



Public Interest Disclosure (Whistle Blowing)

Version: POL016-V23-3

Department: Executive



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Public Interest Disclosure (Whistle Blowing) External Policy
Version Control: POL016-V23-3

The following table presents the version control of this policy:

Version	Date	Reason for Change	Changes approved by:
POL016-V23-3	31/07/2023	Policy refresh and new document template. Added FutureQuals staff to those policy applies to. Contact email address changed.3	SS

Please note: This version replaces all previous versions.

1. Introduction

This policy applies to all FutureQuals Approved Centres, learners, staff, FutureQuals staff and associates and other stakeholders with information and guidance on our approach to Disclosures in the Public Interest, or Whistle Blowing. This enables FutureQuals to award qualifications that comply with its regulatory requirements.

FutureQuals is committed to the highest standards of conduct in its activities in the UK and internationally. This requires honesty and integrity in all areas of the business and a culture of openness between staff, customer and any other third party.

We encourage all stakeholders including centres and learners to come forward and raise their concerns about any issue in relation to the delivery of our qualifications. By knowing about concerns FutureQuals can take action to protect the interests of centres, learners and anyone that undertakes work for or on behalf of FutureQuals.

Individuals can raise concern directly with FutureQuals through this policy if they have a genuine belief that malpractice and/or wrongdoing is taking place or is likely to take place that is in the public interest to disclose.

For a disclosure to be protected by the Act's provisions it must relate to matters that "qualify" for protection under the Act. Qualifying disclosures are disclosures which the discloser reasonably believes tends to show that one or more of the following matters is either happening now, took place in the past, or is likely to happen in the future:

- 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 concealment of information tending to show any of the above five matters.

This policy applies in England and, where relevant, in the devolved nations.

2. Purpose

The purpose of this policy is to give information on how to identify situations that may represent wrongdoing and provide information on how to report allegations of wrongdoing. We want you to feel confident in raising concerns and to “blow the whistle” about concerns and bad practice.

However, we recognise that you may have reservations that by reporting issues you may be subject to adverse consequences. Therefore, this policy provides information about the Public Interest Disclosure Act and explains that there are certain safeguards in place to protect whistle-blowers.

3. Links to other policies

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

- Bribery and corruption policy
- Complaints policy
- Conflict of interest policy
- Enquiries about results and appeals policy
- Instructions for conducting controlled assessments
- Malpractice and maladministration policy
- Reasonable adjustments and special considerations policy
- Sanctions policy

4. Links to Regulatory Criteria

Regulator	Regulatory rule or guidance document	Regulatory condition / principle
CCEA	General Conditions of Recognition	A6, A7, A8,
Ofqual	General Conditions of Recognition	A6, A7, A8,
Qualifications Wales	Standard Conditions of Recognition	A6, A7, A8,
SQA Accreditation	Regulatory Principles (2021)	RP2

5. Definitions

Whistleblowing is different from making a complaint and from an employment dispute. Complaints generally tend to be an expression of personal dissatisfaction for example about a product or service that has been received but not to the standard expected and/or the complainant has been poorly treated.

Employment disputes generally tend to be where an employee has a dispute about his/her contract or employment position.

Whistleblowing is officially called “making a disclosure in the public interest”. An individual blows the whistle when they tell their employer, a regulator, customers, the police or the media about wrongdoing, risk or malpractice that they are aware of through their work.

6. Responsibilities

Centres

It is vital that all centre staff and learners, FutureQuals staff and Associates are fully aware of the contents of this policy in addition to our Malpractice and Maladministration Policy. As part of the centre approval process a centre must have in place a Whistleblowing policy so that its staff can freely raise concerns about activities without the risk of adverse consequences to their employment or career.

7. Policy

Protection under PIDA is for an individual making a disclosure that is in the public interest who works, or worked, under a contract of employment or any other contract under which they agree to personally perform any work or services for another party in a contract. The term includes employees, home workers, casual workers, people involved in training and work experience, Crown Servants and members of the Armed Forces. Services for clients and customers of their profession or business. It protects those making disclosure from being dismissed or penalised by their employer because of or as a result of the disclosure.

PIDA protection extends to disclosures made to a number of prescribed regulators for certain purposes. The Office of Qualifications and Examinations Regulation (Ofqual) – by whom we are regulated – is a prescribed regulator for matters pertaining to the development, delivery and award of regulated qualifications and other relevant matters of interest to its role as regulator.

Ofqual publishes a public Whistle-blowing Policy within which it states that an individual working for a centre delivering regulated qualifications may make a whistle-blowing disclosure to the awarding organisation that has approved it to deliver the qualifications in question.

You may also make your disclosure directly to Ofqual. However, Ofqual may request that the awarding organisation investigates the subject of the disclosure in the first instance.

Examples of disclosures that you may wish to make to us under this policy include:

- actual or possible malpractice/wrongdoing being carried out by a FutureQuals employee or worker
- actual or possible malpractice/wrongdoing at a centre and/or failure to comply with the contractual terms of its centres agreement with us

In case of doubt on how best to proceed or if you are unsure as to whether you will have protection under PIDA provisions, you may wish to consider contacting PROTECT (<https://protect-advice.org.uk>) or getting independent legal advice prior to any disclosure. PROTECT is a whistle-blowing charity that can provide confidential, free advice and support about whistleblowing.

8. Process

How to make a disclosure

To raise an allegation under this policy, please contact the FutureQuals Responsible Officer at ao@futurequals.com or by phoning 01530 836662 or by post to:

Future (Awards and Qualifications)
EMP House,
Telford Way,
Coalville,
Leicestershire.
LE67 3HE.

Please provide as much information and supporting evidence that is relevant as possible. It is important to note that it is not essential that you have clear evidence of wrongdoing but you must be able to explain as fully as possible the nature of the allegation and the circumstances of your concern.

We encourage any individual to voice concern to FutureQuals under this policy and will make every effort to protect your identity. We will not disclose it without your consent unless we are required to do so by the police or other enforcement agencies, the courts in connection with court proceedings, or other third parties that we consider necessary e.g. relevant regulatory authorities. If the issue cannot be resolved without your identity being disclosed, we will discuss this with you prior to any disclosure.

However, you should recognise that due to the nature or circumstances of your disclosure, it may be possible for others to identify you, for example the party which the allegation is made against may identify possible sources of disclosure without any such details being disclosed to them.

Once a disclosure is made, we have a duty to pursue it even if you withdraw the allegation as we are required by the regulators to investigate any allegations that may impact on our standards and/or the integrity of FutureQuals qualifications.

Investigation of your concerns

Once you have raised a concern, we will appoint an investigator with relevant experience of investigation or specialist knowledge of the subject matter that has not had any previous involvement or interest in the matter to undertake the investigation. The investigation will be carried out in accordance with the arrangements published in our Malpractice and Maladministration Policy.

We will carry out an initial assessment to determine the scope of any investigation which may include arranging a meeting with you to discuss your disclosure, to obtain further information and/or to progress the investigation. You may choose to be accompanied to any meetings under this policy but they must respect the confidentiality of your disclosure and our investigation of it.

During the investigation we may feedback to you any relevant progress and the likely timescale of the investigation. However, we won't disclose all details of the investigation activity nor, if it is not appropriate to do so, the full details of the outcome of the investigation. This may be because of confidentiality or legal reasons for example, the full details of any action that may

be taken against named parties. However, we will strive to handle this matter fairly and reasonably.

If the investigation produces evidence and results to support a proven case of malpractice or wrongdoing, we will take the necessary action against relevant parties in accordance with the arrangements published in our Malpractice and Maladministration Policy. The investigator may also make recommendations for change to enable us to mitigate and minimise the risk of future occurrences.

Should the outcome of the investigation be unproven, if it has been established that the allegation was not deliberately false, no action will be taken against you by FutureQuals. However, should the investigation produce evidence that the allegations made were deliberately false, you may be at risk of investigation by your employer.

9. Monitoring and evaluation of the policy

The tools we use for implementing and monitoring policies, procedures and processes include regular meetings at operational and senior level. Each policy, procedure or process is assigned to a Head of Department who is responsible for its successful operation, addressing any issues arising from it and evaluating its effectiveness in meeting its purpose. This forms part of the controls that guide our business to ensure compliance with legislative and regulatory requirements.

Data required in support of a policy, procedure or process is held in line with the FutureQuals Data Protection Policy (Privacy Standard) based on GDPR best practice.

Policies are stored on Share Point. Additionally, in line with our Business Continuity Plan, a hard copy of every policy is held in the Executive Office, should IT systems fail. It is the responsibility of the Executive Office Manager to ensure that the latest version of a policy (or procedure/process) is available in hard copy.

10. Review

This policy shall be reviewed periodically by the Executive Team, or updated should there be any changes to legislation, regulation or custom and practice and presented to the Executive Team (or Governing Body) for approval.

11. Feedback and complaints

We welcome your feedback, which helps us to improve the products and services we provide. We know that sometimes things go wrong, but if they do, we want to try to stop them from happening again. If you'd like to give us your feedback or you're unhappy with the service, you can contact us on AO@FutureQuals.com



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