

Whistleblowing Policy

1. Policy Statement

BCI is committed to the highest standards of openness, integrity, accountability, and safeguarding. This Whistleblowing Policy is designed to enable staff and others to raise concerns about wrongdoing, malpractice, or safeguarding issues in a safe and confidential way, without fear of retaliation.

This policy is explicitly aligned with the Public Interest Disclosure Act 1998 (PIDA), which offers legal protection to workers who raise qualifying disclosures in the public interest.

BCI encourages all individuals to speak up if they have concerns about unacceptable practice or behaviour. Early disclosure helps protect learners, staff, the organisation, and the wider public.

2. Scope

This policy applies to:

- All employees (permanent, temporary, and casual)
- Volunteers
- Contractors and agency staff
- Trustees or members (where applicable)
- Learners, where appropriate

It operates alongside, and does not replace, other policies such as Safeguarding, Complaints, Grievance, Disciplinary, and Health & Safety.

3. Legal Framework – Public Interest Disclosure Act (PIDA)

Under the Public Interest Disclosure Act 1998, workers are protected from dismissal or detriment if they make a qualifying disclosure in good faith and in the public interest.

A qualifying disclosure is a reasonable belief that one or more of the following has occurred, is occurring, or is likely to occur:

- A criminal offence
- Failure to comply with a legal obligation
- A miscarriage of justice
- A danger to the health or safety of any individual
- Damage to the environment

- Deliberate concealment of any of the above

Disclosures may be made internally or externally to a prescribed body, depending on the circumstances.

4. What Should Be Reported

Concerns that may be raised under this policy include (but are not limited to):

- Safeguarding failures or abuse of children, young people, or vulnerable adults
- Serious breaches of professional standards
- Fraud, financial mismanagement, or corruption
- Serious health and safety risks
- Discrimination or harassment
- Attempts to suppress or discourage reporting of concerns

This policy does not normally apply to personal employment grievances, which should be raised via the Grievance Procedure unless they are in the wider public interest.

5. Safeguards for Whistleblowers

BCI is committed to ensuring that individuals who raise concerns:

- Are treated fairly and respectfully
- Are not subjected to bullying, harassment, victimisation, or dismissal
- Can raise concerns confidentially and, where appropriate, anonymously

Any act of retaliation against a whistleblower will be treated as a serious disciplinary matter.

6. Confidentiality and Anonymity

All concerns will be handled sensitively and confidentially. The identity of the whistleblower will not be disclosed without consent unless required by law.

Anonymous disclosures will be considered, although they may be harder to investigate fully. Individuals are encouraged to seek advice before submitting anonymous concerns.

7. How to Raise a Concern Internally

Concerns should normally be raised as soon as possible and may be made verbally or in writing.

Primary internal contact:

June Fisher

Designated Safeguarding Lead (DSL)

Tel: 0121 257 6072

Concerns should include:

- The nature of the concern
- Relevant dates, locations, and individuals involved
- Any supporting evidence (where available)

8. Where Internal Reporting Is Not Appropriate or Available

BCI recognises that internal reporting may not always be possible or appropriate, particularly where:

- There is no governing body or Human Resources function
- The concern involves senior management or trustees
- The individual reasonably believes internal reporting would be ineffective or unsafe

In such cases, concerns may be raised with an appropriate external body.

9. External Reporting – Prescribed Bodies

Local Authority (Safeguarding and Education Concerns)

Safeguarding or education-related concerns may be reported to the relevant Local Authority.

For provision based in Birmingham:

Birmingham City Council – Safeguarding

Website: <https://www.birmingham.gov.uk>

Children’s Safeguarding: <https://www.birmingham.gov.uk/childrenadultsafeguarding>

Adult Safeguarding: <https://www.birmingham.gov.uk/adultsafeguarding>

Other Prescribed Bodies

Depending on the nature of the concern, disclosures may also be made to:

- Ofsted
- Education and Skills Funding Agency (ESFA)
- Health and Safety Executive (HSE)
- Charity Commission (if applicable)
- The Police (where criminal activity is suspected)

A full list of prescribed persons and bodies is available on GOV.UK.

10. Independent Advice and Support

BCI strongly encourages individuals to seek confidential, independent advice.

Protect (Independent Whistleblowing Charity)

Protect provides free, confidential advice on whistleblowing.

Website: <https://protect-advice.org.uk>

Advice Line: 020 3117 2520

Protect can advise on:

- Whether concerns qualify as whistleblowing
- Safe reporting routes
- Legal protections under PIDA

Additional support may also be sought from trade unions, professional bodies, or independent legal advisers.

11. Investigation and Feedback

All disclosures will be assessed promptly. Where appropriate, an investigation will be undertaken, proportionate to the nature of the concern.

While confidentiality constraints may limit feedback, whistleblowers will be informed (where possible) that the concern has been considered and whether further action is being taken.

12. False or Malicious Allegations

BCI recognises that raising concerns can be difficult. However, deliberately false or malicious allegations may result in disciplinary action.

13. Policy Review

This policy will be reviewed annually or sooner if required by changes in legislation, guidance, or organisational structure.

This Whistleblowing Policy demonstrates BCI's commitment to transparency, safeguarding, and compliance with the Public Interest Disclosure Act 1998 and inspection standards.

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