

COLLEGE OF INTEGRATED CHINESE MEDICINE PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWING) POLICY

1 Purpose

1.1 The College of Integrated Chinese Medicine (CICM) is committed to conducting business with honesty and integrity and expect all members of the college to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations occurring and to address them when they do occur.

1.2 The aims of this procedure are:

1.2.1 To encourage members of the college¹ to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.

1.2.2 To provide members of the college with guidance as to how to raise those concerns.

1.2.3 To reassure members of the college that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

1.3 This procedure does not replace other CICM procedures such as the Grievance Procedure and should not be used when other procedures are more appropriate. Clarification regarding whether something is within the scope of this procedure, or another procedure or policy should be sought from a member of the Management Committee if required.

1.4 This procedure does not form part of any contract of employment and may be amended from time to time.

2 What is whistleblowing?

2.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. Such disclosures are referred to as 'qualifying disclosures' and may include the disclosure of information which reveals that one or more of the following matters is either happening, has already taken place, or is likely to happen in the future.

- a criminal offence (for example types of financial impropriety such as fraud or bribery)
- breach of a legal obligation (for example not having the right insurance in place)
- a miscarriage of justice
- a danger to the health and safety of any individual
- damage to the environment
- a deliberate attempt to cover up any of the above.

¹ For the purposes of this policy 'members of the college' means staff, students, contractors, clinical supervisors, lecturers, graduates, practitioners, regional support supervisors

2.2 Before making a disclosure there must be a reasonable belief that the allegation tends to show one or more of the matters referred to above in paragraph 2.1, and a reasonable belief that the disclosure is ‘in the public interest’. Generally, being ‘in the public interest’ means that the issue affects an individual or a group of people. Personal grievances and complaints are not covered by this procedure.

3 Who can make a disclosure?

3.1 A disclosure can be made by any member of the college which means anyone who works in any capacity for CICM and includes:

- An employee who works under a contract of employment (full-time, part-time or fractional)
- a self-employed person who works under a contract with CICM to do or perform personally any work or services
- An agency worker
- a contractor
- a person engaged to provide general medical services
- Those on work experience or vocational training schemes

The right to make a protected disclosure arises from the first day of employment. There is no qualifying period. Confidentiality clauses in settlement agreements do not prevent member of the college from making disclosures in the public interest.

4 Confidentiality and Protection

4.1 Disclosures made under this procedure will be treated in a sensitive manner. CICM hopes that individuals will feel able to voice whistleblowing concerns openly under this procedure. However, if there are concerns regarding confidentiality, CICM will make every effort to keep the whistleblower’s identity secret. If requested, the whistleblower's identity will be kept confidential for as long as possible if this is compatible with an effective investigation and is reasonably practicable. If it is necessary for anyone investigating the concern to know the identity of the whistleblower, this will be discussed with you. The investigation process may at some stage have to reveal the source of the information and the whistleblower may need to make a statement as part of the evidence required and in any subsequent disciplinary proceedings or enquiry. This will always be discussed with the whistleblower first. During investigations, even if the whistleblower's identity is kept confidential, it may become apparent to colleagues based on the evidence submitted as part of an investigation.

4.2 CICM does not encourage members of the college to make disclosures anonymously. Proper investigation may be more difficult or impossible if full information is not disclosed. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to a member of the Management Committee and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt, you can seek advice from Public Concern at Work, the independent whistleblowing charity, which offers a confidential helpline. Their contact details can be found online (see details at the end of this procedure).

4.3 A whistleblower does not need to have requested confidentiality to benefit from the following protection:

- Whistleblowers must not suffer any detrimental treatment because of raising a genuine concern. They will be protected from victimisation, harassment or any detriment to pay and conditions or opportunities for promotion or other personal or career development if a 'protected disclosure' is made.
- If a disclosure is made in good faith, CICM will treat any form of victimisation or harassment very seriously in accordance with HR policies.

4.4 CICM encourages openness and will support members of the college who raise genuine concerns under this procedure, even if they turn out to be mistaken. However, members of the college who make malicious or vexatious disclosures or with a view to personal gain, may be subject to disciplinary action under the Staff Disciplinary Procedure. A particularly serious view will be taken of malicious or vexatious disclosures made direct to third parties outside CICM.

5 Making a disclosure

5.1 Any concerns should be raised with a member of the Management Committee, either in person or in writing.

6. Initial Consideration and Further Investigation

6.1 Following a concern being raised, CICM will arrange a meeting as soon as possible to discuss the concern. The whistleblower may be accompanied at any meetings in relation to the disclosure by a colleague. The colleague must respect the confidentiality of the disclosure and any subsequent investigation.

6.2 CICM will take down a written summary of the concerns and provide the whistleblower with a copy after the meeting, normally within 10 working days. There will also be an indication of how it is proposed to deal with the matter.

6.3 Where an investigation is deemed necessary, it may take the form of one or more of the following:

- An internal investigation
- The setting up of an external independent inquiry
- a referral to an appropriate external body Investigations may take some time, dependent on the number of people who need to be spoken with, and the complexity of the issues raised. The whistleblower may be required to attend additional meetings to provide further information.

7 Outcome of investigation

7.1 The investigator may recommend several outcomes (including but not limited to):

- To take no further formal action
- To make recommendations, for example policy review, training, mediation etc.
- To refer the matter for appropriate action within existing CICM procedures

- To refer the matter to the police in the case of alleged criminal activities
- That as false allegations have been raised maliciously or with a view to personal gain the whistleblower should be subject to disciplinary action.

7.2 Wherever possible the whistleblower will be kept informed of the progress of any investigation and at the end of the investigation be informed of any decisions and the reasons. However, sometimes, the handling of the matter and the outcome of the investigation may have to remain confidential if disclosure would infringe on the duty of confidence CICM owes to someone else.

7.3 It will not be possible to provide anonymous whistleblowers with any information or feedback in relation to any consideration or investigation.

8. Useful Sources of Information

www.acas.org.uk/

www.gov.uk/whistleblowing

www.pcaw.org.uk/