



Business Assurance

# Raising Concerns at Work (incorporating Whistleblowing)



## **Introduction**

All of us at one time or another may have concerns about what is happening at work. However, when it is about unlawful conduct, a possible fraud or a danger to the public or the environment, or other serious wrongdoing, it can be difficult to know what to do.

If something is troubling you, which is in the public interest and impacts others (for example the general public) which you think we should know about or look into, please let us know. We have implemented these whistleblowing arrangements for you to raise any concern where the interests of others, including candidates or the organisation itself are at risk. There are various options available to you in raising a concern and these are highlighted in this document at the section “How to Raise a Concern”.

You may be worried about raising such a concern and may think it best to keep it to yourself, perhaps feeling it is none of your business or that it is only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may decide to say something but are concerned that you may be speaking to the wrong person or raising the issue in the wrong way and are not sure what to do next. The purpose of these arrangements is to reassure you that it is safe and acceptable to speak up. They also enable you to raise your concern about such wrongdoing at an early stage and in the right way. Rather than wait for proof, we would prefer you to raise the matter when it is still a concern.

If your concern is about possible fraud, you may also wish to refer to the CCEA Anti-Fraud Policy which can be found on the CCEA website. On issues of personal complaints or grievances, CCEA staff should refer to CCEA’s Grievance Policy rather than CCEA’s Whistleblowing Policy. Similarly external complainants may wish to refer their concerns/ issues through the CCEA Complaints Policy (link to CCEA website: <https://ceea.org.uk/contact/complaints/make-complaint>) rather than CCEA’s Whistleblowing Policy.

Appendix 1 provides further information on whistleblowing in the form of responses to Frequently Asked Questions.

This policy and the procedures set out, have been developed to meet best practice and comply with the Public Interest Disclosure (NI) Order 1998 which provides employment protection for whistleblowing. This policy has also been reviewed in light of the NI Civil Service Action Plan in Response to External Independent Review and is consistent with Department of Finance Raising a Concern Policy Framework published in January 2023.

## **Our assurances to you**

### **Your safety**

We are committed to making whistleblowing work. Whether you are a member of CCEA staff or are raising a concern from outside CCEA, if you raise a genuine concern under these arrangements, you will not be at risk of losing your job or suffering any form of retribution or victimisation as a result. Provided you are acting in good faith, it does not matter if you are mistaken. This assurance does not however, extend to anyone who maliciously raises a matter they know to be untrue.

## **Confidentiality**

We will not tolerate the harassment or victimisation of anyone who raises a genuine concern whether they are a member of CCEA staff or external to CCEA. It is an offence for management and staff to victimise employees who may raise a concern and CCEA will take appropriate action against any manager or staff member engaging in such behaviour. Similarly, CCEA will not tolerate any form of victimisation against any whistleblower whether they be internal or external. With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone in confidence first. If this is the case, please say so at the outset. If you ask us not to disclose your identity, we will not do so without your consent unless required by law. However, you should be aware that concerns raised anonymously are much less powerful and more difficult to address. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such cases, we will discuss with you how the matter can best proceed.

## **Anonymity**

Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter, to protect your position, or to give you feedback. Accordingly, while we will consider anonymous reports, these arrangements are not well suited to deal with concerns raised anonymously.

For CCEA staff reporting a concern, if you are unsure whether or how to raise a concern or want confidential advice at any stage, you may contact your union. You may also contact the independent charity Protect (formerly known as Public Concern at Work) on 020 7404 6609 or by email at [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk). Their lawyers can talk you through your options and help you raise a concern about malpractice at work. For more information, you can visit their website at [www.protect-advice.org.uk](http://www.protect-advice.org.uk)

## **Overall Assurance**

While we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle any reported matters fairly and properly. By using these whistleblowing arrangements you will help us to achieve this. CCEA's Whistleblowing Policy and in particular the processes outlined in the "How we will Handle the Matter" section, apply equally to concerns raised by CCEA staff and concerns raised from any other source external to CCEA.

## **How to Raise a Concern**

Please remember that you do not need to have firm evidence of wrongdoing before raising a concern. However, we do ask that you explain as fully as you can the information or circumstances that gave rise to your concern. If in doubt, raise it!

If you are a member of CCEA staff and you have a concern about wrongdoing, you should raise it first with your line manager or with their immediate manager in the first instance. This can be done orally or in writing. If you are raising a concern from outside CCEA or if you feel that raising it with your line manager or their immediate manager is not appropriate (for example, if the issue concerns them), you should contact CCEA's Business Assurance Manager, David Wilson: [dwilson@ccea.org.uk](mailto:dwilson@ccea.org.uk) or telephone: 028 9026 2795. If you want to raise the matter in confidence, please say so at the outset and appropriate arrangements will be made to maintain confidentiality.

If you feel that neither of the above channels are appropriate for any reason and/or you believe there is an ongoing risk, or you feel the matter is so serious that you cannot discuss it with any of the above, you can raise your concern directly with the designated CCEA Council member, Brian Wilson, via e-mail: [whistleblowing@ccea.org.uk](mailto:whistleblowing@ccea.org.uk). Again, if you want to raise the matter in confidence, please say so at the outset and appropriate arrangements will be made to maintain confidentiality.

## **How we will Handle the Matter**

The Business Assurance team provide impartial and independent support for whistleblowing cases including those being investigated by the designated CCEA Council member. Once you have told us of your concern(s), we will look into it to assess initially what action should be taken. This may involve an informal review, an initial investigation or a formal investigation. Where it is decided that a formal investigation is necessary the overall responsibility for the investigation will lie with a nominated Investigating Officer who will normally be a member of staff in the Business Assurance Team. The Investigating Officer will have had no connection with the matter/issue raised. In any event, we will tell you within seven working days who is dealing with the matter, how you can contact them, and whether your further assistance may be needed. If you request it, we will write to you summarising your concern and setting out how we propose to handle the investigation of your concern.

When you raise a concern you may be asked how you think the matter might best be resolved. If you do have any personal interest in the matter, we do ask that you tell us at the outset. If your concern is more appropriately dealt with under a different policy (for example the CCEA Complaints Policy or the CCEA Grievance Policy) we will advise you accordingly. Any personal information relating to a concern raised under this policy will be handled according to the provisions set out in the CCEA Data Protection Policy.

We will give you as much feedback as we possible, and if requested, we will confirm it in writing. However, we may not be able to tell you the precise action we take if this would infringe a duty of confidence owed by us to someone else.

The outcomes of whistleblowing investigations will be shared, if appropriate, as follows:

- Business Assurance – directly to the Chief Executive
- Designated CCEA Council Member – directly to CCEA Council Chairperson.

However, if you have raised your concern in confidence, that confidence will be maintained throughout. It is the responsibility of the Chief Executive/Council Chairperson to decide what action (if any) is required based on the findings of whistleblowing investigations.

Any concerns raised regarding Centre or Candidate Malpractice/Maladministration will normally be passed to CCEAs Compliance Team for investigation under agreed Joint Council for Qualifications (JCQ) Malpractice guidelines.

## **External disclosures**

While we hope we have given you the reassurance you need to raise any concerns regarding CCEA with us, we recognise that there may be circumstances where you can properly report a concern to an outside body. In fact, CCEA would rather you raise a matter with the appropriate regulator – such as the Northern Ireland Audit Office or the Health and Safety Executive of Northern Ireland - than not at all. Protect (or your union) will be able to advise you on these options and on the circumstances where it may be appropriate for you

to contact an outside body. Other external bodies who you may wish to contact in appropriate circumstances include the Department of Education, the Equality Commission and the Complaints Commission.

### **If you are dissatisfied**

If you are unhappy with any aspect of the process you may wish to raise a complaint with the Northern Ireland Public Services Ombudsman who provides a free, independent and impartial service for handling complaints about public services in Northern Ireland as follows:  
Email: [nipso@nipso.org.uk](mailto:nipso@nipso.org.uk) or telephone: 028 9023 3821.

## Appendix 1 Frequently Asked Questions

### Why is whistleblowing necessary?

Every organisation faces the risk that something will go seriously wrong. Whenever such a risk arises, the first people to know about it will usually be those who work in or with the organisation. Yet while employees are the people best placed to raise the concern and so enable the risk to be removed or reduced, they are also the people who have the most to lose if they do. Similarly, anyone raising concerns from outside CCEA will be afforded exactly the same rights, treatment and protections as CCEA staff when they raise a legitimate concern.

It is vital for effective risk management that employees are confident that they can raise their concerns with their employer without suffering any detriment. Without this confidence, employees may stay silent where there is a threat, even a grave one, to the employer or its stakeholders. Such silence denies organisations a fail-safe opportunity to deal with a serious problem before it causes real damage. The cost of such a missed opportunity can be huge - fines, compensation, higher insurance premiums, damaged reputation, regulatory investigation, lost jobs, and even lost lives. Again, anyone raising concerns from outside CCEA will be afforded exactly the same rights, treatment and protections as CCEA staff when they raise a legitimate concern.

A positive whistleblowing culture has numerous advantages. It:

- detects and deters wrongdoing;
- provides managers with the information they need to make decisions and control risk;
- demonstrates to stakeholders and regulators that we are serious about good governance;
- reduces the chance of anonymous or malicious leaks (including to the media); and reduces the chance of legal claims against our organisation.

### What is whistleblowing?

Whistleblowing occurs when someone raises a concern about dangerous or illegal activity which they become aware of. If the organisation has a good policy and culture, the concern will be raised with the employer in the first instance. As the Committee on Standards in Public Life has explained:

*“The essence of a whistleblowing system is that staff should be able to by-pass the direct management line if required because that may well be the area about which their concerns arise. They should also be able to go outside the organisation if they feel the overall management is engaged in an improper course.”*

Whistleblowing is an early warning system which can alert employers to such things as:

- an employee defrauding the organisation; faulty machinery/building infrastructure which puts the safety of employees or customers at risk;
- professional negligence;
- the taking of payments in exchange for awarding contracts;
- deliberate interference with results;
- examination malpractice;
- unethical practice; or
- deliberate breach of legislation.

## **Who is a whistleblower?**

You are a whistleblower if you report certain types of wrongdoing. This may be something you've seen at work or something you have become aware of as an external source. The wrongdoing you disclose must be in the public interest. This means it must affect others, for example the general public.

As a whistleblower you are protected by law - you cannot be victimised or treated unfairly because you 'blow the whistle'. You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe may happen in the future.

You're protected by law if you report any of the following:

- a criminal offence, for example fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, for example does not have the right insurance
- you believe someone is covering up wrongdoing

Personal grievances (for example, bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest. You should refer these to your line manager or refer to CCEA's Complaints or Grievance Policies.

## **What is the difference between whistleblowing and making a complaint?**

In practical terms, whistleblowing occurs when someone raises a concern about danger or illegality which affects others (e.g. customers, members of the public, or their employer). The person blowing the whistle is usually not directly, personally affected by the danger or illegality. Consequently, the whistleblower rarely has a personal interest in the outcome of any investigation into their concerns. As a result, the whistleblower should not be expected to prove their case; rather he or she raises the concern so others can address it independently. This is different from a complaint. When someone complains, they are saying that they have been poorly treated or are dissatisfied with a service they have received. This poor treatment could involve a breach of their individual employment rights or bullying and the complainant is seeking redress or justice for themselves. The person making the complaint therefore has a vested interest in the outcome of the complaint and, for this reason, is expected to be able to prove their case.

## Version Control

Version	Responsible	Date	Notes
17	MA Hanlon	21/03/2018	Document Updating
18	D Wilson	13/11/2018	Review of Contact Details, formatting etc.
19	D Wilson/J Daly	27/11/2018	Updating during the approval process
20	L Scott	19/02/2019	Updating during the approval process.
21	D Wilson	19/03/2019	Updating based on NIPSA Feedback.
22	J McGovern	21/09/2021	Updated to include communications to CEO/Council on investigation findings
23	D Wilson	23/11/2021	3 year review and updating based on DE feedback.
24	L Scott	14/12/2021	Additional clarification on who qualifies as a whistleblower
25	D Wilson	08/02/2022	Further revision based on Internal Audit Findings.
26	D Wilson	12/1/2023	Reviewing and updating Council Member contact.
27	D Wilson	10/5/2023	Updating Council member contact, revising external disclosures and considering NICS Guidance issued in January 2023.
28	D Wilson	6/2/2024	Policy Renamed Raising a Concern Policy (incorporating the Whistleblowing Policy) as directed by ARAC.



