

ABMA External Whistleblowing Policy

Introduction

This policy is aimed at our customers, including learners, who are delivering/enrolled on or have taken an ABMA Ltd (hereafter 'ABMA') programme. This policy is also aimed at consultants/third parties affiliated with ABMA. It sets out the process you should follow when whistleblowing (also referred to as making a 'protected disclosure') and should be read in conjunction with the ABMA Malpractice and Maladministration Policy.

This policy is also for use by our staff to ensure they deal with all whistleblowing notifications in a consistent manner.

Centre responsibility

It is important that members of your staff involved in the management, assessment and quality assurance of our programmes and your learners are aware of the contents of this policy.

In addition, you must have internal whistleblowing arrangements which both staff and learners can access if they wish to make a protected disclosure.

Review arrangements

We will review this policy annually as part of our self-evaluation arrangements and revise it as and when necessary, in response to lessons learned, customer and learner feedback or requests from, or good practice guidance issued by Ofqual.

If you would like to feed back any views please contact us via the details provided at the end of this policy.

What is whistleblowing?

Whistleblowing is defined as "the raising of a concern, either within the workplace or externally, about a danger, risk, malpractice or wrongdoing that affects others".¹

In the context of this policy, we define a 'whistleblower' as someone who is:

- a current member of staff at a centre² (both permanent or contracted),

¹ Whistleblowing Commission, The, 2013. *Report on the Effectiveness of Existing Arrangements for Workplace Whistleblowing UK*, p. 4.

Examples of malpractice and maladministration can be found in our Malpractice and Maladministration Policy.

² Hereafter 'centre' refers to an ABMA recognised centre.

- a former member of staff at a centre (both permanent or contracted),
- a current learner at a centre,
- a former learner at a centre,
- a third party supplier to a centre, or
- a consultant/third party affiliated with ABMA.

Whistleblowing advice

If individuals want to get advice about whistleblowing and/or learn more about how they are protected, they should consider contacting either Public Concern at Work³ or getting independent legal advice.

Process for whistleblowing

At ABMA we encourage individuals to come forward if they wish to raise a concern about:

- a centre that they currently teach at,
- a centre that they formally taught at,
- a centre that they are/were a learner at,
- a centre that they are a third party supplier to,
- an employee within ABMA, or
- a consultant/third party affiliated with ABMA.

Individuals should contact the ABMA's Compliance Department (CD) via the details provided at the end of this policy.⁴

The CD will acknowledge receipt of your concern within 2 working days. After the initial review of the concern, ABMA may deal with the protected disclosure in accordance with the ABMA Education Malpractice and Maladministration Policy.

While we are prepared to investigate issues which are reported to us anonymously and/or by whistleblowers, we shall always try to confirm any disclosures by means of a separate investigation before taking up the matter with whom the disclosure relates.

³ Public Concern at Work's website is: www.pcaaw.org.uk

⁴ Should a person wish to make a protected disclosure about a member of the RD they should contact ABMA and ask to speak to the ABMA Senior Executive.

Confidentiality and whistleblowing

Sometimes a person raising a concern may wish to remain anonymous. Although it is always preferable to reveal your identity and contact details to us and, if you are concerned about possible adverse consequences, you can request that we do not divulge your identity. If it helps to reassure you on this point, we can confirm that we are not obliged (as recommended by Ofqual) to disclose information if to do so would be a breach of confidentiality and/or any other legal duty.

While we are prepared to investigate issues which are reported to us anonymously and/or by whistleblowers⁵ we shall always try to confirm an allegation by means of a preliminary investigation before taking up the matter with those the allegation relates.

Please note that although we endeavour to keep the identity of the whistleblower confidential, we cannot prevent their identity from being revealed because, for example, the circumstances surrounding the situation/incident points to them or because it is obvious via a process of elimination.

The Public Interest Disclosure Act (PIDA) and whistleblowing

If the person raising the concern is an employee of the organisation whom they want to submit a protected disclosure about, that person is protected by the Public Interest Disclosure Act (1998).

The Act makes it “unlawful for an employer to dismiss or victimise a worker for having made a ‘protected disclosure’ of information”.⁶ As such, we encourage whistleblowers to come forward with the knowledge that their employment rights are protected.

⁵ At ABMA, we define ‘whistleblowers’ as being current or ex members of staff (both permanent or contracted) or third party suppliers of a centre or ABMA and/or current or previous learners.

⁶ Whistleblowing Commission, The, 2013. *Report on the Effectiveness of Existing Arrangements for Workplace Whistleblowing UK*, p. 15.

Contact us

If you have any queries about the contents of the policy, please contact our Compliance Department at:

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