Whistleblowing Policy

Introduction

This policy applies to all employees and officers of Vision for Education, Smart Teachers and ABC Teachers. Other individuals performing functions in relation to the organisation, such as agency workers and contractors, are also encouraged to use it.

It is important to the business that any fraud, misconduct or wrongdoing by workers or officers of the organisation is reported and properly dealt with. The organisation therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

For any concerns relating to the safeguarding of children, young people and vulnerable adults, please see our **Safeguarding and Child Protection Policy**, our **Code of Conduct** and our **Candidate Incident and Allegation Policy and Procedure**.

Background

The law provides protection for workers who raise legitimate concerns about specified matters. These are called qualifying disclosures. A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

- a criminal offence
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- a breach of any other legal obligation, or
- concealment of any of the above is being, has been or is likely to be committed. It is not necessary for the worker to have proof that such an act is being, has been or is likely to be committed - a reasonable belief is sufficient. The worker has no responsibility for investigating the matter - it is the organisation's responsibility to ensure that an investigation takes place.

A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment or victimised because he/she has made a disclosure.

The organisation encourages workers to raise their concerns under this procedure in the first instance. If a worker is not sure whether or not to raise a concern, he/she should discuss the issue with his/her line manager or the HR department.

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the worker who raised the issue will be informed if further action is being taken.
- No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because he/she has raised a legitimate concern.
- Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure, the organisation's disciplinary procedure will be used in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to a director.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be broken, he/she should use the Grievance Procedure.

Procedure

1. In the first instance, and unless the worker reasonably believes his/her line manager to be involved in the wrongdoing, or if for any other reason the worker does not wish to approach his/her line manager, any concerns should be raised with the worker's line manager. If he/she believes the line manager to be involved, or for any reason does not wish to approach the line manager, then the worker should proceed straight to stage 3.
2. The line manager will arrange an investigation into the matter (either by investigating the matter him/herself or immediately passing the issue to someone in a more senior position). The investigation may involve the worker and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The worker's statement will be taken into account and he/she will be asked to comment on any additional evidence obtained. The line manager (or the person who carried out the investigation) will then report to the Senior Leadership Team, who will take any necessary action including reporting the matter to any appropriate Government department or regulatory agency. If disciplinary action is required, the line manager (or the person who carried out the investigation) will report the matter to the HR department and start the disciplinary procedure. The worker who raised the issue will be informed if further action is being taken.
3. If the worker is concerned that his/her line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the board, he/she should inform the Group Director of Safeguarding, Amber Hawkeswood, who will arrange for another manager to review the investigation carried out, make any necessary enquiries and make his/her own report to the Senior Leadership Team as in stage 2 above. If for any other reason the worker does not wish to approach his/her line manager he/she should also in the first instance contact the Group Director of Safeguarding, Amber Hawkeswood. Any approach will be treated with the strictest confidence and the worker's identity will not be disclosed without his/her prior consent.
4. If on conclusion of stages 1, 2 and 3 the worker reasonably believes that the appropriate action has not been taken, he/she should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs
- the Financial Conduct Authority (formerly the Financial Services Authority)
- the Competition and Markets Authority
- the Health and Safety Executive
- the Environment Agency
- the Independent Office for Police Conduct, and
- the Serious Fraud Office.

Data protection

When an individual makes a disclosure, the organisation will process any personal data collected in accordance with its **Data Protection Policy**. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

External Support

Please find below details of organisations who can provide support and guidance in relation to whistleblowing:

- The Whistleblowing Helpline on 08000 724725 or email to enquiries@wbhelpline.org.uk
- Protect (formerly Public Concern at Work) 020 3117 2520 (*option 1) whistle@protect-advice.org.uk
- The NSPCC Whistleblowing Advice Line on 0800 028 0285 help@nspcc.org.uk