



RAISING CONCERNS POLICY

Process Area	Governance
Reference Number	HRS/010
Directorate	Finance and Planning

Issue No	Date	Details	Author	Approved	Next Review
001	Feb 2008	First Issue	TMCC	BD	2010-11
002	Jun 2011	Second issue – full revision of policy document.	JO'H	BD	2013-14
003	Oct 2011	Updated at 8.1 to include para 6 following a request by Governing Body	JO'H	BD	2014-15
004	Apr 2015	Reviewed no substantive changes.	JO'H	BD	2017-18
005	Sept 2018	Changes in respect of Public Interest Disclosure (NI) Order 1998 and legal advice (amended October 2017)	TMG	Governing Body	2021-22
006	Nov 2019	Minor amendment to include disclosure to DfE	TMG	Governing Body	2022-23
007	May 2022	Amendment to title; 7.3 contact details; 9 date of guide.	LC	Governing Body	2024-25
008	Mar 2026	Allow all concerns to be raised through policy, procedures incorporated into the policy.	JMG	Governing Body	2028-29

If requested, the College will make the policy available in alternative formats to accommodate visual impairments. The policy can also be downloaded from the College website and made available in alternative languages upon request.

1 POLICY STATEMENT

Southern Regional College is committed to ensuring that it conducts its business in a way which is open, honest and transparent. As an organisation funded by public money, we have an obligation to exercise responsible stewardship and to account for those funds entrusted to us. The aim of this Policy is:

- to reassure staff that they can raise genuine concerns about potential wrongdoing in confidence, through a clear internal reporting process without putting their position at risk, and;
- to provide arrangements through which anyone who is not a member of staff can raise concerns about the proper conduct of public business by the College;
- to promote a culture in the College whereby staff, students and others have the confidence to raise concerns openly, and where those concerns are dealt with in line with the guidance from NI Audit Office (NIAO) to public bodies.

Anyone raising a concern in the public interest or the interest of the organisation will be afforded the protections covered by the Public Interest Disclosure (NI) Order 1998 (PIDO).

Raising a concern about malpractice within an organisation, or “Whistleblowing” as it is sometimes referred to, is an early warning system. Individuals at one time or another may have concerns about what happens within the organisation. However, when it is about unlawful conduct, a possible fraud, a danger to the public or the environment, or other serious malpractice, it can be difficult to know what to do.

The policy provides a mechanism and guidance for individuals to raise issues at an early stage and in the right way, and confirms our commitment to:

- Deal with concerns raised in a timely, proportionate, and confidential manner;
- Ensure that concerns raised are taken seriously;
- Ensure that any fact-finding and/or investigations follow the approved; procedure and that reports and decisions are documented;
- Maintain a register of concerns raised (and actions taken) for monitoring by the College’s Audit Committee and Sponsor Department in line with statutory requirements.

This Policy is specifically intended to cover concerns which are in the public interest and require separate investigation in that context. It explains the process for raising these concerns in keeping with the Public Interest Disclosure Order. Other Policies and Procedures exist for dealing with individual disputes, and complaints (as outlined in No. 11 below) and such matters will not be addressed under this Policy.

2 SCOPE

This policy applies to members of the Governing Body, workers, students and members of the public who want to raise concerns.

This Policy does not form part of any employee's contract of employment, and we may amend it at any time.

3 DEFINITIONS

PIDO	Public Interest Disclosure (NI) Order 1998. (amended February 2023)
Whistleblowing	Raising a concern about malpractice within an organisation.
Worker	Has an especially broad meaning in the case of Public Interest Disclosure Legislation. As well as employees, it includes Agency Staff, Contractors and people who aren't employed, but are training with the employers. Some self-employed people may be considered to be Workers for the purpose of Whistleblowing.

4 ROLES AND RESPONSIBILITIES

Principal and Chief Executive

The Principal and Chief Executive is responsible for ensuring guidance and procedural notes are approved in accordance with College governance arrangements.

Director of Finance and Planning

The Director of Finance and Planning is responsible for:

- performing the role of Raising Concerns Champion for the College;
- listening to formal disclosures if the disclosure is not related to them;
- acknowledging receipt of the formal disclosure in writing within 5 working days.

Line Managers

Line managers are responsible for:

- hearing informal disclosures in the first instance;
- knowing who to seek advice from if they require assistance.

Employees

Employees are responsible for:

- raising any concerns in the first instance with their line manager or formally with the Director of Finance and Planning;
- ensuring the concern raised is not of a personal nature and therefore a grievance.

5 DISCLOSURES PROTECTED UNDER THE ORDER

The Public Interest Disclosure (NI) Order 1998 provides protection for workers who raise concerns. The disclosures protected by the Order (i.e. qualifying disclosures) are as follows:-

- a criminal offence;
- a breach of a legal obligation;
- a miscarriage of justice;
- a danger to the health or safety of any individual;
- damage to the environment; or
- a deliberate covering up of information relating to any of the above matters.

It should be noted that in making a disclosure, the Worker must have held a reasonable belief that the information disclosed tends to show one or more of the offences or breaches listed above (referred to as 'relevant failures'). The belief need not be correct: it might be discovered subsequently that the Worker was in fact wrong, but the Worker must show that it was a reasonable belief in the circumstances at the time of disclosure. To be protected by the legislation you must disclose information in keeping with this Policy and the Public Interest Disclosure Order (NI) legislation.

While the Public Interest Disclosure (NI) Order 1998 applies to workers (as defined in the Order), the College will endeavour, as far as possible, to apply the same principles in respect of concerns raised by non-staff members.

Information protected by legal professional privilege is not a qualifying disclosure nor is disclosure to a member of staff if, in making the disclosure, they commit an offence (e.g. if disclosure was prohibited under the Official Secrets Act 1989). Disclosure of information to a legal adviser in the course of obtaining legal advice is protected.

A qualifying disclosure will be a protected disclosure if the following conditions are met. The individual must:

- reasonably believe that the information, and any allegation contained in it, is *substantially true*;
- **not act for personal gain**; and
- act reasonably, taking *into account the circumstances*.

In addition, the disclosure must be raised internally or to a prescribed person (as set out in the Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2024) in accordance with this Policy unless if one or more of the following conditions are met:

- the individual reasonably believed that the employer would subject them to a detriment if disclosure were to be made to the employer or to a prescribed person;

- in the absence of an appropriate prescribed body, the Worker reasonably believed that disclosure to the employer would result in the *destruction or concealment of information* about wrongdoing;
- the Worker had *previously disclosed* substantially the same information to the employer or to a prescribed person; or
- the relevant failure is exceptionally serious and, in the circumstances, it would be reasonable to make the disclosure in this way.

6 SOUTHERN REGIONAL COLLEGE ASSURANCES

6.1 Your safety

We are committed to making Raising Concerns work. If a genuine concern is raised under this Policy and in accordance with the Public Interest Disclosure (NI Order) 1998 Legislation, the individual will not suffer any form of detriment, from the College and we will take all reasonable steps to ensure that you will not be subjected to a detriment by a co-worker or agent of the College. In such circumstances it will not matter if the person was mistaken.

6.2 Confidentiality

Southern Regional College will treat all disclosures in a confidential and sensitive manner. The College will not tolerate the harassment or victimisation of anyone who raises a genuine concern. In providing these assurances we hope individuals will raise concerns openly.

If a person raising a concern requests the non-disclosure of details which could identify him or her, then they are asked to state this at the outset. If you ask us not to disclose your identity we will not do so without your consent unless otherwise required under a legal obligation. It is important to understand that there may be times when we are unable to resolve a concern without revealing an individual's identity, for example where personal evidence from the person making the claim is essential. In such cases we will discuss this with the person concerned and agree how the matter can best proceed.

The College has a requirement to notify our sponsoring Department (DfE) of all Raising Concerns cases and furnish them with a copy of the completed Investigation Report. As noted above, we will not disclose your identity without your consent, unless we are legally obliged to do so.

6.3 Anonymity

Concerns expressed anonymously are much less powerful, but the College will still consider these concerns taking into account factors such as:

- The seriousness of the issues raised;
- The credibility of the concern;
- Any supporting evidence received; and
- The likelihood of confirming the allegation from alternative credible sources.

However, if individuals do not identify themselves, it will be much more difficult to investigate the complaint or to protect the person raising the complaint. It would also not be possible to give feedback on progress and/or outcome of an investigation.

Disadvantages of raising concerns anonymously therefore include;

- Detailed investigations may be more difficult or even impossible to progress if you choose to remain anonymous and cannot be contacted for further information;
- The information and documentation you provide may not easily be understood and may need clarification or further explanation;
- It may not be possible to remain anonymous throughout an in-depth investigation;
- It may be difficult to demonstrate to a tribunal that you have suffered detriment as a result of raising a concern.

Therefore, while anonymous reports will be considered by the College, this policy is geared towards situations where individuals identify themselves as, by making your identity known, you enable a more thorough investigation to be conducted which in turn potentially results in a more positive outcome.

If an individual is unsure about raising a concern under this Policy, independent advice is available, in confidence, from the Whistleblowing charity Protect (020 3117 2520). The advice is provided by lawyers who talk through the available options and provide advice about how to raise a concern. For more information, you can visit their website at <https://protect-advice.org.uk>

Another useful source of information is “Whistleblowing in the Public Sector: A good practice guide for workers and employers” which can be accessed on the internet at www.niauditoffice.gov.uk

6.4 Malicious or Vexatious allegations

This assurance does not extend to someone who maliciously raises a matter they know to be untrue. Concerns raised in good faith, regardless of whether or not they are found to be true, will be supported by the College and covered under the legislation. Malicious or vexatious allegations could result in the College taking disciplinary action against the person who wilfully made the false allegations, particularly if this person persistently makes such claims or the person has made the claim for personal benefit.

6.5 Raising Concerns Champion

The College has designated the Director of Finance and Planning to act as Raising Concerns Champion. If you have any concerns generally about raising a matter under this Policy, they should be addressed to the Raising Concerns Champion (raisingconcerns@src.ac.uk).

Director of Finance and Planning
 Southern Regional College
 Portadown Campus
 36 Lurgan Road
 Portadown
 Co Armagh
 BT63 5BL

7 PROCEDURE FOR IMPLEMENTATION

7.1 Raising Concerns

Individuals can raise a concern with the College by completing the Raising Concerns proforma (attached as Appendix 1 of this Policy) or by emailing the College's dedicated confidential mailbox: raisingconcerns@src.ac.uk

All concerns will be treated sensitively with due regard to confidentiality and where possible, every effort will be made to protect your identity if you so wish. Nevertheless, this information will need to be passed on to those with a legitimate need to have this information and it may be necessary for you to provide a written statement or act as a witness in any subsequent disciplinary proceedings or enquiry. This will always be discussed with you first.

Step 1 (for Workers)

If you wish to raise a concern you should normally raise it with your line manager. This can be done in person or in writing. Individuals are encouraged, in the first instance, to attempt to resolve problems through discussion in order to address issues at the earliest opportunity.

SRC recognises that in some circumstances it may be inappropriate for you to approach your Line Manager with your concern. In these circumstances, a number of alternatives are available depending on the nature of your concern. You can contact any of the following:

- your line manager's line manager; or
- a senior manager (SMT) within your Directorate.

Although you are not expected to prove beyond doubt the truth of your suspicion, you will need to demonstrate to the person contacted that you have a genuine concern relating to suspected wrongdoing ('relevant disclosures') or malpractice within the College and there are reasonable grounds for your concern.

In the event that a concern is raised regarding College senior management, the concern will be reported as follows:

Subject of the concern	Concern reported to
Director	Principal and Chief Executive
Principal and Chief Executive	Chair of the Governing Body

Secretary or member of the Governing Body
Chair of the Governing Body

Principal and Chief Executive
Chair of the Audit and Risk Committee

Step 2

If you have raised the concern informally and still have concerns, or if you feel it is inappropriate to proceed in this manner, you must raise your concerns formally by using the Raising Concerns proforma (attached as Appendix 1). This form should be sent to the Director of Finance and Planning who is the College's Raising Concerns Champion.

The Director of Finance and Planning will respond to your concerns as quickly as possible. The information you can expect to receive is outlined below.

- An indication of how the concern will be dealt with, and whether it falls under the scope of the Public Interests Disclosure Legislation (i.e. a 'relevant disclosure');
- Whether any initial enquiries will be made. Initial enquiries that test your concerns are not the same as either accepting or rejecting them;
- Whether any further investigations will take place and if not, why not.

The Director of Finance and Planning will at the same time notify the Corporate Compliance Manager who will keep a record of all concerns raised.

Step 3

Upon receipt of a Public Interest Disclosure, initial enquiries will be made to decide whether an investigation is appropriate. Where an investigation is necessary, it may take the form of one or more of the following:

- the Director of Finance and Planning will appoint an internal Manager as an Investigating Officer;
- an investigation by Internal Audit;
- a referral to the Police; or
- the setting up of an external investigation to be conducted by an appropriate individual or organisation (e.g. Sponsoring Department or Audit Office).

The Director of Finance and Planning will provide an indication of the likely timeframes for investigating your concerns. However, it may not be possible to define a precise timescale for Internal Investigations.

When further investigation is necessary the Director of Finance & Planning will report any concerns to be investigated under the Policy to the Department for the Economy (raising.concerns@economy-ni.gov.uk).

Step 4

You will be informed of the outcome of any Investigation, in writing, and any findings/conclusions, subject to the constraints of confidentiality and the law.

The College hopes you will be satisfied with any action taken. If you do not feel your concern has been addressed adequately, in certain circumstances you can request a 'Reconsideration' by writing to the Principal and Chief Executive. This request must be made within 10 working days of being informed of the outcome. The Principal and Chief Executive will appoint an independent person (normally a member of the Executive Team), to review how your original concerns were addressed. A reconsideration will consider if the Policy was appropriately applied and if the findings are justified.

7.2 Undertaking an investigation

If sufficient grounds for an investigation exist, the Director of Finance and Planning will appoint an Investigating Officer to undertake the Investigation. This appointment will be based on the Investigating Officer having the appropriate level of knowledge, experience and expertise of the area under Investigation, and the appropriate level of seniority within the College.

Due to the varied nature of disclosures under the Raising Concerns Policy, it is not possible to define precise timescales for internal Investigations. The College will ensure that any Investigation is undertaken as quickly as possible, without affecting the quality and depth of the Investigation.

If the Investigation is prolonged for any reason, the individual making the disclosure will be kept informed as to the progress of the Investigation and as to when it is likely to be concluded.

The Investigating Officer will:

- fully investigate the disclosure in an open and transparent manner;
- interview staff affected by the disclosure;
- draft a report detailing the Findings of the Investigation and submit it to the Director of Finance and Planning (it is not the role of the Investigating Officer to make recommendations).

The Director of Finance and Planning will determine the most appropriate action to take, arising from this Investigation (for example, any lessons learned and/or make recommendations to the Executive Team to strengthen Policies and Procedures). If the disclosure is shown to be justified, then the College will be entitled to invoke the Disciplinary or other appropriate College procedures.

7.3 Protecting the Whistleblower

This Policy has been written to take account of the Public Interest Disclosure (NI) Order 1998, which protects Workers making 'relevant disclosures' about certain matters of concern that are in the Public Interest.

The College is committed to good practice and high standards and to being supportive. Throughout this process you will be given full support from senior management, your concerns will be taken seriously, and the College will do all it can to help you throughout the Investigation.

If you honestly and reasonably believe what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer, your colleagues and those for whom you are providing a service.

The College will not tolerate any harassment or victimisation of a Whistleblower (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith and will treat this as a serious Disciplinary offence, which will be dealt with under the Disciplinary rules and procedure.

All concerns will be treated in confidence and every effort will be made not to reveal your identity if that is your wish (unless required by Legal Obligation).

7.4 Corporate Recording and Monitoring

The Corporate Compliance Manager will maintain a Corporate Register containing all concerns raised under the Public Interest Disclosure Policy.

The Corporate Compliance Manager will review the Corporate Register and produce reports as necessary for the Governing Body and its Committees as required. Such reports may include a summary of the concerns raised, to which department they related, the post to which the concerns related (if not confidential) and any lessons learned. The report will not include any employee names. The aim of this is to ensure that:

- the College and/or the relevant Department learns from mistakes and does not repeat them; and
- there is consistency of approach across the Departments.

The Corporate Register together with any Reports will be available for inspection by Internal and External Audit, after removing any confidential details.

In addition, the College is obliged to notify our sponsoring Department (DfE) of all Raising Concerns cases and furnish them with a copy of the completed Investigation Report.

7.5 Post Event Action

If the disclosure is shown to be justified, College Management must make all necessary changes to the relevant Systems, Policies or Procedures to ensure that issues of the same or similar nature do not reoccur in the future.

7.6 How the matter can be taken further

The SRC Policy is intended to provide you with an avenue within the College to raise concerns. If you feel it is right to take the matter outside the College you can raise concerns to a relevant Prescribed Contact under the legislation. The list of prescribed persons is contained in the Public Interest Disclosure (Prescribed Persons) Order (NI) 1999. The Department for the Economy (DfE) also maintains a list of prescribed persons in its publication 'Guide to the Public Interest Disclosure ([\(Northern Ireland\) Order 1998](#))' (March 2022).

A public disclosure to anyone else could take you outside the protection of the Public Interest Disclosure (NI) Order and of this Policy.

This Policy **does not** prevent you from taking your own legal advice. Independent advice is also available from the Whistleblowing Charity, PROTECT (<https://protect-advice.org.uk>).

If you feel you are unable to raise a concern to the College directly, the matter can be raised to the College's Sponsoring Department, Department for the Economy, via the Department's Fraud and Raising Concerns Branch: raising.concerns@economy-ni.gov.uk (028 9025 7422)

8 EXTERNAL DISCLOSURES

Although this Policy seeks to reassure individuals that concerns raised will be taken seriously and treated in confidence, the College recognises that there may be circumstances where it is proper to report a concern to an outside body which could be an appropriate regulator – such as the Northern Ireland Audit Office or the Health and Safety Executive of Northern Ireland. PROTECT can advise on such an option and the circumstances in which it is appropriate to contact an outside body safely. A list of all external bodies who can deal with Whistleblowing complaints can be found in Appendix 1 of the Department for the Economy web publication "Guide to the Public Interest Disclosure (Northern Ireland) Order 1998 (February 2023)"(DfE [NI Guide to PIDO](#)).

9 CONCLUDING COMMITMENT

The College will strive to handle any concern raised fairly and properly. The Raising Concerns arrangements set out in this Policy are designed to help us achieve this aim.

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. Further information on Whistleblowing can be found at <https://protect-advice.org.uk>

10 DISTRIBUTION

All Staff and Learners
Website

11 RELATED POLICIES

This paper sits alongside other College Policies and Procedures such as:

- Grievance;
- Complaints;
- Disciplinary;
- Harassment;
- Anti-Fraud;
- Assessment Malpractice and Plagiarism and
- Staff/Student Codes of Conduct.

Each of these Policies provides a mechanism to address a variety of issues. This Policy should not be used for complaints purely relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the applicable Policies above. Where the College assesses that the concerns being raised would be more appropriately managed under one of the above-named Policies, it will engage with the individual to agree how to progress the concern.

APPENDIX 1**Raising Concerns**

Southern Regional College (SRC) is committed to ensuring that it conducts its business in a way, which is open, honest and transparent. As an organisation funded by public money we have an obligation to exercise responsible stewardship and to account for those funds entrusted to us.

The Raising Concerns Policy provides a process for all individuals who have concerns about where the interests of others or of the organisation itself are at risk to raise concerns.

The Public Interest Disclosure Order protects individuals from suffering any form of detriment from their employer if they raise a concern about wrongdoing. Anyone raising a concern ("relevant disclosure") in the public interest or the interest of the organisation will be protected under Public Interest Disclosure (NI) Order 1998 (PIDO).

The College will treat all disclosures in a confidential and sensitive manner and will not tolerate the harassment or victimisation of anyone who raises a genuine concern. If you ask us not to disclose your identity, we will not do so without your consent, unless otherwise required under a legal obligation.

Please complete the form and submit to the College via one of the following methods:

Postal Address:

Director of Finance and Planning, Southern Regional College, Portadown Campus, 36 Lurgan Road, Portadown, Co Armagh, BT63 5BL

Email: raisingconcerns@src.ac.uk

SECTION 1A – Whistleblower details

Title:	
Name:	
Contact Address:	
Tel Number:	
Email:	

Section 1 – Consent to reveal identity

Does the individual wish their identity to remain confidential during any Raising Concerns investigation? ☐ YES ☐ NO

To whom has the individual given consent for their name to be revealed as part of the Raising Concerns investigation?
Is the individual aware that should further action be required following a Raising Concerns investigation, in the form of disciplinary action for example, that their identity may have to be revealed following discussion with them and that they may have to provide a witness statement: ☐ YES ☐ NO

Section 2 – Details of the matter**DISCLOSURES PROTECTED UNDER THE ORDER**

The disclosures protected by the Public Interest Disclosure (NI) Order 1998 (i.e. qualifying disclosures) are as follows:-

- a criminal offence;
- a breach of a legal obligation;
- a miscarriage of justice;
- a danger to the health or safety of any individual;
- damage to the environment; or
- a deliberate covering up of information relating to any of the above matters.

It should be noted that in making a disclosure, the Worker must have held a reasonable belief that the information disclosed tends to show one or more of the offences or breaches listed above (referred to as 'relevant failures'). The belief need not be correct: it might be discovered subsequently that the Worker was in fact wrong, but the Worker must show that it was a reasonable belief in the circumstances at the time of disclosure. To be protected by the legislation you must disclose information in keeping with SRC Policy and the Public Interest Disclosure Order.

Please ensure that full details are provided of the issue you are raising. This includes all relevant dates, times and places of the event(s); and the names of those involved. Any evidence to support your claims should be provided to the College.

Section 3

Have you attempted to address this issue through an informal process or through engagement with the appropriate line management within the College?

☐ YES

☐ NO

If YES, please summarise any action taken to address your issue/s to date. If NO, can you explain why this was deemed to be inappropriate.

Section 4

How do you believe SRC Policies and Procedures could be improved to address your concerns? (suggestions should be in the public interest and not for personal gain).

I confirm that the information provided above accurately reflects the full details of the issue I am raising.

Signed: _____
Individual raising concern

Date: _____

Signed: _____
SRC representative

Date: _____

Office Use Only

Name of assigned Investigating Officer: _____

Date forwarded to Investigating Officer (by Director of Finance and Planning): _____