



COMPLAINTS POLICY AND PROCEDURE

1. Introduction

- 1.1 Dō University is committed to operating in a principled and ethical manner. The objective of this policy and associated procedure is to provide employees and workers (hereinafter "workers") with a means to raise genuine concerns about suspected bribery, breaches of law, and other serious violations.
- 1.2 The Public Interest Disclosure Act 1998 (PIDA) protects persons who make certain disclosures of information in the public interest.
- 1.3 Dō University encourages employees to raise genuine concerns about suspected wrongdoing as soon as possible. This policy and procedure are intended to provide safeguards that enable employees to raise concerns about wrongdoing in relation to the University Group.
- 1.4 This policy and procedure aims to encourage employees to raise genuine concerns through internal procedures without fear of retaliation. PIDA allows employees to raise these concerns externally, and this policy informs them how to do so. However, failure to raise a concern in accordance with this procedure could result in the disclosure losing its legal protection.
- 1.5 This policy and procedure also seeks to balance the need to enable a culture of openness against the need to protect other employees from vexatious accusations or accusations that are not well founded.
- 1.6 The principles of transparency and accountability that underpin whistleblower protection legislation are reflected in this policy and procedure. Dō University is also committed to ensuring compliance with the Anti-Bribery Act of 2010.



2. Scope

2.1 This policy applies to all employees of Dō University, including apprentices working at Group and other workers, including any casual/bank workers, casual workers working from home, subcontractor employees, governors, volunteers, and agency workers employed by Group.

2.2 Workers may be unsure whether it is appropriate to raise their concern in accordance with the whistleblowing policy and procedure or whether it is a personal complaint.



Which is most appropriate to raise under the University's grievance procedure? Whistleblowing occurs when an individual has a concern about a danger or illegality that is of public interest, for example, because it threatens students, third parties, or the general public. A grievance is a complaint that generally relates to a person's job or personal circumstances at work. Any employee who needs advice on the grievance procedure or how to use the whistleblowing procedure is encouraged to consult with the Human Resources team.

- 2.3 Furthermore, students, trainees (as distinct from those in apprenticeship and employed by the Group) and other interested parties are reminded that genuine concerns may be raised by lodging a complaint in accordance with Dō University's comments and complaints procedure.

3 Protected Disclosures

- 3.1 PIDA protects workers who, out of a sense of public duty, wish to reveal suspected irregularities or malpractice.

- 3.2 The law allows employees to make what it defines as a "protected disclosure." To be considered a protected disclosure, it must relate to a specific subject matter (see Section 4 below) and be made in an appropriate manner (see Section 5). A "protected disclosure" must, in the employee's reasonable belief, be in the public interest.

A protected disclosure must consist of information and not simply reports of suspected malpractice.

4 Specific topic

- 4.1 Whistleblowing is the reporting of suspected malpractices, faults or dangers in relation to the activities carried out by the University Group.
- 4.2 If, during the course of employment, an employee becomes aware of information that he or she reasonably believes tends to show one or more of the following facts, he or she shall use this policy and procedure:



- That a crime has been committed, is being committed, or is likely to be committed;
- That an individual has breached, is breaching, or is likely to breach any legal obligation to which he or she is subject;
- That a miscarriage of justice has occurred, is occurring, or is likely to occur.
- That the health or safety of any individual has been, is being, or is likely to be endangered.
- That the environment has been, is being, or is likely to be damaged.
- Any information that tends to demonstrate any of the above points is being deliberately withheld or is likely to be withheld.

5 Procedures

5.1 The College has established a specific procedure for making a disclosure, which is detailed in Appendix 1.

5.2 The procedure for dealing with a disclosure is set out in the Appendix 3.

6 Safeguards for workers who make a disclosure

6.1 A worker who lodges a complaint in accordance with the procedure may

You can expect the University Group to treat your concern confidentially, and if necessary, your name will not be revealed to anyone involved in the alleged violation without your prior authorization. To ensure confidentiality, if the employee requests to express their concern verbally, the College will allow them to do so.

6.2 The University Group will take all reasonable steps to ensure that any report, recommendation or other relevant documentation produced by the University Group does not identify the employee making the disclosure without their written consent, unless the University Group is legally required to do so or for the purpose of seeking legal advice.



6.3 No formal disciplinary action will be taken against any employee for disclosing information in accordance with this policy or procedure. This does not preclude the University Group from taking disciplinary action against a member of staff if the University Group has reason to believe that the disclosure was vexatious or malicious, or if the disclosure is made outside the University Group without reasonable grounds.

6.4 No employee will be subject to dismissal or any harmful action or omission of any kind (including informal pressure or any form of victimization) by the University Group for making a report in accordance with this policy and procedure. Furthermore, if an employee is threatened, intimidated, pressured, or victimized by a colleague for making a report, the University Group will take disciplinary action against that colleague.

7 Disclosure to external bodies

7.1 This policy and procedure have been implemented to enable employees to lodge complaints internally within the University Group. Employees have the right to lodge complaints outside the College when there are reasonable grounds to do so and in accordance with law.

7.2 Workers may file a complaint with a competent external body, as prescribed the law. The list can be organizations and authorized bodies are listed on consulted at this GOV.UK website link:



<https://www.gov.uk/government/publications/denuncia-de-prescribed-persons-and-bodies--2/reporting-of-prescribed-persons-and-bodies>.

7.3 Workers may also disclose information confidentially to a practicing attorney. They may also disclose it to their deputy.

7.4 If an employee is considering making a report, either internally or externally, and would like advice or support outside the University Group, they are encouraged to contact the charity Protect for confidential advice on whistleblowing. Protect's contact details are:

The green house
244-254 Cambridge Heath
Road, London
E2 9DA
Telephone 020 3117 2520

[Contact us - Protect - Stop the harm \(protect-advice.org.uk\)](https://protect-advice.org.uk)

Contact our Advice Line - Protect - Stop the Damage

(protectadvice.org.uk)

8 Responsibility

Dō University will maintain a record of all concerns raised under this policy and procedure (including cases where the Group believes there is no case to address and therefore no action should be taken) and will report to the Corporation annually as appropriate.

9 More help for workers

9.1 The College will not tolerate any form of harassment or victimization of employees who file complaints. If, at any stage of this procedure, an employee believes they are being subjected to informal pressure, intimidation, or harassment for filing a complaint, they should raise the matter in writing with the Director of Human Resources or the Corporate Secretary.

9.2 An employee who files a complaint may confidentially request advice or other support from the University Group. Any request for advice or support should be directed to the Director of Human Resources. Such requests will be made confidentially.

10 Governance and reporting

10.1 The Corporation's Audit and Risk Committee has statutory responsibility, under the Funding Agency's Post-16 Audit Code of Practice, to oversee the Corporation's policies and processes around fraud, irregularities, improprieties and whistleblowing, and to ensure:

- The adequate, proportionate and independent investigation of all allegations and cases of fraud and irregularities.
- That the results of the investigation be reported to the Committee of Audit and Risks.
- That the external auditor (and the internal auditor, if applicable) are informed of the results of the investigation and other matters of fraud, irregularities, and improprieties, and that appropriate follow-up measures have been planned or implemented.
- All significant cases of fraud or suspected fraud, theft, bribery, corruption, irregularities, material weaknesses, or failures in the accounting or other control framework are reported to the ESFA as soon as possible.

10.2 A report on each investigation conducted in accordance with this policy will be submitted to the Audit and Risk Committee. Where appropriate, the reports will include recommendations for controls or modifications to the University Group's policies and procedures.

	Director of operations
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Appendix 1 - Procedure for making a disclosure

1. Information that an employee reasonably believes tends to show one or more of the situations provided for in Section 4 of the whistleblowing policy must be promptly disclosed to his or her line manager so that appropriate action can be taken.
2. If it is not appropriate to make such a disclosure to his or her line manager, an employee may raise the matter with the Director of Human Resources or the Corporate Secretary, who is the "designated person."
3. If the disclosure concerns the CEO, the employee should raise the matter with the Corporate Secretary. If the disclosure concerns the Corporate Secretary, the employee may raise the matter with the Director of Human Resources.
4. A form for making a disclosure is included as Appendix 2. Use of this form is recommended, but not required.
5. The University Group expects employees to be able to openly express their concerns in accordance with this policy. Employees are encouraged to identify themselves when making a report. If a report is made anonymously, the University Group will not be able to notify the person making it about the outcome of any action taken. Anonymity also means that the College will have difficulty investigating the concern.
6. For further guidance regarding this procedure, employees should confidentially contact the Corporate Secretary or the Head of Human Resources.



Appendix 2 - Whistleblowing Disclosure Form

I have read the College's Whistleblower Policy and Procedure and wish to bring the following concern to the attention of [specify].

I have/have not* (delete as applicable) initially raised this concern with my line manager/head of department/manager/human resources.

The full details of my concern are (if necessary, please use an additional sheet of paper and staple it to this form):



Name:

Signed:.....

Date:.....

You do not need to sign this form if you wish to keep your identity hidden.

If you have provided your name, please indicate whether you would like to meet with the designated person or a member of Human Resources to discuss your concerns. YES / NO* (delete as applicable)

The completed form must be sent to the designated person in an envelope clearly marked "Private and Confidential."



Appendix 3 - Procedure for investigating a disclosure

1. When an employee makes a complaint, the University Group will acknowledge receipt of the complaint in writing within a reasonable period of time (generally a maximum of five business days).
2. The University Group will then determine whether it considers the disclosure to be unfounded or unjustifiable. If the University Group considers the disclosure to be insufficiently justified to warrant further action, the employee will be notified in writing of the reasons for its decision and informed that no further action will be taken in accordance with this policy and procedure. Considerations when making this decision may include the following:
 - If the University Group is satisfied that an employee does not have a reasonable belief that suspected malpractice is occurring; or
 - If the matter is already the subject of legal proceedings or appropriate action by an external body; or
 - If the matter is already subject to another appropriate procedure.
3. Where an employee makes a complaint with sufficient grounds or merit to warrant further action, the University Group will take whatever action it deems appropriate (including action under any other applicable policies or procedures). Possible measures include internal investigation, referral to the University Group's auditors, or referral to relevant external bodies, such as the Police, Ofsted, the Education and Skills Funding Agency, the Health and Safety Directorate, or the Information Commissioner's Office.
4. Any internal investigation will be conducted by a University Group manager with no direct association with the individual to whom the disclosure relates, or by an external investigator appointed by the College as appropriate.
5. Any recommendations for further action made by the University Group will be addressed to the Executive Director or the President of the Corporation, as appropriate. The recipient will take all measures within its power to ensure that the recommendations are implemented, unless there are good reasons not to do so.



6. The employee who files a complaint will be notified of the outcome of any action taken by the College under this policy and procedure within a reasonable time. If the employee is not satisfied with the appropriate handling of their concern, they may appeal the outcome by raising the issue with the Executive Director within five business days. The Executive Director will make a final decision on the action to be taken and notify the employee who filed the complaint.

7. The University Group will strive to expedite in investigating complaints. However, it may be necessary to maintain flexible timelines and take into account that different types of concerns will require varying investigation times.



8. All communication with the employee filing the complaint will be in writing (including email) and will be sent to their home address, rather than through the College's internal mail.

If the investigation into the matter is prolonged, the College will keep the employee in question informed of the progress of the investigation and the estimated timeframe for its completion.

9. The Audit and Risk Committee shall be immediately informed, through the Secretary of the Corporation, of any allegations of fraud, irregularity, theft, corruption, serious deficiency, or failure in the accounting or other control framework, together with the proposed measures to investigate such allegations and the results of such investigation. It is the responsibility of the Audit and Risk Committee to ensure that proposed investigations are adequate, provided and independent.