

FFURFLEN MANYLION POLISI - POLICY IDENTIFICATION FORM

TEITL Y POLISI: <i>POLICY TITLE:</i>	<i>Whistle Blowing Policy / Code of Conduct</i>
UWCH-GYFARWYDDWR A CHYFRIFOLDEB: <i>RESPONSIBLE EXECUTIVE DIRECTOR:</i>	<i>Corporate Services Grŵp Governance Officer</i>
PWRPAS: <i>PURPOSE:</i>	<i>to provide staff and others associated with the Institution the opportunity to raise genuine concerns, which are reasonably believed in good faith, should they arise</i>
OBLYGIADAU RISG: <i>RISK IMPLICATIONS:</i>	<i>A policy is required to provide appropriate guidance on procedure with a supporting code of ethics</i>
EFFAITH AR DDWYIEITHRWYDD <i>IMPACT ON BILINGUALISM</i>	<i>Not applicable</i>
EFFAITH AR GYNALIADWYEDD <i>IMPACT ON SUSTAINABILITY</i>	<i>Not applicable</i>
ARGYMHELLIAD: <i>RECOMMENDATION:</i>	<i>For approval</i>
CYFATHREBU <i>COMMUNICATION</i>	<i>Via Board</i>
PWLLGOR / GRŴP MONITRO: <i>COMMITTEE / GROUP RESPONSIBLE FOR MONITORING:</i>	<i>Tim Polisi, FRC, ARC</i>
CYMERADWYWYD GAN: <i>APPROVED BY:</i>	<i>Tim Polisi, FRC, ARC</i>
DYDDIAD CYMERADWYO <i>APPROVAL DATED:</i>	<i>To be approved 20th Oct 2016</i>
DYDDIAD ADOLYGU <i>REVIEW DATE CYCLE:</i>	<i>Every two years</i>

Original wording was negotiated in consultation with UCU and Unison.



Whistle Blowing Policy/Code of Conduct

PURPOSE AND SCOPE OF WHISTLEBLOWING POLICY:

The Grŵp is committed to developing a climate of openness in its dealings. This it seeks to achieve by having in place commonly understood systems and procedures, which protects the integrity of individuals and the Institution.

In response to the Public Interest Disclosure Act 1998, it has been agreed to incorporate a procedure for 'Whistleblowing', which is designed to provide staff and others associated with the Institution the opportunity to raise genuine concerns, which are reasonably believed in good faith, should they arise. These concerns by their very nature will be outside the day to day scope of management and, in the public interest, to be investigated.

Such concerns do not include mismanagement or issues of personal grievance or the handling of disciplinary process as regards employees or students but relate to such issues as fraud, maladministration, unethical activities or acts of a criminal nature. A list of more detailed examples of issues which would fall within the remit of this policy is given in Appendix I. This, however, should not be viewed as an exhaustive list.

Departure from established Grŵp procedures or a breach of the code of conduct could also constitute serious malpractice, which could fall within the scope of the whistle blowing procedures (see Appendix 2 for Grŵp Code of Conduct).

Any concerns raised must be substantiated by evidence and facts and individuals must be aware that they could be subject to the Grŵp disciplinary procedures and the law of defamation if they make false, malicious or unsubstantiated allegations. Any issues arising from disclosure at exit interviews will be considered, and if necessary the whistle blowing procedure can be followed.

POLICY STATEMENT:

The whistle blowing procedure is designed to provide a channel and process for individual employees to raise genuine and legitimate concerns. The procedure also allows the employer to have the opportunity to investigate those concerns and take appropriate actions so that the matter is resolved effectively within the institution.

UNDERLYING PRINCIPLES - WHISTLEBLOWING & GRIEVANCE:

The term 'whistle blowing' is most commonly used to refer to a situation whereby an employee (or ex-employee) publicly discloses what he or she perceives as wrong doing within an organisation.

Grievance on the other hand, generally relate to such matters as conditions of service of individuals or groups of staff or disputes with other individuals, and are dealt with under the Institution's Grievance Procedures. This requires the employee to discuss his or her grievance with their Functional Manager, with the grievance hopefully being resolved at that stage. In

the event of a grievance not being resolved, there is the right of redress to the Head of Personnel and then to the appropriate Executive Director and / or CEO.

If necessary, there is final referral to the Corporation Board, where the matter ends subject to the application of an external conciliation process.

Responsibility for investigating allegations made by a 'whistleblower' should normally reside outside the senior management structure of the Institution, whilst allowing for direct access to the Corporation Board. The Grievance Procedure, with its different focus, does not provide this direct contact, hence the need for specific Whistle blowing Procedures.

Whistle blowing Procedures

These procedures are summarised in Appendix 3.

Throughout these procedures efforts will be made to protect your anonymity, in so far as this is possible. There may be circumstances in which your identity becomes generally known, e.g. as a result of the activities of journalists. If you do not wish to remain anonymous then you should indicate this at the time of raising the matter. All correspondence will be to your home address or other contact address chosen by yourself.

1. If you reasonably believe that a wrong-doing has been, is being or is likely to be committed within the Institution, including any criminal offence, a failure to comply with legal obligations, a miscarriage of justice, a health and safety danger, an environmental risk or a concealment of any of these matters, then you should report this wrong-doing to the Grŵp Governance Officer (Toby Prosser on 01492 546666 x 313). In exceptional circumstances, for example, where the wrong-doing involves the Governance Officer, you should contact the Corporation Board Chair directly.
2. You can talk to the Governance Officer about your concerns – you do not need to put anything in writing at this stage. The Governance Officer will record the details of your concerns.
3. The Governance Officer will be able to advise you as to whether your concerns come within the scope of these procedures or whether they should be dealt with under the Grŵp's Grievance Procedures. If the latter is the case, the Governance Officer will advise you on how to proceed.
 - 3.1 Within five working days of your initial meeting with the Governance Officer, you will receive a copy of the record of the meeting. Where the concern involves a member of Tîm Polisi, such as the CEO or an Executive Director, a copy of the record will be forwarded to the Chair of the Corporation Board. In all other instances the record will be copied to the CEO and appropriate Principal.
4. If your concerns come within the scope of these procedures, the Governance Officer will carry out an initial investigation. You will receive a report on the outcomes of

this investigation, normally within twenty working days. Where the concern involves a member of the Tim Polisi, such as the CEO or Principals, a copy of the report will be forwarded to the Chair of the Corporation Board. In all other instances the report will be copied to the relevant Principal.

5. The possible outcomes to this initial investigation are:
 - 5.1 For issues involving a member of Tim Polisi such as the CEO or a Principal:
 - 5.1.1 The issue is resolved/explained to the satisfaction of yourself, the Governance Officer and the Chair of the Corporation Board and the case is closed.
 - 5.1.2 The Governance Officer and the Chair of the Corporation Board are satisfied that the issue is resolved/explained but you are not. In this case you may follow the procedures set out 6 below.
 - 5.1.3 The Governance Officer instigates a full investigation
 - 5.2 For all other issues:
 - 5.2.1 The issue is resolved/explained to the satisfaction of yourself, the Governance Officer and the Principal and the case is closed.
 - 5.2.2 The Governance Officer and the Principal are satisfied that the issue is resolved/explained but you are not. In this case the Governance Officer will arrange for you to present your concerns to the Chair of the Corporation Board.
 - 5.2.3 The Governance Officer instigates a full investigation.
6. In the case of 5.1.2 and 5.2.2 the Chair of the Corporation Board would also receive a copy of the report on the initial investigation carried out by the Governance Officer. The outcome of the meeting between you and the Chair to the Corporation will be one of the following:-
 - 6.1 The Chair agrees with the findings of the Governance Officer and you are satisfied with the Chair's findings. In this case, the file will be closed.
 - 6.2 If you are still not satisfied, you may follow the procedures set out in 9 below.
 - 6.3 The Chair is not satisfied with the findings of the initial investigation and instigates a full investigation following the procedures set out in 8 and 9 below.

7. In the case of 6.3, one or more of the following bodies will carry out a full investigation:-
- The Police
 - The Audit Committee
 - Internal Auditors
 - The Safety, Health and Environment Committee
 - Others as deemed appropriate
8. With the exception of the Police, those carrying out the full investigation will report directly to the Corporation Board who will then decide on appropriate action. You will receive details of the reports to the Corporation Board at the same time as they are circulated to the Board members. In the event that the full investigation is carried out by the Police, the Corporation Board will seek to obtain details of their findings, and will publish these in a report to the Corporation Board, details of which will be forwarded to you at the same time. You will receive details of any action to be taken by the Board, within five working days of the relevant meeting of the Board.
- External bodies will, of course, take action as they deem appropriate.
9. If, after the Board has reported and specified the action it is to take, you are not satisfied that your concerns have been dealt with effectively, then you can report them to the National Assembly or DfES or, if you believe that a criminal offence has been committed, the police. There may be other appropriate persons to whom your concerns should be reported, for example in a matter concerning Health & Safety, the Health & Safety Executive. The Governance Officer will be able to advise you on how to report your concerns and who the appropriate person would be to make the report to.
10. These procedures have been drawn up to ensure your concerns will be fully investigated and appropriate action taken. Any concerns that you have about wrongdoing at the Institution should therefore be raised by using the above procedures, unless there are exceptional reasons which would merit you bypassing this.

MONITORING AND IMPACT MEASUREMENT:

The Grŵp is committed to creating a climate of openness, where concerns which are reasonably believed in good faith, can be raised through the proper channels without any fear of victimisation or reprisal. However, if it becomes clear that the procedure has not been invoked in good faith, for example for malicious reasons or to pursue a personal grudge against another person, or where false accusations are made, this will be viewed as serious misconduct in the case of a member of staff and will be dealt with accordingly under the Grŵp's Disciplinary procedures. In the case of an ex-employee or external person, malicious or false accusations could result in legal action by the organisation or any individual named.

Where a reasonably believed bona-fide concern is raised under this procedure, the Grŵp undertakes that the person raising that concern will not be subjected to any detriment. In the event that any person within the Grŵp, as a result of their decision to invoke this procedure, subjects the person to a detriment they should inform the Governance Officer of this immediately and any appropriate action will be taken to protect them. In so far as the person raising the concern is a worker of the Grŵp, they will be protected by the provisions of the Public Interest Disclosure Act 1998, provided that the subject matter of the disclosure and the manner in which it is made, is of a type which qualifies for protection under that Act.

1 GENERAL

Educational Partners. These include situations where:

- a member of staff persistently departs from the established procedures contained in any of the Grŵp policies or procedures;
- a member of staff is required to act in a way which:
 - * is illegal, improper or unethical, or commits a criminal offence;
 - * is in breach of constitutional convention or a relevant professional code;
 - * is inconsistent with the Grŵp's policies and procedures;
- there is a failure to respond to an identified, serious threat to health and safety;
- there is an offer or acceptance of any inducement or bribe intended to influence a decision, policy, plan or purchasing arrangement;
- a miscarriage of justice has occurred.
- information tending to show any of the above matters has been deliberately concealed;

2 STAFF – STUDENT

These include situations where:

- a member of staff assists a student to gain prior knowledge of external or internal examinations:
 - * by making the contents known to students, or
 - * by making opportunities for students to discover prior knowledge, or
 - * by letting students take advantage of an unforeseen opportunity to discover that prior knowledge;
- a member of staff solicits or accepts the offer of sexual favours or other inducement from a student in return for the award of higher results or grades in

coursework, assignments, and examinations to the student. (See Consensual Relations Policy).

3 STAFF - EMPLOYER

These include situations where:

- a member of staff takes advantage of their position and/or access to information in order to enable themselves to compete with the employer for clients or to compete in the future with the employer for clients;
- a member of staff gains a secret profit from:
 - * performance of services for which remuneration, fees, emoluments, salary, wages or other payment has already been made by the employer;
 - * the securing of a contract of any kind on behalf of the Grŵp, whether securing of contracts is part of the member of staff's normal duties or not;
 - * the submission of false invoices, orders, bills and the like, either to the Grŵp's own finance department or an external supplier of goods or services;
- a member of staff persistently, without permission, uses Grŵp property for their own private concerns;
- a member of staff, by any means, threatens or appears to threaten the independence of a governor or governors.

4 EMPLOYER – STAFF

These include situations where:

- a member of staff, with line management responsibility, persistently overlooks or fails to deal appropriately with breaches of Grŵp procedures, policies and/or code of ethics by other members of staff;
- a member of staff with line management responsibility or timetabling responsibility persistently, without justification, adopts a pattern of conduct towards another member of staff, where that pattern departs from existing Grŵp procedures, policies or schemes with respect to any of the matters contained in the following non-exhaustive list:
 - * arranging for staff training or development or for particular staff training or development;

- * reducing allocated workloads;
 - * the allocation to or away from particular duties selected by the member of staff;
 - * the provision of resources and other similar matters.
- a member of the Grŵp management team, at any level, persistently fails to adequately respond to legitimate concerns raised by employees in good faith by failing to adhere to the procedures laid down in the Grŵp Grievance Procedures

INTRODUCTION

1 PURPOSE

Grŵp Llandrillo Menai is a public institution which relies on public funding and this demands a high level of accountability and underlines the importance of a good reputation. This code aims to set minimum standards of conduct for all staff based upon mutual respect, trust and confidence.

The standards laid down in this Code should help the Grŵp to meet the needs of learners through the delivery of a high quality service. It will help staff to understand the standards of conduct and behaviour expected of them, as well as assisting managers to maintain proper standards of discipline at work.

2 SCOPE

This Code of Conduct applies to all Grŵp employees. It will be introduced to all new employees during their induction period and will be shared with all existing staff on the Grŵp Portal. It is considered to be the responsibility of each employee to familiarise themselves with Grŵp policies and procedures.

3 EDUCATION WORKFORCE COUNCIL

All staff employed in teaching roles within the Grwp have been required to register with the Education Workforce Council since April 2015. Other staff providing education will be required to register from April 2016 – please refer to the EWC website www.ewc.wales/site for details.

The Education Workforce Council has introduced its own Code of Professional Conduct and Practice for Registrants. A copy of this code is reproduced below. This is applicable to staff registered with the EWC and they are expected to familiarise themselves with the content of this document.

4. EWC CODE OF PROFESSIONAL CONDUCT

Background

The Education Workforce Council for Wales is the statutory, self-regulating professional body for members of the Education Workforce in Wales. It seeks to raise the status of workers in education and training by maintaining and promoting the highest standards of professional practice and conduct in the interests of registrants, learners and the general public.

Purpose, scope and status of the Code

The Code sets out the key principles of good conduct and practice for registrants in Wales. It is intended to guide judgments and decisions and inform parents, guardians, learners; and the general public of the standards they can expect from registrants.

The Code is not a definitive or exhaustive guide. However failure to comply with the Code may call a person's registration into question. The Council has legal powers to investigate and hear cases of alleged unacceptable professional conduct, serious professional incompetence and criminal offences involving registrants.

KEY PRINCIPLES – professionalism and maintaining trust in the education workforce

Registrants:

- base their relationship with learners on mutual trust and respect;
- have regard to the safety and well-being of learners in their care;
- work in a collaborative manner with colleagues and other professionals, and develop and maintain good relationships with parents, guardians and carers
- act with honesty and integrity;
- are sensitive to the need, where appropriate, for confidentiality;
- take responsibility for maintaining the quality of their professional practice;
- uphold public trust and confidence in the education workforce.

PROFESSIONAL CONDUCT

Registrants base their relationship with learners on mutual trust and respect

Registrants:

- follow policies, procedures and guidelines* on matters such as communication with learners, physical contact, behaviour management, inclusion, access and equality of opportunity;
- conduct their relationships with learners professionally and appropriately both in and out of the workplace;
- ensure that any communication with learners is appropriate, including communication via electronic media, such as e-mail, texting and social networking websites;
- are committed to providing equal opportunities for all learners, regardless of their age, gender, sexual orientation, disability, additional learning needs, race, religion or belief.

Registrants have regard to the safety and well-being of learners in their care

Registrants:

- comply with all policies, procedures and guidelines that safeguard and promote the welfare of learners*;
- take all reasonable steps to ensure the safety and well-being of learners under their supervision;
- report any incident which may be perceived to breach the established boundaries between registrants and learners;
- contribute to the creation of a fair and inclusive environment by

- addressing discrimination, stereotyping and bullying;
- identify and address issues at all times that might impact on learners' welfare.

Registrants work in a collaborative manner with colleagues and other professionals, and develop and maintain good relationships with parents, guardians and carers

Registrants:

- behave professionally and with respect towards colleagues and professionals;
- support and collaborate with colleagues and other professionals in matters concerning the education of learners;
- follow policies, procedures and guidelines* on communication with parents, guardians and carers, including those relating to sensitive areas such as attendance and exclusion;
- develop and maintain good relationships between home and learning institution, respecting the role of the parent, guardian or carer in a learner's education.

Registrants act with honesty and integrity

Registrants:

- comply with policies, procedures and guidelines* in respect of the use of workplace property, facilities, finance and ICT;
- handle finances and funds correctly, and use workplace property and facilities appropriately;
- conduct assessment and examination related tasks with integrity;
- take care to ensure the accuracy of information prior to signing documents*;
- represent themselves, their experience, professional position and qualifications honestly.

Registrants are sensitive to the need, where appropriate, for confidentiality

Registrants:

- ensure communications with parents, guardians, colleagues and other professionals comply with policies, procedures and guidelines*;
- keep learners' personal/educational records secure;
- only disclose confidential information where it is appropriate to do so;
- comply with policies, procedures and guidelines* regarding the disclosure of learners' information.

PROFESSIONAL PRACTICE

Registrants take responsibility for maintaining the quality of their practice

Registrants:

- adhere to the relevant standards for their role;
- maintain high standards of practice in relation to learning, classroom and workshop management, planning, monitoring, assessment and reporting;
- keep their professional knowledge and skills up-to-date throughout their career;
- maintain an up-to-date knowledge of relevant guidelines and educational developments in their particular role, and learning in general;
- reflect upon and evaluate their practice as part of their continuing professional development;
- are open to, and respond positively and constructively to feedback regarding their practice;
- seek support, advice and guidance where necessary.

* policies, procedures and guidelines include those issued nationally, by a school, college, local authority or diocesan authority

COMPLIANCE WITH THE LAW

Registrants uphold public trust and confidence in the education profession

Registrants:

- adhere to lawful standards of behaviour, in a manner in keeping with their position as a member of the education profession;
- do not engage or incite others to participate in any criminal activity;
- are mindful of their position as role models to learners, acknowledging that criminal behaviour may damage trust and confidence in them personally and the education profession as a whole;
- inform their current employer or agent and the Council of any recordable criminal offence.

Note: Where a registrant receives a conviction or formal caution for a recordable criminal offence, this offence may be referred to the Education Workforce Council for Wales by the police. The Council will consider such offences as to their seriousness and relevance to a registrant's registration.

OPERATIONAL MATTERS

5 ATTENDANCE AND TIMEKEEPING

The Grŵp expects all staff to arrive for work punctually and to work their normal hours of work as agreed with their line managers and reviewed during the annual performance review process. Employees should not vary their normal working pattern without discussion and agreement of their line manager. Managers will challenge instances of persistent lateness and absenteeism in accordance with agreed procedures.

6 SICKNESS ABSENCE

The Grŵp's policy in relation to sickness absence is documented within the Health and Wellbeing Policy, a copy of which is available on the Grŵp Portal.

Staff are expected to keep absence to a minimum and instances where there appears to be an abuse of the policy will be addressed in accordance with agreed procedures

7 ALCOHOL AND SUBSTANCE ABUSE

Employees must not report for work if they are under the influence of any substance including alcohol or non-prescribed drugs. If an employee has been prescribed medication/drugs by a healthcare professional he/she must inform his/her line manager immediately if the medication has or could have an adverse effect on his/her ability to carry out the normal requirements of the post.

Support will be provided where relevant in accordance with the Grŵp's Health & Wellbeing Policy.

8 BULLYING AND HARASSMENT

All colleagues and learners have the right to be treated with respect and dignity within an organisation that is free from discrimination, harassment, bullying, intimidation and victimisation.

Bullying and/or harassment can be verbal, non-verbal or physical conduct which is unsolicited or unwelcome and which another individual considers to violate their dignity and creates an intimidating, hostile, degrading, humiliating or offensive environment.

Instances of bullying and/or harassment at work, or outside work if it has a bearing on the working relationship is unacceptable and will not be tolerated and action may be taken in accordance with agreed procedures.

9 BILINGUAL ETHOS

All staff are required to promote the bilingual ethos of the Grŵp and respect the linguistic rights of learners and colleagues.

10. GRŴP VEHICLES AND DRIVING ON GRŴP BUSINESS

The standard of behaviour expected of staff whilst driving a vehicle on official Grŵp business is documented in the Grŵp's Travel Procedure.

11 DRESS CODE & PERSONAL HYGIENE

The Grŵp has not adopted a standard dress code although uniforms or other protective clothing are provided for certain groups of employees. Other employees are expected to dress in a way that is appropriate to their role whilst maintaining standards of professionalism and a degree of common decency. Line managers will raise concerns

about an employee's standard of dress and presentation if it is deemed necessary to do so but they will have regard to an employee's cultural traditions and to any health/medical conditions. All members of staff are expected to maintain high levels of personal hygiene, so that offence is not given to others.

Employee ID badges should be worn whilst staff are on duty.

12 CRIMINAL CONVICTIONS

All posts within the Grŵp are assessed to determine whether newly recruited staff are required to obtain a Disclosure and Barring Service (DBS) check in accordance with DBS Code of Practice. It may also be necessary to conduct update checks in certain situations and any employee failing to comply with a reasonable request may face disciplinary action.

Employees who are charged with a criminal offence, or who is the subject of a criminal investigation, should report the matter to the HR Department immediately and should provide regular updates until the matter has been resolved. If the matter leads to a criminal conviction the employee should submit a written report to the HR Director who will consider whether disciplinary action should be taken. Depending on the severity of the case a criminal conviction could lead to the breakdown of the employment relationship between the employee and the Grŵp.

13 CLASSROOM CONDUCT – TEACHING AND LEARNING STAFF

13.1 All teaching and learning staff are expected to act as role models for learners, and to ensure their behaviour encourages respect within the learner group and between teaching and learning staff and learners – this includes: .

- (i) Commencing classes on time and to finish classes at the designated time.
- (ii) Avoid leaving classes unattended unless in the event of an emergency.
- (iii) Preparing appropriately for all classes and to ensure all learner work is marked in a timely fashion.
- (iv) Ensuring appropriate personal protective equipment is worn by learners
- (v) Not disrupting classes to receive telephone calls unless in the event of an emergency. In all other instances, the relevant administrative assistant should ensure that the message is passed on at the end of teaching.
- (vi) Conducting all classes in a way that is conducive to learning, promoting the contribution of all students in a secure, non-threatening environment.
- (vii) Notify when they are working within their contracted hours, but off official premises, and to provide appropriate contact details should this be necessary.

13.2 Use of Reasonable Force to Control or Restrain

As a general rule staff should avoid any physical contact with learners and are always advised not to put themselves physically at risk and to seek advice from their line managers if necessary to do so. Physical force or intervention should not

be used as a form of punishment and the use of unwarranted physical force is likely to constitute a criminal offence.

When physical intervention is used (e.g. to avoid harm to self or others) it should be undertaken in a way that maintains the safety and dignity of all concerned.

In all cases where physical intervention is employed a brief note of the incident should be submitted to the line manager. In the case of a young learner the parents/carer should be informed on the same day by the personal tutor.

13.3 Parental Liaison

Teaching and learning staff have a duty of care to learners, particularly those under 19 years of age. There is an obligation to keep parents/guardians informed of the progress and conduct of their children. Teaching staff are required to be familiar with the procedures for reports to parents/guardians, parents' evenings, concern notes and letters and to comply with the Grŵp Data Protection Policy

13.4 Educational Visits

Staff involved in external educational visits should display exemplary behaviour and recognise their duty of care for themselves, colleagues and learners throughout the visit. Adults remain in a position of trust and need to ensure that their behaviour remains professional at all times.

Where such visits include overnight stays careful consideration needs to be given to sleeping arrangements and these need to be discussed with learners and parents/carers prior to the start of the trip. In all circumstances, those organising trips must pay careful attention to ensuring safe staff/learner ratios and to the gender mix of staff especially on overnight stays and the availability of emergency cover during overnight hours.

Staff arranging external visits with learners will be required to comply with the Grŵp's procedures. This will include undertaking relevant risk assessments and obtaining line management approval before the visit.

14. HONESTY AND PROBITY

All staff are expected to act with probity and honesty at all times, including when we believe others would not know of our actions. Honesty means not using coercive or misleading practices or falsifying records or wrongfully withholding information.

15. FINANCIAL REGULATIONS

A copy of the Grŵp's Financial Regulations is accessible to employees on the Grŵp Portal. Failure to adhere to these regulations may result in disciplinary action and could lead to dismissal.

16. BRIBERY ACT 2010

The Grŵp values its reputation for ethical behaviour and for financial probity and reliability. It recognises that over and above the commission of any crime, any involvement in bribery will reflect adversely on its image and reputation. Its aim, therefore, is to limit the Grŵp's exposure to bribery by:

- Setting out a clear anti-bribery policy;
- Encouraging staff to be vigilant and to report any suspicions of bribery, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately;
- Rigorously investigating instances of alleged bribery and assisting police and other appropriate authorities in any resultant prosecution;
- Taking firm and clear action against any individual (s) involved in bribery.

The Grŵp prohibits the offering, the giving, the solicitation or the acceptance of any bribe, whether cash or other inducement to or from any person or company, wherever they are situated and whether they are a public official or body or private person or company by any individual employee, board member, agent or other person or body acting on the Grŵp's behalf in order to gain any commercial, contractual or regulatory advantage for the Grŵp in a way which is unethical or in order to gain any personal advantage, pecuniary or otherwise, for the individual or anyone connected with the individual.

Individuals should discuss with their line manager if at any time they are in doubt as to whether a potential act constitutes bribery. If necessary, guidance can be sought from the Director of Financial Services.

17. GIFTS AND HOSPITALITY

An employee should not accept any fee or reward from an outside organisation, except for small promotional gifts, e.g. mugs, calendars, diaries, stationery, etc. Any gifts offered should always be tactfully refused. The Chief Executive may agree that a gift of less than £20.00 in value may be kept by the recipient.

Invitations to working meals, a social function to which other guests are invited, a general celebration of a team sporting event is generally acceptable.

Further guidance on these issues is contained in the Grŵp's Financial Regulations which can be accessed on the Grŵp Portal. If in doubt please seek advice from the Finance Department.

18. OUTSIDE BUSINESS INTERESTS

Full-time salaried staff are not permitted to engage in any other employment without prior written consent from the Human Resources Director. Requests for permission should be submitted in writing providing full details of the proposed employment. Any

private work or work connected with an outside interest must not be done during the employee's working day, nor with the use of Grŵp materials or resources.

Any interest, financial or otherwise, which is likely or would, if publicly known, be perceived as being likely to interfere with the exercise of objective judgement and decision making should be disclosed and included in the Register of Interests. Senior managers, budget holders and governors are required to register any interests with outside bodies or associations. The Register of Interests is updated annually and is available for inspection by the public, staff and students from the Governance Officer.

19. FALSIFYING OF COLLEGE DOCUMENTS

Falsifying a college document is not acceptable and could lead to allegations of fraud and the potential to bring the Grwp into disrepute. Staff should not wilfully or otherwise falsify any college document whether for pecuniary advantage or otherwise. This relates to any internal or external documents particularly those relating to communication with awarding bodies claiming certification for learners.

If any member of staff becomes aware of such activity they should report the matter to their line manager immediately.

20. PERSONAL RELATIONSHIPS

20.1 Staff – Learners under 18 or vulnerable adults

Under the Sexual Offences Act 2003, it is an offence for anyone in a position of trust to engage in sexual activity (including touching of a sexual nature) with a person under the age of 19 who is in their care. The position of trust definition applies to all lecturers and other staff in an educational setting. Such a breach of trust is an arrestable offence, even if the activity and/or relationship is consensual. Anyone successfully convicted under this legislation will be subject to notification requirements and registration under the Sex Offenders Act 1997.

Employees in such a position of trust must not enter into personal relationships with any learner under the age of 18, and must not encourage behaviour on the part of the learner which goes beyond that which could ordinarily be expected from a staff/learner relationship. Referral may be made to the relevant Local Authority in accordance with the "All Wales Child Protection Procedures".

Relationships with learners who are deemed to be "vulnerable adults" are prohibited. This type of relationship could be viewed as an abuse of the employee's position of trust and breach of standards of professional conduct expected.

These rules will be strictly enforced. Any member of staff who enters such relationships will be subject to the Grŵp's Discipline Procedure, this may

constitute gross misconduct, which could lead to summary dismissal and referral to the Education Workforce Council and Disclosure and Barring Service.

20.2 Learners over 18

Personal relationships between employees and learners over 18 years of age must be disclosed to the employee's line manager. This requirement equally applies to relationships that existed prior to the employment or enrolment and to relationships that develop at college. The Grŵp will put in place appropriate arrangements to ensure that the learner's learning and assessment is free from bias. The Grŵp will also advise the member of staff and learner that their relationship should be conducted entirely off campus. Although the line manager will treat the disclosure sensitively and in confidence, it is likely that other members of staff will need to be informed.

20.3 Between Staff

If you perceive that a personal relationship you have with a colleague may give rise to a professional conflict/compromise you should bring this to the attention of your Line Manager or their manager. This applies equally to relationships that existed prior to employment and to relationships that develop whilst in employment. Such disclosures must be treated with respect, dignity and in confidence, however it may be necessary for the line manager to discuss with their line manager or Human Resources Manager. The line manager will be responsible for making appropriate alternative arrangements where necessary to avoid any conflict of interest which could involve redeploying an employee to an alternative role within the Grŵp.

20.4 Staff – Client/service provider

If you perceive that a personal relationship you have with a client or service provider may give rise to a professional conflict/compromise you should bring this to the attention of your Line Manager or their manager.

21 USE OF ICT RESOURCES

All employees are required to uphold the Grŵp's ICT usage protocol documents.

Routine monitoring of usage of Grŵp internet and email systems is undertaken. Staff are allowed to make reasonable use of the internet and email service for personal use outside their normal working hours as long as usage is within accepted guidelines.

Examples of serious misuse relating to internet use and which would result in disciplinary action and potentially dismissal include:

- Accessing/storing/downloading pornographic materials
- Accessing/storing/downloading anarchic material
- Fraudulent e-commerce transactions

- Sending of stalking/threatening e-mail messages

Examples of misuse include:

- Playing games during working hours
 - Accessing/storing/downloading glamour images
 - General use for commerce
 - Use of chat lines
- Excessive email usage internally or externally which is not related to the employee's role and responsibilities at work.

Use of Social Media

Staff should exercise care when communicating with learners via social media restricting contact to approved Grŵp systems only. Inappropriate communication and conduct on social media via Grŵp IT systems may be challenged and could lead to formal action being taken.

Further guidance for staff is attached as Appendix 1 to this Code.

22 USE OF TELEPHONE SYSTEMS

The College telephone service is for business use but urgent/essential personal calls may be made using the college system. The use of the telephone system is monitored for private use and staff may be billed for non-essential personal calls.

22.1 Use of Mobile Phones

Use of personal mobile phones by staff should be kept to a minimum during designated working time except in domestic emergencies (e.g. care arrangements) Teaching and learning staff should not disrupt classes to receive telephone calls unless in the event of an emergency. In all other instances, the relevant administrative assistant should ensure that the message is passed on at the end of teaching.

23 HEALTH AND SAFETY

All employees are responsible for ensuring reasonable care for the health and safety of themselves and other persons who may be affected by his/her acts or omissions at work. Not only is this a requirement for all staff under the contract of employment but it is a legal requirement under the Health and Safety at work Act 1974 (Section 7).

All employees are expected to co-operate with any reasonable instructions by senior managers to enable the Grŵp to meet the duties imposed by the statutory provisions. All staff should familiarise themselves with the Grŵp's Safety, Health & Environment Policy. The Grŵp will actively encourage employees to participate in raising health and safety standards and will provide regular staff training opportunities.

23.1 Accident Reporting

In the event of suffering an accident or injury at work an employee should inform a First Aider and the line manager and complete an Accident form located at Campus Receptions. This is a legal requirement and one which is monitored on a monthly basis.

23.2 Parking

Speed limits should be observed at all times on the Grŵp estate and private vehicles must be parked in allocated car parking spaces. Disabled parking spaces are for the use of disabled staff or visitors displaying the appropriate 'disabled badges' and staff should not park in areas designated for visitors only.

23.3 Smoking

The Grŵp has adopted a no-smoking policy, to include e cigarettes, within all buildings. This must be adhered to, and those who wish to smoke outside the buildings are requested to use the smoking shelters provided. Failure to comply with this requirement could lead to disciplinary action.

APPENDIX 1

Guidance on the Use of Social Networking Media

1. This document refers to the use of social media where such activity is undertaken using the Grwp's computer equipment or own personal equipment or devices linked to the internet through the Grŵp's IT network. It is not intended to infringe on an individual's freedom to use social media in their private life but there may be instances where such usage may impact on their responsibilities whilst at work.
2. Within an academic environment there is an existing culture of academic freedom enabling the expression of personal, sometimes controversial, views. The Grŵp respects that all staff have a right to a private life and opinions including sharing those opinions publicly as long as they do not involve:
 - a. Negative, defamatory or derogatory comments about work colleagues, learners, the Grŵp or associated partners.
 - b. Bringing the organisation into disrepute
 - c. Constitutes victimisation, bullying or harassment
 - d. Breaches of confidentiality
 - e. Unlawful actions
3. For the purposes of this guidance social media is regarded as any facility for online publication and commentary, including without limitation, blogs, Facebook, LinkedIn, Twitter, Google+, Instagram, MySpace, Flickr, Snapchat, What's App or You Tube.

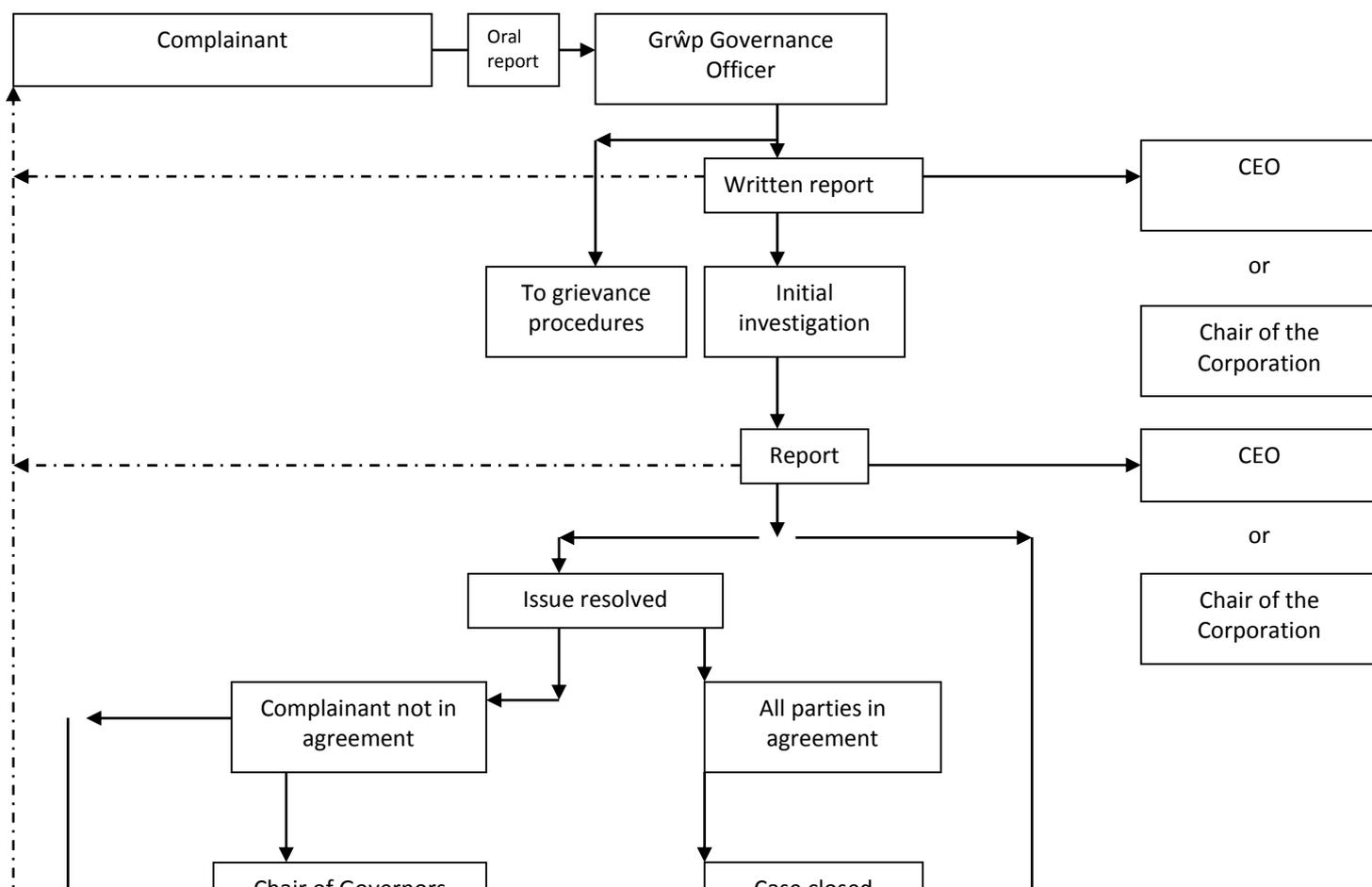
4. In addition, as accepted good practice when using social media staff should:

- Use professional judgment at all times
- Maintain professional boundaries and not to seek to add learners and or their parents or guardians as friends or contacts in their own social media accounts to discuss Grŵp business.
- Not engage in discussion with learners online using personal social media accounts
- Consider when posting comments or photographs how others may view the posts
- Never post anything that is offensive or aggressive as it can easily be taken out of context
- Review profile information and settings to ensure that it is appropriate as it can potentially be accessed by others such as work colleagues, learners, parents or potential employers
- Consider noting the profile that the content posted on personal social media accounts are personal views and not that of the Grŵp.
- Constantly review privacy or security settings.

5. Current legislation relating to this includes:

- Communications Act 2003
- Protection from Harassment Act 1997
- Data Protection Act 1998
- Equality Act 2010
- Human Rights Act 1998
- Defamation Act 2013

WHISTLEBLOWING PROCEDURES - FLOWCHART



(Whistleblowing Procedures - Section 1)

All issues with the exception of those directly involving the Governance Officer should be directed to:

- (a) Grŵp Governance Officer
Grŵp Llandrillo Menai
Llandudno Road
Rhos-on-Sea
Colwyn Bay
LL28 4HZ.

Telephone No: Direct Line (01492) 542313

Where an issue directly involves the Governance Officer please contact (marking all correspondence as confidential):

- (b) The Chair
Grŵp Llandrillo Menai
Llandudno Road
Rhos-on-Sea
Colwyn Bay
LL28 4HZ

EQUALITY IMPACT ASSESSMENT:

Date: 20.10.16

Policy / Procedure/Process Title: Whistleblowing

Personnel Involved in Equality Impact Assessment: Grŵp Governance Officer

Consideration	Response	Further evidence requirements	Outcome
Which Protected groups might be disadvantaged by the policy/process	None		
Which protected groups might benefit from the policy/process	All		
Does the policy advance equality and foster good relations	Fosters a spirit of openness and justice for perceived wrongdoing		
Could any part of the process discriminate unlawfully	No		
Are there any other policies that need to change to support the effectiveness of this one	The Grŵp Disciplinary and Grievance Policy should be followed where Whistleblowing procedures are not appropriate		
Conclusion: Tick one		Continue the Policy and process	
Please list:	Actions required to adjust including by whom and by when: No adjustment necessary.		
Date Actions to adjust completed	Not applicable.		

Welsh Language Impact Assessment

Name of Policy or Procedure: Whistle Blowing Policy

Date: October 2016

Personnel/Groups Involved: Grŵp Governance Officer

Consideration	Response	Further evidence requirements	Outcome
What positive effects will the implementation of the policy or procedure have on the use of Welsh language?	<i>The policy will be translated to provide staff and others associated with the Institution the opportunity to raise genuine concerns, which are reasonably believed in good faith, should they arise</i>		
What negative effects will the implementation of the policy or procedure have on the use of Welsh language?	None		
Are there sufficient Welsh-speaking staff available to implement the policy or procedure? If not, what steps will be taken to ensure that sufficient staff are available, and by when?	Yes – in accordance with the Grŵp’s Welsh Language Plan		
Does the policy or procedure comply with Grŵp Llandrillo Menai’s Welsh Language Schemes/Language Strategy?	Yes		
Conclusion	Adjust the policy or procedure	Continue the policy or procedure	Stop and remove the policy or procedure