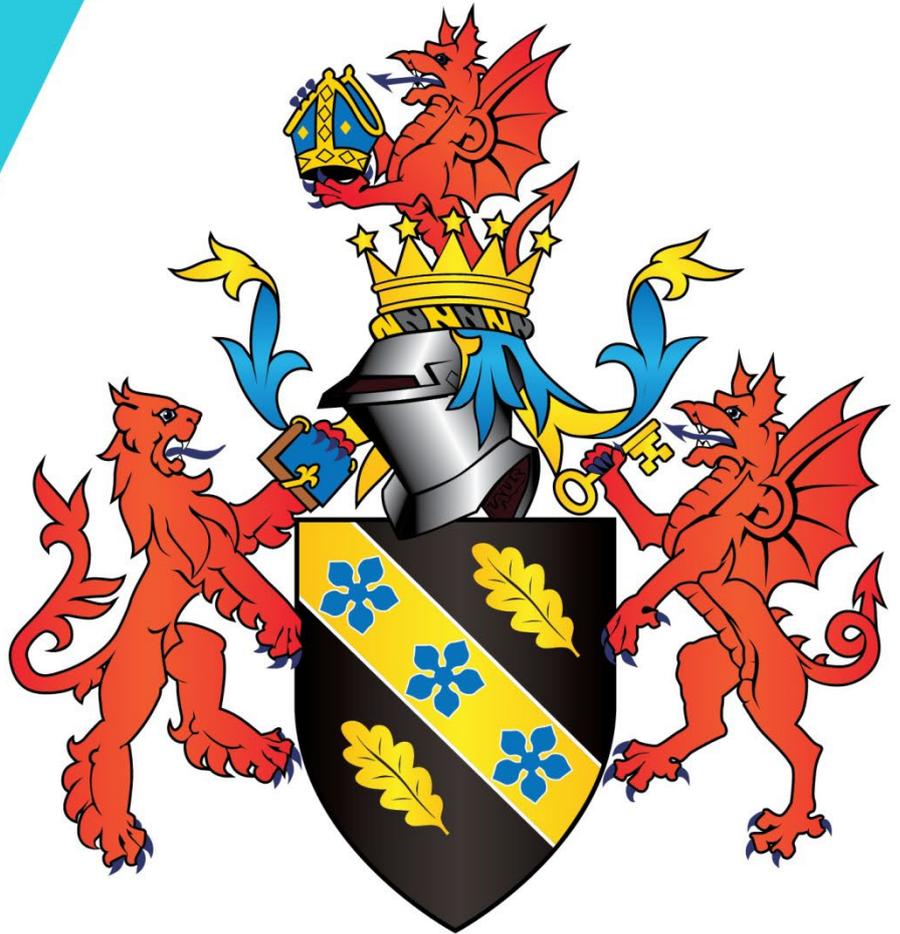




Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David



Student Placement Learning Whistleblowing (Public Interest Disclosure) Procedure

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1. Introduction

- 1.1. The University's Placement Learning Whistleblowing procedure applies to all students registered on schemes involving professional practice placements, work-based learning and apprentices.
- 1.2. The procedure supplements the University's general Whistleblowing Policy by providing a means of raising concerns when on placement. These concerns may be in respect of contravention of relevant professional codes of practice or the other concerns listed in section 1.3 below, whether or not they are directly related to the educational process and whether they involve a colleague or an employer.
- 1.3. The purpose of this procedure is to outline the steps for making a public interest disclosure regarding any concerns or suspicions of wrongdoing or malpractice in the placement setting, including but not limited to:
 - 1.3.1. Fraudulent or corrupt practices
 - 1.3.2. Failure to comply with any legal or professional obligation or regulatory requirements
 - 1.3.3. Miscarriages of justice
 - 1.3.4. Health and safety concerns
 - 1.3.5. Abuse of service users
 - 1.3.6. Facilitating tax evasion
 - 1.3.7. Discrimination or harassment
 - 1.3.8. Unethical or illegal behaviour
 - 1.3.9. Misuse of funds or resources
 - 1.3.10. Other improper conduct or unethical behaviour
 - 1.3.11. Suppression or concealment of any information relating to any of the above.
- 1.4. The procedure applies to all relevant schemes leading to awards of the University of Wales Trinity Saint David, although the student enrolled at a partner institution, will use their procedure in the first instance.
- 1.5. The University recognises that students on placements have a duty to report dangerous, abusive, discriminatory or exploitative behaviour and practice. It also recognises the relative powerlessness and vulnerability of students who may be undergoing a process of assessment by work-based staff during their placement. The University takes seriously its responsibilities towards students and regards it as important that students are able to voice their concerns and that their interests are safeguarded as far as possible.
- 1.6. All students on professional programmes are expected to comply with the relevant Code of Practice for the profession they are seeking to enter. These codes govern a student's behaviour in or out of a work or placement setting, and set out standards of conduct and practice expected by all stakeholders, whether University staff, fellow students, placement providers, employers, carers, service users or the general public.
- 1.7. No detrimental action of any kind will be taken against a student making a complaint of the nature described above, provided that it is done without malice and in good faith. A malicious or vexatious complaint, however, could result in disciplinary action through the University's Non-Academic Misconduct Policy or Fitness to Practise Policy.

2. Scope

- 2.1. This policy applies to all students, at any level of study, directly enrolled at the University of Wales Trinity Saint David.
- 2.2. For students studying at collaborative partnership institutions, they will follow the policy of that institution.
- 2.3. All references to University Officers may be replaced by a deputy or other nominated individual as appropriate.

3. Relationship to other Procedures

- 3.1. The student, under guidance, may wish to consider whether or not the concern could more appropriately be dealt with under a number of other existing University policies, such as Safeguarding Policy, Non-Academic Misconduct Policy, Fitness to Practise Policy, Student Complaints Policy or policies on Health and Safety. However, where these are not applicable the student should consider recourse to the Placement Learning Whistleblowing (Public Interest Disclosure) Procedure.
- 3.2. This Policy forms part of the University's Placement Framework.

4. Definitions

- 4.1. **Public interest disclosure**: a disclosure made by an individual in the public interest about a concern or suspicion of wrongdoing, malpractice, or danger to health, safety or the environment.
- 4.2. **Whistleblower**: an individual who makes a public interest disclosure.
- 4.3. **Wrongdoing**: any act or omission that is illegal, unethical, or breaches the policies and procedures of the organisation.
- 4.4. **Statement of Issue**: a written statement submitted by the whistleblower outlining their concern or suspicion of wrongdoing.
- 4.5. **Coordinator/Tutor**: A nominated member of staff who has responsibility for a students on placement in the unit of study (microcredit, module, programme).
- 4.6. **Risk Assessment Panel (RAP)**: The RAP will normally be composed of the Director of Academic Experience, the Assistant Dean Quality, the Academic Director and the Placement Coordinator/Tutor or their nominees.
 - 4.6.1. If the Statement of Issue raises a safeguarding issue, the Director of Student Services will also be included.
 - 4.6.2. Where appropriate the RAP will consult with appropriate members of Senior Management of the University.
- 4.7. A **Placement** is defined as a period of work experience or internship
 - 4.7.1. undertaken as an integral part of a programme, where the achievement of the learning outcomes for the placement is dependent on the arrangements made with the Placement Provider;
 - 4.7.2. where the student is enrolled at the University during this period; and

- 4.7.3. where there is a transfer of direct supervision of the student to the Placement Provider. Student placements are a partnership between the student, the University and the Placement provider.

5. Responsibilities of Partner Organisations and Placement Providers

- 5.1. All organisations accepting students on placements must identify an appropriate contact person for the purposes set out above, who is competent to implement an appropriate internal investigation.
- 5.1.1. Normally this will be via the organisation's own established whistleblowing process. Where no such process currently exists, the placement organisation will be required to put in place an appropriate process which will be specified in an annex to their contract with the University. This will set out the circumstances in which such a procedure might be invoked, and confirm the rights of anonymity and freedom from discrimination for the student submitting a Statement of Issue.
- 5.2. The University will normally only offer practice learning opportunities to students in agencies or organisations that have specifically agreed to investigate within a reasonable time period, and report back openly to the University, any matters of concern affecting the public interest raised by the student

6. Confidentiality and Protection

- 6.1. The whistleblower's identity and the details of their concern should be kept confidential as far as possible, except where it is necessary to investigate the concern or report the matter to the appropriate authorities.
- 6.2. The whistleblower should not be victimised or suffer any retaliation as a result of making a public interest disclosure. Examples of retaliation may include but are not limited to:
- 6.2.1. Demotion or dismissal
- 6.2.2. Harassment or bullying
- 6.2.3. Intimidation or threats
- 6.2.4. Biased Marking
- 6.2.5. Any victimisation or retaliation will be treated as a separate concern and will be investigated accordingly.
- 6.3. The University will be mindful of its obligations under relevant data protection regulations and the Equality Act 2010 in relation to any information shared about the Statement of Issue.
- 6.4. All parties will be reminded of the confidentiality associated with the procedures outlined above. Information associated with the case will be disclosed to as few people as possible.

7. Reasonable adjustments

- 7.1. If a student has a disclosed disability or learning difficulty with the University, then the University can make reasonable adjustments to support them in this process. They should contact Student Services to discuss their needs.

8. Procedure

- 8.1. A student wishing to report a matter should in the first instance report their concerns to the relevant Placement Coordinator/Tutor. If the student does not feel that their Placement Coordinator/Tutor is suitably impartial, they should raise their concern with their Academic Director directly.
- 8.2. A risk assessment panel (RAP) will be convened as soon as possible to make a decision as to key first steps to be taken as soon the concern is raised.
- 8.3. The panel will note a full and accurate account of the issue and make immediate decisions about steps to be taken prior to the compilation of a statement of issue and an undertaking an investigation.
 - 8.3.1. Ensure student is safe and is offered appropriate wellbeing support
 - 8.3.2. Make a decision as to whether to withdraw other students from the same placement
 - 8.3.3. Consider a brief action plan as to next steps.

9. Statement of Issue

- 9.1. The Placement Coordinator/Tutor will advise the student on the preparation of a statement setting out the issue ('Statement of Issue') and of the procedure that will be followed. This advice shall include advising the student on the possible limits placed on any investigation as a result of protecting anonymity. It is not the role of the Placement Coordinator/Tutor to draft the Statement of Issue or to counsel for or against its submission. It is, however, appropriate for the Placement Coordinator/Tutor to advise the student in circumstances where the alleged incident is in fact part of normal practice such that the evidence identifies no malpractice (e.g. misinterpretation of legal methods of restraint in appropriate circumstances).
 - 9.1.1. The Statement of Issue should include information on the background and history of the concern (giving relevant dates) and the reason why the student is particularly concerned about the situation. It may be advantageous if others are willing to put their names to the statement or provide corroborating reports, but is not required.

10. Investigation of a concern

- 10.1. The Statement of Issue will be submitted by the Placement Tutor to the RAP on behalf of the student. This action will not imply any endorsement or support for the allegation by the Placement Tutor. The student's name will be disclosed to the named individuals.
- 10.2. The Academic Office will forward the Statement of Issue to the named person at the organisation concerned requesting that the matter be investigated requesting that the matter be investigated within a reasonable time period and preferably within 14 days. In some instances, the University may require a swifter investigation.
- 10.3. The identity of the student will only be disclosed by the University with the express written permission of the student. However, there may be circumstances where due to the nature of the placement that the identity of the student will already be known or that the student becomes identifiable as a result of their disclosure.

11. Outcome of the Investigation

- 11.1. On conclusion of the investigation by the organisation concerned, a report setting out the conclusions and actions taken will be submitted by the organisation to the Academic Office, who will forward the findings to the RAP. All parties involved must undertake to keep information relating to the outcome of the investigation confidential.
- 11.2. The named University officers will meet to discuss the report.
 - 11.2.1. If they are satisfied that the placement provider is fulfilling its responsibilities under the relevant professional code of practice and the QAA Code of Practice for Placement Learning, and there do not appear to be any matters of concern pertaining to section 1.3, then no further action with the placement provider by the University will be taken.
 - 11.2.2. If they are not satisfied that the placement provider is fulfilling its responsibilities under the relevant professional code of practice and the QAA Code of Practice for Placement Learning, or there appears to be any matters of concern pertaining to section 1.3, then the University will take further action to fulfil its own responsibilities towards students (for example by withdrawing students from that placement provider) and the public (for example by referring its concerns to the relevant professional body). It may also discuss any relevant matters with the student who raised the concern.
 - 11.2.3. The University will then issue the student with a final report in relation to the concerns.

12. Review of Outcome

- 12.1. If the student is not satisfied with the outcome of the investigation, they should first speak with a nominated member of the RAP to discuss their concerns. They may also make a formal complaint under the University's Student Complaints Policy for Students or the relevant complaints procedure at the partner institution concerned.

13. Monitoring

- 13.1. The University will review this policy and procedure on a regular basis to ensure that they are effective and up-to-date.

14. Resource implications

Implication	Detail
Finance	
Staff	<i>Placement Tutors; Assistant Deans, Head of Student Cases</i>
Assets	
Partners	
Timescales	
Leadership	<i>Pro Vice-Chancellor (MP)</i>

15. Impact Assessment

Implication	Impact considered (Yes/No)	Impact Identified
Legal	Yes	<i>The policy conforms with: Contract and consumer law The Human Rights Act 1998 The Equality Act 2010 Natural Justice (fairness) Data Protection Act 2018 (and GDPR)</i>
Contribution to the Strategic Plan	Yes	<i>The policy aligns with the values expressed in the Strategic Plan.</i>
Risk analysis	Yes	
Equality	Yes	<i>The policy will ensure adherence to provisions of the Equality Act.</i>
Welsh language	Yes	<i>The policy aligns with principles expressed by the Welsh Language Act.</i>
Environmental and sustainability	Yes	<i>None identified.</i>
Communication / Media / Marketing	Yes	<i>The policy will be made available to staff and students via Hwb and website.</i>

16. Policy author:

16.1. Professor Kyle Erickson, Director of Academic Experience

17. Document version control

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0.1	Draft policy	KE	16.03.2023

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