

## **National Film and Television School (the “School”) Public Interest Disclosure and “Whistleblowing” policy**

### **1. Introduction**

The National Film and Television School (the “School”) is committed to the highest standards of openness, probity and accountability. The School seeks to conduct its affairs in a responsible manner, taking into account the requirements of the funding bodies and the Committee on Standards in Public Life (the Nolan Committee). However, all organisations face the risk of the unexpected happening from time to time, or of unknowingly being subject to illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations occurring and to address them appropriately when they do occur.

This Public Interest Disclosure and “Whistleblowing” Policy (“Public Interest Disclosure and “Whistleblowing” Policy”) is intended to:

- Assist staff and students who believe that they have discovered malpractice or impropriety and encourage them to report the suspected malpractice or impropriety as soon as possible, in the knowledge that their concerns will be taken seriously and investigated, as appropriate, and that confidentiality will be respected;
- Provide staff and students with guidance as to how to raise genuine concerns; and
- Reassure staff and students that they should be able to raise such concerns without fear of reprisals, even if they turn out to be mistaken.

This Public Interest Disclosure and “Whistleblowing” Policy is intended to cover disclosures that are in the public interest and it is not designed to question financial or business decisions taken by the School, nor should it be used to reconsider any matters which have already been dealt with under any grievance or disciplinary procedure.

This Public Interest Disclosure and “Whistleblowing” Policy covers all persons connected with the School, including employees, officers, consultants, contractors, volunteers, interns, casual workers, agency workers, students and Governors. For the purposes of this Public Interest Disclosure and “Whistleblowing” Policy, such persons shall be referred to as “Members of the School”.

This Public Interest Disclosure and “Whistleblowing” Policy does not form part of any employee's contract of employment and it may be amended at any time.

## 2. What is “Whistleblowing”?

Whistleblowing is the reporting of suspected malpractice, wrongdoing or dangers in relation to the School’s activities. This Public Interest Disclosure and “Whistleblowing” Policy is designed to allow Members of the School to raise concerns at a high level or to disclose information which a Member of the School believes may show suspected malpractice, wrongdoing or dangers in relation to the School’s activities. These might include:

- Financial malpractice, impropriety or fraud;
- Failure to comply with a legal obligation or with the Statutes, Ordinances and regulations of the School;
- Dangers to health and safety and the environment;
- Criminal activity;
- Academic malpractice;
- Improper conduct or unethical behaviour;
- Miscarriages of justice;
- Unauthorised disclosure of confidential information;
- Conduct likely to damage the School’s reputation; and/or
- Attempts to conceal any of the above.

## 3. Safeguards

### 3.1 Protection

It is understandable that whistleblowers are sometimes worried about possible repercussions of making a disclosure. The School aims to encourage openness and will support Members of the School who raise genuine concerns under this Public Interest Disclosure and “Whistleblowing” Policy, even if they turn out to be mistaken.

Whistleblowers will not suffer any detrimental treatment (e.g., dismissal, disciplinary action, threats or other unfavourable treatment) as a result of making a disclosure that is in the public interest provided that: (i) the disclosure is made in good faith; and (ii) the Member of the School making the disclosure reasonably believes that the disclosure reveals *prima facie* evidence of malpractice. Such Member of the School will be protected if they make the disclosure to the appropriate person (see section 4 below). The School will not threaten or retaliate against whistleblowers.

If a whistleblower feels that they s/he has been subjected to a detriment having made a disclosure, s/he should contact the Whistleblowing Office whose details are set out below.

### 3.2 Confidentiality

The School will treat all disclosures in a confidential and sensitive manner. The School will generally try to keep the identity of the Member of the School making the disclosure confidential. However, an investigation process may reveal the source of the information, and the Member of the School making the disclosure may need to provide a statement in order for the matter to be pursued effectively.

### 3.3 Anonymous Allegations

The School encourages Members of the School to put their names to any disclosures that they make. Concerns expressed anonymously are much less powerful and can be much harder to investigate if the School cannot obtain further information. However, such disclosures will still be considered if they appear to be serious, credible and capable of being confirmed by other credible sources.

### 3.4 Untrue Allegations

If a Member of the School makes an allegation in good faith which is not confirmed by a subsequent investigation, no action will be taken against that Member of the School. If, however, a Member of the School makes malicious or vexatious allegations, or false allegations with a view for personal gain, disciplinary action may be taken against the individual concerned.

## **4. Procedure for Making a Disclosure**

### 4.1 Initial Step

The School hopes that in many cases Members of the School will be able to raise any concerns that they have with their line manager/tutor. However, if making a disclosure to their line manager/tutor is inappropriate or has proved ineffective, then they should make the disclosure to the Whistleblowing Officers – the HR Director (in the case of staff) or Registrar (in the case of students) at the NFTS (contact details below) - who have been designated by the Board of Governors as the people responsible for considering such allegations.

If the disclosure relates to either of the Whistleblowing Officers, then the disclosure may be made to the Director of the School. If Members of the School do not wish to make the disclosure to the above, s/he may raise the matter with the Chairman of the Audit Committee.

Members of the School can also speak informally to their Trade Union (staff) or Student Union (students) representative.

## 4.2 Process

A designated person, appointed by the appropriate Whistleblowing Officer, will consider the information available and decide if there is a prima facie case to answer. In doing so the designated person will decide whether an investigation should be conducted and what form such an investigation should take. This will depend on the nature of the matter raised, and may include an internal investigation, an independent inquiry or referral to the Police. An initial investigation to establish all the relevant facts may also be conducted by an independent officer of the School, who will report his/her findings to the designated person.

If a meeting is needed with the whistleblower to obtain further information, the School will arrange this as soon as practicable. The whistleblower may bring a colleague or union representative to this meeting, but his/her companion must respect the confidentiality of the disclosure and subsequent investigation.

## 4.3 Investigation

If the designated persons and/or independent officer of the School decide that an investigation into the disclosure should be carried out, the investigation should not be undertaken by the person who will have to reach a decision on the matter. Any investigation will be carried out as sensitively and speedily as possible.

The designated person will consider the results of the investigation and may refer the matter to an external authority for further investigation.

## 4.4 Decision

After an investigation has been carried out, the Director of the NFTS or, if the Director is implicated, the Chairman of the Board will decide on an appropriate course of action, based on the information available.

The School will aim to keep the whistleblower informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the School from giving the whistleblower specific details of the investigation or any disciplinary action taken as a result. The whistleblower should treat any information about the investigation as confidential.

While the School cannot always guarantee the outcome that the whistleblower is seeking, the School will try to deal with the whistleblower's concern fairly and in an appropriate way. By using this Public Interest Disclosure and "Whistleblowing" Policy, whistleblowers can help the School to achieve this. If the whistleblower is not happy with the way in which her/his concern has been handled, s/he can raise it with one of the other individuals identified as section 6 below.

#### 4.5 Reporting of Outcomes

A record of all disclosures, and subsequent actions taken, will be kept by the Personnel Officer who will retain such records for not less than three years. In all cases, a report of the outcomes of any investigations will be made to the Audit Committee.

### **5. External Disclosures**

The aim of this Public Interest Disclosure and “Whistleblowing” Policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in relation to the School’s activities. In most cases, Members of the School should not find it necessary to alert anyone externally.

However, the law recognises that in some circumstances it may be appropriate for Members of the School to report their concerns to an external body, such as a education regulator. It will very rarely if ever be appropriate to alert the media, and could be counter-productive. The School strongly encourages Members of the School to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. It also has a list of prescribed regulators for reporting certain types of concern. Their contact details are noted below.

### **6. Contacts**

<b>Whistleblowing Officers</b>	Philip Willatt, HR Director, 01494 731426, <a href="mailto:pwillatt@nfts.co.uk">pwillatt@nfts.co.uk</a> Vacant, Registrar
<b>Director of the School</b>	Dr Jon Wardle, 01494 731475, <a href="mailto:jwardle@nfts.co.uk">jwardle@nfts.co.uk</a>
<b>Chairman of the Audit Committee</b>	Steve Mertz 020 7984 6262 <a href="mailto:Steve.mertz@warnerbros.com">Steve.mertz@warnerbros.com</a>
<b>Public Concern at Work</b> (Independent whistleblowing charity)	Helpline: (020) 7404 6609 E-mail: <a href="mailto:whistle@pcaw.co.uk">whistle@pcaw.co.uk</a> Website: <a href="http://www.pcaw.co.uk">www.pcaw.co.uk</a>

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