

# Whistleblowing Policy and Procedure

Edition Date: April 2021

## 1. Introduction

### 1.1. Policy Statement

This document outlines BPEC's policy and procedure for confidentially reporting instances of malpractice, maladministration or other wrongdoing by a recognised BPEC Centre or by a Centre staff member to BPEC. The policy sets out how an individual can confidentially report cases of malpractice or maladministration to BPEC; when an individual should inform BPEC of allegations; and how BPEC will respond to a whistleblowing allegation.

### 1.2. Scope and Definitions

The term **Whistleblowing** is used when an individual discloses information, including information related to potential or actual malpractice in association with a regulated qualification/assessment, and/or the covering up of malpractice.

#### Malpractice

Malpractice is any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process and/or the validity of certificates.

Malpractice can include, but not limited to:

- criminal offences such as bribery or fraud
- assisting learners in the production of evidence, to such an extent that the evidence is not authentic (i.e. does not represent the learner's own achievement)
- actions compromising the integrity of the assessment process
- actions compromising the integrity of a regulated Qualification
- actions compromising the validity of an award of credit or Qualification
- actions compromising the reputation and credibility of BPEC
- actions compromising the status of Qualifications in the media or wider community

The policy and procedure is intended for:

- BPEC Directors and Board of Trustees.
- BPEC Core and Associate Staff.
- All staff in BPEC Centres.
- Learners registered on BPEC qualifications.
- Apprentices registered with BPEC End-point Assessment Organisation
- Employers
- Members of the public who identify malpractice or maladministration within a BPEC recognised Centre.
- Qualification Regulators.
- Industry Regulators

## 2. Policy

If an individual identifies, or witnesses, an instance of malpractice they must first assess whether the most appropriate action when reporting the incident would be to follow the Centre's own malpractice policies and procedures.

BPEC understands that it may not always be appropriate for an individual to follow a Centre's internal process in regards to malpractice and maladministration. In these cases, individuals should raise their concerns directly with BPEC for our investigation. Examples where this may be applicable include, but may not be limited to:

- The individual(s) who handles incidents of malpractice within a Centre are involved, or may be complicit with the incident.
- The individual believes they may be victimised by raising concerns in regards to a Centre or an individual.
- The individual believes that the Centre's internal policy for dealing with cases of malpractice or maladministration is not being followed.
- The individual believes that once the incident has been reported it will not be dealt with correctly and/or may be covered up.

BPEC take all whistleblowing allegations seriously and will investigate disclosures in a sensitive and discreet manner.

Individuals who make disclosures can have their identity kept confidential upon request. BPEC understands the importance of confidentiality for whistleblowers and, where it has been requested, will strive to protect an individual's anonymity. However, it is important to note that BPEC may not be able to investigate a concern as effectively if an allegation is made anonymously.

BPEC may need to contact a whistleblower throughout an investigation and therefore individuals should be prepared to share contact details with BPEC. If allegations are made anonymously, this may hinder BPEC's investigation.

There may be instances where BPEC must reveal an individual's details, such as, if we are required to do so by law. Individuals should also understand that they may be identifiable due to the nature or content of their allegations.

Individuals must refrain from making unwarranted allegations to BPEC (i.e. if an individual does not believe their allegation to be true). If allegations are made by staff of a recognised Centre, that are deemed unwarranted, BPEC may remove the individual's approval for delivery of BPEC qualifications.

### 3. Procedure

If an individual wishes to raise an allegation of malpractice to BPEC, they must contact the Quality Assurance Team by either email, telephone or by letter. The contact details can be found in Section 4.

Individuals should ensure that they provide as much detail as possible to allow BPEC to effectively address allegations. As a **minimum**, the below information should be provided, if known:

- Details of the people and organisations involved.
- Details of where incidents occurred and when, including dates.
- Full details of the allegations, including the BPEC provision which is involved.
- The individual's involvement and response (if applicable).
- Any supporting documents and evidence.

If allegations are made by telephone, individuals may be asked by BPEC to produce a written statement as supporting evidence, in the event of an investigation commencing. The name of the individual will be redacted from statements if this is to be provided to the Centre as evidence.

Once an allegation is made, an acknowledgement of receipt will be made within 5 working days. The Quality Assurance Team will make preliminary enquiries to decide whether a full investigation is necessary.

If an investigation is required, this will be conducted in line with BPEC's Malpractice and Maladministration Policy and Procedure.

### **3.1. Providing Information relating to Whistleblower declarations**

Although BPEC are able to confirm whether an investigation is open or closed against a Centre, **BPEC will not release the outcomes of its investigations to individuals who raise allegations.** This includes details in regards to any actions BPEC has taken or is planning to take against a Centre.

In cases of proven malpractice, BPEC will notify the relevant Qualification Regulators and other Awarding Organisations, as required to do so under Ofqual's Condition of Recognition.

### **3.2. Anonymity and Confidentiality**

All possible measures will be taken to protect the Whistleblower and maintain their anonymity and confidentiality.

However, whistleblowers must be aware that BPEC has legal and regulatory obligations to disclose information which might lead to the Whistleblower being identifiable. This primarily relates to:

- Informing other Awarding Organisations when malpractice/maladministration has been identified and may affect other Awarding Organisations' qualifications;
- Reporting the incident to Qualification and Industry regulators;
- Reporting the matter to the police, where we believe a criminal act has been committed, including for incidents of fraud;
- Disclosing information when ordered to do so by a Court of Law.

## **4. Further Information**

### **4.1. Contact Us**

If you have any queries about the contents of the policy, please contact BPEC at:

1-2 Mallard Way  
Derby  
United Kingdom  
DE24 8GX

Email: [aoadmin@bpec.org.uk](mailto:aoadmin@bpec.org.uk)

Telephone: 01332 376000

### **4.2 BPEC Quality Assurance Team Contact Details**

The BPEC Quality Assurance Team can be contacted through the communication channels detailed overleaf:

Email: [assurance@bpec.org.uk](mailto:assurance@bpec.org.uk)

Please mark your email as confidential and refer to a whistleblowing allegation in your email subject.

Telephone: 01332 376000

Please ask to speak to the Quality Assurance team and inform the call handler that you wish to make a whistleblowing allegation.

Letter:

BPEC Awarding Organisation  
Quality Assurance Team  
1-2 Mallard Way  
Pride Park  
Derby  
DE24 8GX

Please address your letter to the Quality Assurance team and mark your letter as confidential. Please ensure that contact details (email or telephone) are included in your letter.