment history page

Version	Document Owner	Issue Date	Changes	Role
V1	Quality and Processing Manager	02/02/2018	New policy	Quality and Processing Manager
V2	Quality and Processing Manager	02/02/2018	Formatted and new branding template	Qualifications Manager
V3	Head of Quality	05/03/2019	Formatted and new branding template	Compliance Manager
V4	Quality Lead	16/03/2021	Review and minor amendments for consistency across policies	Quality Assurance Administrator
V5	Head of Standards	10/05/2022	Update Owner	Quality Assurance Administrator
V6	Head of Standards	28/11/2022	Policy Integration	Quality Assurance Administrator

Document Review

Role	Review Status
Head of Standards	Reviewed

Document Owner

Document Owner	Document shared with
Head of Standards	

Document Sign-off

Role	Sign-off Date
Head of Standards	28/11/2022