

WHISTLEBLOWING POLICY



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INTRODUCTION

1. Tower Learning Centre is committed to conducting its business with honesty and integrity and it expects all staff to maintain the highest professional standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.
2. This policy does not form part of any employee's contract of employment and it may be amended at any time.

Aims

3. To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
4. To provide staff with guidance as to how to raise those concerns.
5. To reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

Who is responsible for this policy?

6. Kate Towers (Owner / Director) has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
7. Managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate guidance.
8. All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

Who is covered by this policy?

9. This policy applies to all individuals working at all levels of the business, including directors, employees, part-time and fixed-term workers, and casual staff (collectively referred to as staff in this policy).

What is whistleblowing?

10. Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- bribery;

- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures;
- conduct likely to damage our reputation
- unauthorised disclosure of confidential information
- concerns about the harm or risk of harm to children; and
- the deliberate concealment of any of the above matters.

11. A whistleblower is a person who raises a genuine concern relating to any of the above. If a member of staff has any genuine concerns related to suspected wrongdoing or danger affecting any business activities (a whistleblowing concern), they should report it under this policy.

12. This policy should not be used for complaints relating to a member of staff's own personal circumstances, such as the way they have been treated at work. In those cases, staff should follow the Centres' Grievance Policy or Anti-harassment and Bullying Policy as appropriate.

13. If a member of staff is uncertain whether something is within the scope of this policy, they should seek advice from the Whistleblowing Lead at the Centre, whose contact details are provided in Table 1 of this policy.

Raising a whistleblowing concern

14. The Centre hopes that in many cases staff will be able to raise any concerns with their line manager (or relevant Director of Education where concern involves the Centre or Business Manager). Staff may tell them in person or put the matter in writing if preferred. They may be able to agree a way of resolving the concern quickly and effectively.

15. However, where the matter is more serious, or a member of staff feels that their line manager and the Centre Manager has not addressed the concern, or the individual prefers not to raise it with them for any reason, they should contact the Whistleblowing Lead at Tower Learning Centre. Contact details are set out at in Table 1 of this policy.

15a. Whistleblowing and the role of the Local Authority Designated Officer (LADO)

All allegations of abuse of children by those who work with children must be taken seriously. Allegations against people, who work with children, whether in a paid or unpaid capacity, cover a wide range of circumstances.

The scope of this procedure is not limited to allegations involving significant harm or likelihood of suffering significant harm to a child and now includes unsuitable and criminal behaviour. The procedure should be applied in all situations where it is alleged that a person who works with children has:

- Behaved in a way which has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child;
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.
- This includes allegations where it might indicate that the person is unsuitable to continue to work with children in their current position.

This should include indications that the person has employed behaviour which could constitute grooming.

The allegations may relate to the person's behaviour at work, at home or in another setting.

Local Authority Designated Officers (LADO) responsibilities are to:

Provide advice and guidance to employers and voluntary organisations, liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process;

- To provide advice and guidance to employers
- To provide advice and guidance to Senior Managers
- To liaise with the Police and other agencies;
- To monitor the progress of cases - to ensure that they are dealt with as quickly as possible within set timescales and consistent with a thorough and fair process; and
- To keep records of all advice given, actions taken and decisions made;
- To maintain information databases in relation of all allegations and produce qualitative and quantitative reports for the Local Safeguarding Children Board (LSCB) ;
- To provide assistance to agencies in the discussion regarding suspension (the power to suspend is vested in the employer alone);
- To liaise with the Police and the Crown Prosecution Service;
- To discuss with the Senior Manager the possibility of referral to the Disclosure & Barring Service (DBS) or to the appropriate Regulatory Body.
- The LADO should be informed within one working day of all allegations that come to an employer's attention or that are made directly to the police.

Confidentiality

16. The Centre hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if staff want to raise a concern confidentially, every effort will be made to keep their identity secret. If it is necessary for anyone investigating the concern to know the member of staff's identity, this will be discussed with the individual.

17. The Centre does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if further information cannot not be gained from the member of staff raising the concern. It is also more difficult to establish whether any allegations are credible. Providing feedback to the Whistleblower will also not be possible which will lead them without confirmation that their allegations have been investigated and may leave them with uncertainty as to whether action has been taken. It should be noted that investigations are not always able to be undertaken with open knowledge. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Lead and appropriate measures can then be taken to preserve confidentiality. If in any doubt, a member of staff can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are provided in Table 1 of this policy.

External disclosures

18. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases, staff should not find it necessary to alert anyone externally.

19. The law recognises that in some circumstances it may be appropriate for an individual to report their concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. The Centre strongly encourage staff to seek advice before reporting a concern to

anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are provided in Table 1 of this policy.

20. Whistleblowing concerns usually relate to the conduct of staff, but they may sometimes relate to the actions of a third party, such as a supplier or service provider. In some circumstances the law will protect an individual if they raise the matter with the third party directly. However, the Centre encourages staff to report such concerns internally first. Staff should contact their line manager or one of the other individuals set out in the 'Raising a whistleblowing concern' section for guidance.

Investigation and outcome

21. Once a concern has been raised, the Trust Whistleblowing Lead will arrange a meeting with the member of staff as soon as possible to discuss the concern. The member of staff may bring a colleague to any meetings under this policy. The companion must respect the confidentiality of the disclosure and any subsequent investigation.

22. A written summary of the concern will be taken and a copy provided to the member of staff after the meeting.

23. The Centre will carry out an initial assessment to determine the scope of any investigation. The member of staff who raised the concern will be informed of the outcome of the assessment and may be required to attend additional meetings in order to provide further information.

24. The Centre will also aim to provide an indication of how it proposes to deal with the matter.

25. In some cases, an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter may be appointed. The investigator(s) may make recommendations for change to minimise the risk of future wrongdoing.

26. The Centre will aim to keep the member of staff who raised the concern informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent sharing of specific details of the investigation or any disciplinary action taken as a result. Any information about the investigation should be treated as confidential.

27. If it is concluded that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.

Taking the matter further

28. While the Centre cannot always guarantee the outcome the member of staff seeks, the Centre will try to deal with concerns fairly and in an appropriate way.

29. If a member of staff is not happy with the way in which their concern has been handled, they can raise it with the Centre Director – Kate Towers

Protection and support for whistleblowers

30. It is understandable that whistleblowers are sometimes worried about possible repercussions. The Centre aims to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

31. Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that they have suffered

any such treatment, they should inform the Whistleblowing Lead immediately. If the matter is not remedied they should raise it formally using the Trust's Grievance Policy.

32. Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

Contacts

33. Key contacts are provided below.

Table 1: Whistleblowing contacts

Whistleblowing Lead	David Ratcliff 01253290949 dratcliff@tower-learning.co.uk
Protect <i>(Formerly Public Concern at Work)</i> Independent whistleblowing charity	Helpline: 020 3117 2520 E-mail: whistle@protect-advice.org.uk Website: www.pcaw.co.uk

Monitoring, evaluation and review

34. The policy will be promoted and implemented at Tower Learning Centre 616 and 257 Church Street, Blackpool

35. Tower Learning Centre will monitor the operation and effectiveness of the policy at each Centre premises.

36. Tower Learning Centre will review this policy every two years

APPENDIX 1

_____ Centre

WHISTLEBLOWING POLICY

FORM P11

WHAT CONCERN(S) DO YOU WISH TO RAISE? (In your own words describe your concern(s), include date(s), time(s), persons involved, including any witnesses, location, the length of time you have been concerned.)

WHY ARE YOU CONCERNED ABOUT THE ISSUE(S)?

HAVE YOU DISCUSSED THE ISSUE(S) WITH ANYONE ELSE? YES/NO

If so, who with and when? (Date)

WHAT WAS THE OUTCOME OF THIS PREVIOUS DISCUSSION?

SIGNED _____ DATE _____

ON COMPLETION THIS FORM SHOULD BE SENT TO THE WHISTEBLOWING LEAD / CENTRE MANAGER
IN A SEALED ENVELOPE MARKED PRIVATE AND CONFIDENTIAL

APPENDIX 2

STEPS IN MAKING A DISCLOSURE – A BRIEF GUIDE

1. Concern(s) identified and disclosure made to Centre or Business Manager informally
2. Action identified concern(s) addressed – no further action or ...
3. Follow the steps below

STEP 1 Seek advice from EAP, or Whistleblowing Contact

STEP 2 Disclosure made formally in writing using proforma to Centre or Business Manager

STEP 3 Centre Director acknowledges receipt of pro-forma in writing within ten working days

STEP 5 Formal investigation begins (if appropriate)

STEP 6 Outcome of investigation submitted in writing to the Centre or Business Manager

FEEDBACK TO THE PERSON MAKING DISCLOSURE WITHIN 5 WORKING DAYS OF THE OUTCOME OF THE INVESTIGATION BEING MADE TO THE CENTRE DIRECTOR

RECOMMENDED ACTION TO PREVENT RECCURRENCE

FORMAL DISCIPLINARY PROCEDURE INVOKED (if appropriate)