

Whistleblowing Policy

CIRO Apprenticeship Assessment Organisation

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1. Policy Statement

The Chartered Institution of Railway Operators Apprenticeship Assessment Organisation (CIRO AAO) is committed to the highest standards of integrity, quality, impartiality, openness and regulatory compliance. CIRO encourages any person with a reasonable belief that wrongdoing has occurred, is occurring or is likely to occur in connection with its apprenticeship assessment activities to raise the concern as soon as possible.

Concerns may include malpractice, maladministration, fraud, bribery, safeguarding failures, regulatory breaches, conflicts of interest, misuse of certification, data protection failures, criminal conduct or any act or omission that could compromise assessment quality or public confidence. CIRO will assess and investigate genuine concerns promptly, fairly, objectively and as confidentially as possible; protect those who raise concerns from victimisation, harassment or retaliation; and take appropriate corrective and regulatory action. This policy reflects the Public Interest Disclosure Act 1998 (PIDA) and other applicable legal and regulatory obligations.

2. Purpose

This policy provides safe, accessible and effective arrangements for raising concerns in the public interest. Its objectives are to encourage early reporting; detect, prevent and remedy wrongdoing, malpractice and maladministration; protect apprentices and other stakeholders; maintain the validity, reliability and independence of apprenticeship assessment outcomes; support compliance with Ofqual requirements and other applicable obligations; and sustain confidence in CIRO's assessments and certificates.

3. Scope

This policy applies to CIRO employees, directors, trustees and governance members, contractors, consultants, freelance assessors, invigilators, internal and external quality assurance staff, EPA managers, apprentices, employers, training providers, subcontractors, suppliers and members of the public. It covers concerns connected with any stage of the assessment lifecycle, including design, registration, reasonable adjustments, delivery, invigilation, marking, moderation, quality assurance, results, certification and record retention.

Statutory protection under PIDA applies only where its legal tests are met. CIRO will nevertheless consider genuine concerns from any person within this scope and will apply the protections in this policy so far as it lawfully and reasonably can.

4. Definition of Whistleblowing

Whistleblowing is the disclosure of information by a worker, or another person raising a public-interest concern, where they reasonably believe that wrongdoing has occurred, is occurring or is likely to occur. Examples include assessment malpractice or maladministration; fraud, theft, bribery

or corruption; a criminal offence; breach of a legal, contractual or regulatory obligation; manipulation of assessment evidence, marks, results or certificates; compromised assessment security or independence; an undisclosed conflict of interest; misuse of certification; a danger to health and safety; safeguarding failures; discrimination or harassment affecting others or the integrity of assessment; data protection or cyber-security breaches; concealment of wrongdoing; or retaliation against a person who has raised a concern.

Personal grievances: a complaint solely about an individual's employment, terms and conditions or personal dispute will normally be handled under the Grievance, Complaints or other relevant policy. A matter may still be whistleblowing where it also raises a wider public-interest concern. CIRO will explain any referral and will not allow the choice of procedure to weaken appropriate protection.

5. Principles

- **Confidentiality:** the identity of the reporter and information provided will be restricted to those with a legitimate need to know. Absolute confidentiality cannot be guaranteed where disclosure is required for a fair investigation, safeguarding, legal advice, regulatory reporting or enforcement.
- **Protection:** CIRO will not tolerate dismissal, disciplinary action, disadvantage, victimisation, harassment, threats, loss of work or opportunities, or other retaliation because a person raised a concern or supported an investigation. CIRO will apply this protection through its employment, contractual and governance arrangements so far as it lawfully and reasonably can. Statutory protection under PIDA applies only to qualifying workers and disclosures that meet the relevant legal tests. Retaliation may lead to disciplinary or contractual action.
- **Fairness and independence:** concerns will be assessed objectively and proportionately. No person who is implicated, a material witness or otherwise conflicted may triage, investigate or decide the matter.
- **Reasonable belief:** a reporter does not need proof before raising a concern and will not be penalised because a concern is not substantiated. Knowingly false or malicious allegations may be addressed under the appropriate procedure.
- **Assessment protection:** CIRO will preserve evidence, protect affected apprentices, minimise disruption and avoid disadvantaging unaffected apprentices.

6. Roles and Responsibilities

All persons within scope should report concerns promptly, preserve relevant evidence, maintain confidentiality and cooperate with lawful and reasonable enquiries. **Line managers** must listen without prejudging, record the concern accurately, identify urgent risks, escalate promptly and must not investigate unless authorised.

The Responsible Officer has overall accountability for compliant whistleblowing arrangements, significant or conflicted cases and regulatory notifications. **The Head of EPA or designated Whistleblowing Officer** receives and triages disclosures, appoints a suitably competent and independent investigator, safeguards reporters and affected apprentices, maintains the central case register, monitors actions and identifies trends. Where any named office-holder is implicated or conflicted, the concern must be directed to an independent senior manager or governance representative.

The governing body or a formally delegated committee provides oversight, receives anonymised trend and assurance reporting, scrutinises significant cases and ensures that concerns involving senior leadership are handled independently. It must not seek information identifying a reporter unless this is necessary and lawful.

7. Reporting a Concern

A concern should be raised as soon as possible through any suitable route: a line manager; the Head of EPA; the Responsible Officer; the designated Whistleblowing Officer; or an independent governance representative where management is implicated. CIRO will publish and keep current the relevant email address, telephone number and postal address alongside this policy. A person may bypass their usual reporting line and does not need to confront the subject of the concern.

Reports should, where possible, describe the nature of the concern; relevant dates and locations; the apprentice, assessment, standard, employer, provider or personnel involved; how the matter came to light; available evidence and where further records may be found; actions already taken; and any immediate risk to people, assessment security, results or certification. Original records should not be altered, removed or obtained unlawfully.

Anonymous disclosures will be considered and assessed on their detail, credibility, seriousness and ability to be corroborated. CIRO recognises that anonymity can limit follow-up and feedback. A confidential route is therefore encouraged where possible. Reports may be made in an accessible format, and reasonable adjustments will be provided.

8. Assessment and Investigation Process

1. **Receipt and safeguarding:** CIRO will log the concern, acknowledge it where contact details are available, agree a safe method of communication and undertake an immediate risk assessment. Urgent controls may include preserving evidence, restricting access, pausing an assessment or result, reallocating duties, safeguarding a person or notifying an appropriate authority.
2. **Preliminary review:** an independent person will determine whether the matter is whistleblowing, whether another procedure should also or instead apply, the potential adverse effect, conflicts of interest, required expertise and any notification duty. Referral will be explained where appropriate.

3. **Investigation:** written terms of reference will define scope, issues, investigator, decision-maker and reporting arrangements. Evidence may include interviews, witness accounts, documents, system logs, assessment records, sampling and data analysis. Relevant persons will have a fair opportunity to respond unless delay is necessary to protect people, evidence or another proceeding.
4. **Decision:** findings will be reached on the balance of probabilities and will distinguish substantiated, partially substantiated, unsubstantiated and inconclusive matters. Reasons, adverse effects, corrective action, owners and deadlines will be recorded and approved by an authorised, unconflicted decision-maker.
5. **Closure and follow-up:** actions will be tracked to completion and their effectiveness checked. CIRO will review whether the concern reveals wider risks, similar cases or weaknesses in controls, competence, assessment design or governance.

CIRO will communicate an indicative timescale after initial assessment, provide proportionate progress updates and explain material delay. Precautionary action does not imply wrongdoing.

9. Outcomes and Feedback

Possible outcomes include no case to answer; recommendations or process improvement; additional training, supervision, monitoring or quality assurance; disciplinary or contractual action; correction, withholding or withdrawal of results or certificates where permitted; reassessment; recovery or containment of compromised materials; referral to a regulator, funding body, professional body or law-enforcement agency; and action to remedy or prevent an adverse effect.

A reporter who believes the concern was not handled properly may request a review by the Responsible Officer or, where the Responsible Officer was previously involved or is conflicted, by an independent governance representative. The reviewer must not have taken part in the original triage, investigation or decision. This review is separate from an appeal against an assessment decision.

10. Regulatory Notifications and External Disclosures

CIRO will notify Ofqual without undue delay where required by its Conditions of Recognition, including where an event has occurred or is likely to occur that could have an adverse effect. CIRO will also notify or cooperate with Skills England or successor arrangements, the relevant funding authority, the Information Commissioner's Office, safeguarding authorities, the Health and Safety Executive, police or another competent body where law, regulation, contract or the seriousness of the matter requires it. Notifications will be accurate, controlled, updated as material information becomes available and coordinated so that evidence or related proceedings are not prejudiced.

CIRO encourages internal reporting because it can enable prompt action, but nothing in this policy prevents a worker from making a protected disclosure to an appropriate prescribed person or other lawful recipient. A person considering an external disclosure may wish to obtain independent advice.

CIRO will not require a settlement agreement, confidentiality clause or instruction to prevent a lawful protected disclosure.

11. Protection Against Detriment and Support

A person who raises a concern, or assists an investigation, must not suffer dismissal, disciplinary action, discrimination, disadvantage, threats, exclusion, loss of work or development opportunities, or any other retaliation because of that action. This protection applies where the concern is raised on the basis of a reasonable belief, even if it is not substantiated. CIRO will assess retaliation risks, agree proportionate safeguards, monitor the working or assessment environment after a disclosure and take prompt action where detriment is alleged.

A reporter may seek support from a trade union representative, colleague or independent adviser, subject to confidentiality and the integrity of the investigation. Managers must not promise absolute secrecy or attempt to identify an anonymous reporter. Anyone experiencing retaliation should report it immediately through any route in section 7.

12. Record Keeping, Data Protection and Confidentiality

All disclosures will be recorded in a secure, access-controlled case register. CIRO will retain the original report, risk assessments, conflicts checks, evidence, interview records, decisions, communications, regulatory notifications, corrective actions and closure review in line with its records retention schedule, UK GDPR, the Data Protection Act 2018 and applicable regulatory requirements. Records will be accurate, relevant, minimised and disposed of securely when no longer required.

Personal data will be used only for legitimate whistleblowing, investigation, safeguarding, legal, employment and regulatory purposes and shared only where necessary. The reporter's identity will not ordinarily be disclosed without consent, but disclosure may be necessary to investigate fairly, protect a person, comply with law or notify an authority. CIRO will explain this where practicable and will take steps to reduce unnecessary identification.

13. Monitoring and Policy Review

The Head of EPA/ Whistleblowing Officer will monitor volumes, sources, themes, response times, outcomes, detriment allegations, regulatory notifications, overdue actions and repeat issues. Anonymised trend and assurance reporting will be provided at least annually to senior leadership and the governing body, with significant matters escalated sooner. Monitoring will test whether reporting routes are known and accessible, reporters are protected, investigations are independent and timely, and corrective actions are effective.

This policy will be reviewed at least annually and sooner after a significant case, identified control weakness, change in law or Ofqual requirements, organisational change or material change to assessment delivery. Policy effectiveness will be supported by induction and refresher training, published reporting routes, periodic conflict checks, investigator competence, case-file quality review and lessons-learned activity.

14. Related Policies and Documents

- Malpractice and Maladministration Policy
- Complaints and Assessment Appeals Policy
- Duty of Care, Safeguarding and Prevent Policy
- Conflict of Interest Policy
- Data Protection and Records Retention Policies
- CIRO Disciplinary and Grievance Policies

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