



Rambert Grades Whistleblowing policy and procedure

2024

This policy and procedure applies to everyone who engages with the Rambert Grades syllabi, whether as a Member, Student, Examiner, member of the public, freelance or permanent member of Rambert Grades staff. This policy should be read in conjunction with the Malpractice and Maladministration Policy.

Aims and purpose of this policy

Rambert Grades recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and the Company's success ensured.

The aim of this policy is to provide a clear and transparent way for anyone who engages with Rambert Grades either through membership, examinations or as a member of staff (freelance or employed) to raise genuine concerns about acts of wrongdoing, malpractice or maladministration in relation to the processes expected of a qualification awarding organisation. It also aims to ensure that any concerns are dealt with effectively, in confidence and in a timely fashion.

This policy and procedure details steps to investigate allegations, ensuring that Members, Students, Examiners and staff are not penalised for raising genuine concerns, even if those concerns prove to be unfounded. It also provides the means for taking disciplinary action against anyone who is found to have raised concerns with malicious intent. For Members that have raised concerns and this is found to have been with malicious intent, the Sanctions policy will be initiated.

Any person who raises genuine concerns under this policy will not, under any circumstances, be subjected to any form of detriment or disadvantage as a result of having raised their concerns. The victimisation or harassment of an individual making a protected disclosure is a disciplinary offence.

Rambert Grades

Whistleblowing policy and procedure

This procedure does not apply to Safeguarding concerns or allegations of possible risk of abuse by a Member or member of Rambert Grades staff. Concerns or allegations of this nature should be dealt with following the procedures within the Safeguarding Policy.

Scope

This policy applies where the reporting party reasonably believes that one of the following sets of circumstances is occurring, has occurred, or may occur and that the subsequent disclosure is in the public interest:

- Failure to adhere to candidate registration and certification procedures
- Improper management or administration of the assessment process
- Fraudulent claim for, or issuing of, certificates
- Bribery
- Altering or amending any documentation used by Rambert Grades for examination purposes
- Intentional withholding of information which is critical to maintaining the rigour of quality assurance
- Deliberate misuse of logos both Rambert Grades and its Regulators
- Plagiarism of any nature by candidates
- Submission of false information to gain a proxy or a qualification
- Misrepresenting fees for examinations
- Disclosing information to a third party pertaining to results
- Failure to adhere to the published Rambert Grades Equal Opportunities Policy
- Failure to adhere to the requirements of our Reasonable Adjustments and Special Considerations Policy
- A criminal offence has been committed, is being committed or is likely to be committed
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which he, she or they are subject
- Breach of a statutory, legal or regulatory obligation
- Failure to disclose a serious conflict of interest

Note that personal grievances (for example bullying, harassment or discrimination) are not covered by whistleblowing law. They are legitimate grievances, but unless a case of these behaviours is in the public interest they should be pursued according to the complaints procedure. Concerns about the handling of your own personal data by Rambert Grades would be unlikely to form a whistleblowing disclosure, unless it presented wider issues in the public interest.

What to do if you have a concern (external)

It is not necessary that you prove the breach or failure that you are alleging has occurred or is likely to occur, you may simply raise a reasonable suspicion.

Rambert Grades

Whistleblowing policy and procedure

However, you should note that you will not be protected from the consequences of making such a disclosure if, by doing so, you commit a criminal offence.

If you believe that any of the above practices are happening or are taking place the following procedure should be followed:

- Raise a report detailing the concern with the Rambert Grades Head of Quality Assurance and Enhancement in the first instance. This report should include the following information which will be treated in the strictest confidence:
 - Name and position
 - Name of the person suspected
 - Date(s) suspected or actual, of any wrongdoing, malpractice or maladministration
 - The nature of the suspected wrongdoing, malpractice or maladministration
 - Details of anyone who wishes to support the raising of the concern

If required under the Awarding Organisation Status of Rambert Grades the regulators will be informed of suspected wrongdoing, malpractice or maladministration in line with the published conditions of recognition.

What to do if you have a concern (internal)

It is not necessary that you prove the breach or failure that you are alleging has occurred or is likely to occur, you may simply raise a reasonable suspicion. However, you should note that you will not be protected from the consequences of making such a disclosure if, by doing so, you commit a criminal offence.

If you believe that any of the above practices are happening in the Company the following procedure should be followed:

- you should initially raise the issues with your Manager, who will treat the matter in confidence;
- if it is not appropriate to raise the issues with your Manager, you should raise the issue with a more senior member of management or, if not possible, another member of management at the same level;
- it is likely that an investigation will be necessary and you may be required to attend an investigatory meeting as a witness;
- at the investigation meeting you will need to explain fully the nature and extent of what you believe is the problem. You may bring a colleague to help you explain the situation more clearly if you wish.

Depending on the nature of your concern, it may not be possible to find an immediate solution, but your concerns will be investigated as quickly as is reasonably possible, and, where possible, providing such disclosure does not breach confidentiality, you will be advised of the outcome of the investigation in due course.

Rambert Grades

Whistleblowing policy and procedure

As a minimum you will be advised when any investigation has been completed and that appropriate action has been taken, although you may not be informed of the specific details of the action that has been taken.

Where it is necessary for your disclosure and the investigative meeting minutes to be supplied to an employee as part of the evidence supporting disciplinary action, appropriate steps will be taken to ensure that your working environment and/or working relationships are not prejudiced by the fact of the disclosure.

If required under the Awarding Organisation Status of Rambert Grades the regulators will be informed of suspected wrongdoing, malpractice or maladministration in line with the published conditions of recognition.

Conducting an investigation (external)

In line with the Malpractice and Maladministration Policy the Head of Quality Assurance and Enhancement will initiate the investigation process and escalate to the CEO as required depending on the severity of the concern raised.

The scope of the investigation will be determined by the nature of the concern. Witnesses may need to be interviewed and records may need to be scrutinised. The investigation will be completed within a 3-week window from the submission of the initial concern.

Once the investigation is completed, a report will be produced summarising the nature of the concern, the investigation process and the outcome including specific recommendations. Rambert Grades will take measures to preserve the anonymity of the person who raised the concern, if this has been their wish. If the concerns are not upheld this will also be made clear.

If you are dissatisfied with the outcome of this procedure you may raise the matter with the CEO of Rambert Grades. If you remain dissatisfied with the outcome you have the right to express your concerns to the relevant Prescribed Person designated by the Public Interest Disclosure (Prescribed Persons) Order 2014, or any statute or statutory instrument which subsequently supersedes this legislation.

If you reasonably believe that the relevant failure as listed in any of the above practices relates wholly or mainly to the conduct of a person other than someone in the Company, or any other matter for which a person other than the Company has legal responsibility, then you should make that disclosure to that other person.

Also, you may make such a disclosure to Protect, the leading authority on public interest whistleblowing, if you consider that it has an interest in the matter and, despite the best efforts of the Company, you believe that disclosure within the Company is inappropriate or as noted previously has been unsuccessful. Disclosures made to legal advisors in the course of obtaining legal advice will be protected.

Conducting an investigation (internal)

In line with the Company Handbook the CEO will initiate the investigation process and escalate to the Board of Rambert Grades as required depending on the severity of the concern raised.

The scope of the investigation will be determined by the nature of the concern. Witnesses may need to be interviewed and records may need to be scrutinised. The investigation will be completed within a 3-week window from the submission of the initial concern.

Once the investigation is completed, a report will be produced summarising the nature of the concern, the investigation process and the outcome including specific recommendations. Rambert Grades will take measures to preserve the anonymity of the person who raised the concern, if this has been their wish. If the concerns are not upheld this will also be made clear.

If the concern is upheld and the person at the centre is found to have been culpable or remiss in some way, the report's recommendations should be carried out using a clear plan of action. The plan may include the use of disciplinary action, training, coaching, counselling, the implementation of new policies or procedures for the whole workforce, or a referral to the Disclosure and Barring Service (DBS).

If it becomes apparent during the course of the investigation that a criminal offence may have been committed the police will be informed. Rambert Grades' own investigation may have to be suspended on police advice, if the police decide that they need to become involved.

The person who raised the concern should be informed of the outcome, but not the details of any disciplinary action. It may be appropriate for the person who raised the concern to be offered support or counselling.

If the concern is unfounded and the person who raised it is found, through the process of investigation, to have acted maliciously or out of a desire for personal gain, it may be appropriate to consider disciplinary action against them.

If you are dissatisfied with the outcome of this procedure you may raise the matter with the CEO of Rambert Grades. If you remain dissatisfied with the outcome you have the right to express your concerns to the relevant Prescribed Person designated by the Public Interest Disclosure (Prescribed Persons) Order 2014, or any statute or statutory instrument which subsequently supersedes this legislation.

If you reasonably believe that the relevant failure as listed in any of the above practices relates wholly or mainly to the conduct of a person other than someone in the Company, or any other matter for which a person other than the Company has legal responsibility, then you should make that disclosure to that other person.

Rambert Grades

Whistleblowing policy and procedure

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Records

All investigations are recorded including notes from meetings and all written submissions in relation to the concern.

All notes, correspondence, report forms and documentation is stored under the Rambert Grades document retention policy and is destroyed after 7 years upon conclusion of the investigation.

Should records be requested by the police, where a criminal offence is suspected, records will be submitted to the relevant authorities upon request.

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