



Defence Awarding  
Organisation



# DAO Whistleblowing Policy

Ver 4.0 Jul 24

*Recognising Quality and Competence:*

*Supporting Defence with accreditation and specialist bespoke qualification opportunities*

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## Introduction

1. This document sets out the DAO Whistleblowing procedure and is aimed at our Awarding Centres, DAO Learners and all interested parties who encounter a direct or indirect service from the DAO.

## Scope

2. The DAO aims to establish and maintain a culture of openness and encourage DAO Staff, Awarding Centres and Learners to raise issues which concern them in relation to the delivery of DAO qualifications and services.
3. By knowing about Malpractice/poor practice we are able to take the necessary steps to safeguard the interests of our DAO Staff, Awarding Centres and Learners.
4. However, the DAO recognise that individuals may be worried that by reporting such issues. Therefore, this policy is designed provide information about the Public Interest Disclosure Act as well as the process by which this may be reported. It also explains that there are certain protections in place to protect Whistleblowers and this policy covers DAO Learners, members of the public or Awarding Centres that may wish to make a complaint in relation to DAO qualifications and associated services offered by the DAO.

## Awarding Centre's Responsibility

5. It is important that Awarding Centre Staff and Learners are fully aware of this policy and its contents as well as the DAO Malpractice and Maladministration Policy.
6. The DAO also encourage its Awarding Centres to have a culture of openness where Awarding Centre staff can freely raise concerns about activities and practices without the risk of adverse consequences to their future employment or career.

## Review Arrangements

7. The DAO will review the policy and its associated procedures annually as part of the DAO self-evaluation arrangements, and revise it as and when necessary in response to customer, DAO Learner or Regulatory Authority feedback (e.g. to align with any appeals and complaints process established by the Regulator(s)) and any trends that may emerge in the subject matter of complaints received.

## What is Whistleblowing?

8. Whistleblowing is when an individual reports suspected Malpractice or wrongdoing and/or the covering up of Malpractice or wrongdoing. Officially this is called 'making a disclosure in the public interest'. The Malpractice or wrongdoing is often committed by the individual's employer, or a Learner's Awarding Centre, although this is not necessarily the case.
9. Whistleblowing is different from both complaints and employment disputes.

- a. Complaints tend to be an expression of personal dissatisfaction (e.g. with a product or service being received and/or encountered) and should be taken forward with the arrangements outlined in the DAO Complaints Policy.
  - b. Employment disputes tend to be where an employee has a dispute about their own employment position or contract. This should be taken this up with the employer. The DAO cannot investigate or take any action over such instances.
10. Individuals can raise a concern with the DAO under the arrangements outlined in this policy if they have a reasonable belief that Malpractice and/or a wrongdoing is occurring or is likely to occur relating to one or more of the following categories (as set out in the Public Interest Disclosure Act 1998 - PIDA):
  - a. a criminal act (e.g. the unauthorised use of public funds or possible fraud and corruption)
  - b. a failure to comply with a legal obligation the individual/organisation may be subject to
  - c. a miscarriage of justice
  - d. endangering an individual's health and safety
  - e. damage to the environment
  - f. deliberate concealment of information about any of the above.
11. In addition, an individual raising an allegation under these whistleblowing arrangements should have a reasonable belief that the disclosure is in the public interest.
12. PIDA also gives protection to Whistleblowers for disclosures to a number of different people such as to employers, to legal advisers, to Ministers of the Crown and to a number of prescribed regulators (for certain purposes). Ofqual – whom the DAO are regulated by - are a prescribed regulator for:
  - a. matters relating to the development, delivery and award of regulated qualifications
  - b. matters relating to National Curriculum assessment arrangements
  - c. matters relating to Early Years Foundation Stage assessment arrangements
  - d. other matters likely to be of relevance or interest to their role as the Regulator of Qualifications, Examinations and Assessments in England, and of vocational qualifications in Northern Ireland.
13. Ofqual has a public Whistleblowing policy and in this it states that if an individual works for an Awarding Centre which is delivering Regulated Qualifications, and they wish to make a Whistleblowing disclosure to someone outside of their organisation, they should normally consider making the disclosure to the relevant Awarding Organisation that has approved their Awarding Centre to deliver the qualification(s) in question (e.g. the Defence Awarding Organisation).
14. You may also decide to contact the relevant Regulator, but they will normally ask the relevant Awarding Organisation to investigate and report on the subject of the disclosure. The DAO recognises that you may still wish to report a concern to the appropriate Regulator, in which case their contact details are provided below:
  - a. Ofqual – the Regulator in England and Northern Ireland [Ofqual's Whistleblowing Policy](#)

15. Examples of Whistleblowing disclosures that could be made to the DAO include:
- a. A member of staff at an Awarding Centre making a disclosure about actual or possible Malpractice at the Awarding Centre and/or failure to comply with the terms of the DAO Awarding Centre Handbook or Policies and Procedures (see the DAO Malpractice and Maladministration Policy for examples)
  - b. Making a disclosure about possible Malpractice being carried out by a member of the DAO
  - c. a Learner or connected other making a disclosure about possible Malpractice at a DAO Awarding Centre.
16. In case of doubt on how best to proceed you can speak in confidence to the DAO Compliance Manager (contact details are provided at the end of this policy) or Public Concern at Work (see next section).

### Seeking Independent Advice

17. This policy sets out the DAO Whistleblowing arrangements which are aligned with the Public Interest Disclosure Act 1998 (PIDA). This legislation protects workers who make a protected disclosure of information, concerning certain types of matters relating to their employment, from being dismissed or penalised by their employers as a result of the disclosure.
18. The Act also has the effect of making confidentiality clauses unenforceable where a protected disclosure is made. You are recommended to take advice before making a Whistleblowing allegation to ascertain your rights under the Act. For example, if you want independent advice at any stage about your rights and protection, the DAO recommend that you contact [Protect-Advice.org](https://www.protect-advice.org) which is a registered charity and the independent authority on public interest Whistleblowing.

### How to Whistle-blow

19. To raise an allegation under the the DAO Whistleblowing Policy, please contact the DAO Compliance Manager (contact details are at the end of this policy).
20. Upon making an allegation it is helpful to provide as much information and supporting evidence as possible to help inform the nature of any investigation the DAO will carry out. Although it is important to note that it is not essential to have clear evidence before making an allegation under this policy, DAO just ask that you explain as fully as you can the nature of the allegation or circumstances that gave rise to your concern.

## Protecting Your Identity

21. Sometimes a person making an allegation may wish to remain anonymous. It is always preferable to reveal your identity and provide the DAO with your contact details. However, if you are concerned about possible adverse consequences that may occur should your identity be revealed to another party, then please inform the DAO that you do not wish to divulge your identity and the DAO will work to ensure your details are not disclosed.
22. The DAO will always aim to keep a Whistleblower's identity confidential where asked to do so although the DAO cannot guarantee this and may need to disclose your identity to:
  - a. the police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud)
  - b. the courts (in connection with court proceedings) another party to whom we are required by law to disclose your identity.
  - c. other third parties where we consider it necessary to do so (e.g. the Regulator Ofqual).
23. The investigator(s) assigned to explore the allegation will not reveal identities unless the Whistleblower agrees or it is absolutely necessary for the purposes of the investigation (as noted above). The investigator will advise you if it becomes necessary to reveal your identity against your wishes.
24. A Whistleblower should also recognise that they may be identifiable by others due to the nature or circumstances of the disclosure (e.g. the party which the allegation is made against may manage to identify possible sources of disclosure without such details being disclosed to them).

## What the DAO Will Do

25. Once a concern has been raised the DAO have a duty to pursue the matter. It will not be possible to prevent the matter being investigated by subsequently withdrawing concern as the DAO are obliged by the Regulators to follow-up and investigate allegations of Malpractice or Maladministration <sup>1</sup>.
26. Depending upon the nature of the allegation, the DAO will appoint someone to investigate the allegation who has the appropriate level of training and competence and who has not had any previous involvement or personal interest in the matter<sup>2</sup>.
27. The person(s) appointed to investigate the matter (the investigator(s)) may contact/meet with the person who raised the concern (the Whistleblower) as soon as possible to ascertain the details of their concern. If the Whistleblower does not wish to make a written statement, the investigator(s) will write a brief summary of the concern(s) that has been raised and the whistleblower will be expected to confirm this as correct. A work colleague, Trade Union representative or another individual (e.g. friend/independent witness) can accompany the Whistleblower at this and any subsequent meeting.

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<sup>1</sup> This meets the requirement for [Ofqual GCoR Condition: A8.2](#)

<sup>2</sup> This meets the requirement for [Ofqual GCoR Condition: A8.3\(b\) & G4.6](#)

28. The investigator will then conduct an investigation to establish the facts in accordance with the arrangements in the DAO Malpractice/Maladministration Policy.
29. In all cases, the DAO will keep the Whistleblower updated as to how the DAO have progressed the allegation (e.g. the DAO have undertaken an investigation) and the Whistleblower will have the opportunity to raise any concerns about the way the investigation is being conducted with the investigator(s). However, the DAO won't disclose all details of the investigation activities and it may not be appropriate for us 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). While the DAO cannot guarantee that it will disclose all matters in the way that the Whistleblower might wish, the DAO will strive to handle the matter fairly and properly.

### **Outcomes of an Investigation**

30. If the investigation results in a proven case of Malpractice and/or Malpractice, the DAO will take action against the relevant parties in accordance with the arrangements in the DAO Malpractice and Maladministration Policy. The DAO will inform the Whistleblower that the investigation has been concluded and where possible inform them of the outcomes – however, as noted above, it may be not appropriate for the DAO to disclose full details of the outcomes of the investigation due to confidentiality or legal reasons (e.g. police investigations may be on-going or other forms of legal action).
31. If the allegation is not proven by the investigation, no action will be taken against the Whistleblower by the DAO. If the allegation was made due to a genuine misunderstanding, the individual(s) (e.g. Awarding Centre or Awarding Centre or DAO staff member) who have been the subject of the investigation will be expected to bear no malice or ill feeling towards their accuser and that colleagues should not mistreat a Whistleblower.
32. If, however, the investigation concludes that the Whistleblower raised an allegation which they knew not to be true, disciplinary action may be taken.

## Centre Support

1. Policies for handling Enquiries, Appeals, Malpractice and Maladministration are available on the DAO website and the DAO Qualification Management System (QMS).
2. If you wish to make an allegation in accordance with the arrangements outlined in this policy, or have a query in relation to the DAO Whistleblowing arrangements, please contact DAO Compliance Manager via:

## DAO website

<https://www.gov.uk/government/groups/defence-awarding-organisation>

## Post

Defence Awarding Organisation (DAO)  
Defence Academy Headquarters  
Room 15, Slim Building  
Shrivenham  
Swindon  
SN6 8LA

## By email

[DEFAC-DAO@mod.gov.uk](mailto:DEFAC-DAO@mod.gov.uk)

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*Supporting Defence with accreditation and specialist bespoke qualification opportunities*