YOUR LOGO

Access Arrangements, Reasonable Adjustments & Special Consideration Policy

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Author(s)

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Revision History

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# Purpose

This policy applies to individuals who do not work for [CENTRE/COMPANY NAME], and aims to set out the policy for those who wish to make certain disclosures to [CENTRE/COMPANY NAME] relating to:

* the development, delivery and award of NLPQ qualifications
* assessment arrangements on NLPQ qualifications
* other matters likely to be of relevance or interest to NLPQ in their role as an Awarding Organisation (AO)

# Responsibility

Save where otherwise indicated, responsibility for the operation of this policy lies with [RESPONSIBLE CENTRE PERSON TITLE].

# Introduction

This policy details [CENTRE/COMPANY NAME]’s commitment to the provision of duty of care to [CENTRE/COMPANY NAME] Learners. [CENTRE/COMPANY NAME] have a positive commitment and open approach to whistleblowing. This policy and procedure is intended to be used in line with the Public Interest Disclosure Act (PIDA). This provides protection for whistleblowing on wrongdoing.

## Our Statement

This policy encourages Learners to raise concerns with [CENTRE/COMPANY NAME] should they feel the issue would not be addressed independently by [CENTRE/COMPANY NAME]. If there is a concern about issues that you see or hear regarding [CENTRE/COMPANY NAME], usually these concerns are easily resolved by following [CENTRE/COMPANY NAME] policies and procedures. However, those procedures may not appear to be appropriate where:

* there is no relevant procedure; or
* you have genuine concerns about using a particular procedure at either the outset or the end of the process; and
* your concern is about conduct likely to harm the reputation of [CENTRE/COMPANY NAME].

It can be challenging to know what to do in this situation. You may be worried about raising such issues or you may want to keep the concerns to yourself, perhaps feeling it is not any of your business or that it is only a suspicion. However, [CENTRE/COMPANY NAME] have introduced this policy to enable you to raise genuine concerns about such matters at an early stage and in the right way. [CENTRE/COMPANY NAME] would rather you raised the matter when it is of first concern, rather than wait for proof. Please also see the [CENTRE/COMPANY NAME] Malpractice and Maladministration Policy.

# Definitions

Whistleblowing is when an individual reports suspected wrongdoing and/or the covering up of wrongdoing at their place of work. Officially this is called ‘making a disclosure in the public interest’. In the context of this policy, a Whistleblower’s place of work is usually an [CENTRE/COMPANY NAME] approved centre and the wrongdoing will relate to actual or potential malpractice and/or maladministration. Such whistleblowing need not be confined to the Whistleblower’s own place of work but could relate to, for example, another centre, or a learner concerned about suspected wrongdoings by people working at the centre or anyone involved with their course, including fellow learners.

Whistleblowing is distinct from both complaints and employment disputes.

Complaints: an expression of personal dissatisfaction. Examples of complaints that [CENTRE/COMPANY NAME] will normally investigate can be found in the Complaints Policy.

Employment Disputes: Where a worker has a dispute about their own employment position or contract. If they are experiencing such a dispute they should take this up with their employer or another responsible body.

An individual may decide to make a whistleblowing disclosure to [CENTRE/COMPANY NAME] to prevent harm or to hold an organisation to account.

# Centre’s Responsibility

It is important that centre staff and learners are fully aware of this policy and its contents as well as [CENTRE/COMPANY NAME]’s Malpractice and Maladministration Policy.

[CENTRE/COMPANY NAME] encourages centres to have a culture of openness where staff can freely raise concerns about activities and practices without the risk of adverse consequences to their future employment or career.

# Scope

This policy applies to individuals who do not work for NLPQ]. Staff working for [CENTRE/COMPANY NAME] are covered by the scope of this policy.

# The content of the disclosure

Disclosing a genuine concern which is honestly and reasonably believed to be in the public interest and suggests that wrongdoing has been committed, is being committed or is likely to be committed, could qualify for protection under PIDA. Wrongdoing includes (but is not limited to):

* a criminal offence that has been, is being, or is likely to be committed
* a person who has failed, is failing, or is likely to fail to comply with a legal obligation
* a miscarriage of justice that has occurred, is occurring, or is likely to occur
* the health and safety of an individual which has been, is being, or is likely to be endangered
* the environment has been, is being, or is likely to be damaged, or
* information relating to any of the above that has been, or is likely to be, deliberately concealed.

[CENTRE/COMPANY NAME]’s policy additionally covers any conduct not included above which appears likely to, or may cause harm to, the reputation of [CENTRE/COMPANY NAME].

# What should be done if there is a concern about malpractice or wrongdoing?

Whistleblowing disclosures can be made by completing the Whistleblowing Form via the NLPQ website.

# What happens after the disclosure is made?

If a whistleblowing disclosure is made to [CENTRE/COMPANY NAME] or NLPQ, and contact details have been provided, [CENTRE/COMPANY NAME] or NLPQ will send an initial acknowledgement that the disclosure has been received.

[CENTRE/COMPANY NAME] will require as much of the evidence as possible that to support the disclosure.

[CENTRE/COMPANY NAME] or NLPQ will conduct a full investigation in accordance with the [CENTRE/COMPANY NAME] or NLPQ Malpractice and Maladministration Policy.

[CENTRE/COMPANY NAME] or NLPQ will look into anonymous whistleblowing disclosures. However, it may not always be possible to investigate or substantiate anonymous disclosures.

[CENTRE/COMPANY NAME] or NLPQ will consider each disclosure of information sensitively and carefully, and decide upon an appropriate response. [CENTRE/COMPANY NAME] or NLPQ may share with third parties any information received in the disclosure where it is considered necessary to do so.

In all cases, [CENTRE/COMPANY NAME] or NLPQ will keep the Whistleblower updated as to how they have progressed the allegation (e.g. an investigation has been undertaken) and the Whistleblower will have the opportunity to raise any concerns about the way the investigation is being conducted with the investigator(s). However, [CENTRE/COMPANY NAME] or NLPQ won’t disclose details of all of the investigation activities and it may not be appropriate to disclose full details of the outcomes of the investigation due to confidentiality or legal reasons (e.g. disclose full details on the action that may be taken against the parties concerned).

[CENTRE/COMPANY NAME] or NLPQ cannot guarantee that to disclose all matters in the way that the Whistleblower might wish, however, they will strive to handle the matter fairly and properly.

# What if a Whistleblower does not want to reveal their identity?

If identity is disclosed, it will be easier for [CENTRE/COMPANY NAME] or NLPQ to:

* Look into the matter
* Protect the Whistleblower’s position
* Offer feedback where appropriate.

[CENTRE/COMPANY NAME] and NLPQ very much hope that the assurances given in this policy will encourage potential Whistleblowers to disclose their identity to those who need to know. However, if they wish to raise an issue anonymously, [CENTRE/COMPANY NAME] or NLPQ will consider their disclosure.

# Confidentiality

[CENTRE/COMPANY NAME] or NLPQ will always endeavour to keep a Whistleblower’s identity confidential where asked to do so, although they cannot guarantee this and may need to disclose the Whistleblower’s identity to:

* the police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud)
* the courts (in connection with court proceedings)
* another person to whom [CENTRE/COMPANY NAME] or NLPQ is required by law to make a disclosure.

A Whistleblower should also recognise that they may be identifiable by others due to the nature or circumstances of the disclosure.

# What happens after the investigation?

The [CENTRE/COMPANY NAME DIRECTORS AND/OR PRINCIPLES] or NLPQ will ensure, to the appropriate extent, that the findings of the investigation are communicated to:

* the person raising the wrongdoing concern.
* the individual(s) under investigation and if appropriate, other external authorities who may need to consider whether action should be taken on the basis of the findings.

# Outcomes of an investigation

If the investigation results in a proven case of malpractice or malpractice, [CENTRE/COMPANY NAME] or NLPQ will take action against the relevant parties in accordance with [CENTRE/COMPANY NAME]’s or NLPQ’s ***Malpractice and Maladministration Policy***.

If the allegation is not proven by the investigation, provided the Whistleblower did not deliberately raise an allegation which they knew to be untrue, no action will be taken against them by [CENTRE/COMPANY NAME] or NLPQ.

If the allegation was made due to a genuine misunderstanding, the individual(s) (e.g. centre personnel or Learner) who have been the subject of the investigation will be expected to bear no malice or ill feeling towards their accuser. The [RESPONSIBLE CENTRE PERSON TITLE] or NLPQ must ensure that centre personnel do not mistreat the Whistleblower.

If, however, the investigation concludes that the Whistleblower raised an allegation which they knew to be untrue, further action may be taken against them.

# Review

This policy is reviewed annually by the [RESPONSIBLE CENTRE PERSON TITLE]