



## Whistleblowing Policy and Procedure 2024-2025

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## Whistleblowing Policy and Procedure 2024 - 2025

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# Whistleblowing Policy and Procedure 2024 - 2025

## 1. Purpose:

Educ8 Training Group Ltd including Haddon Training and Aspire & Learn ('Educ8') and its sub-contractors have built a reputation within the local community and wider business environment in Wales and England for the ethical, honest and principled manner in which operational activities are undertaken. The protection of this reputation is integral to the continued success of the business.

This policy aims to:

- Give confidence to Educ8 Employees and learners about raising concerns regards conduct which could potentially be acts of harassment, illegal, corrupt, unsafe or unethical or which amounts to a criminal offence, breach of legal or professional duties malpractice or maladministration
- Offer assurance that Educ8 employees are protected from victimisation for whistleblowing action undertaken in good faith and within the meaning of Public Information Disclosure Act (1998).

## 2. Scope of Policy:

This policy covers all activities of Educ8 and its sub-contractors. This policy applies to all Educ8 managers and employees, learners, associates and sub-contractors of Educ8.

This policy cannot be viewed in isolation and must be read in conjunction with the following Educ8 policies and strategies and regulatory guidance:

- Educ8 Anti-Bribery Policy
- Educ8 Charitable Donations and Fundraising
- Educ8 Complaints Policy and Procedure
- Educ8 Equality, Diversity and Inclusion Policy
- Educ8 Freedom of Speech / Expression
- Educ8 Health and Safety Policy and Procedure
- Educ8 Invigilation Policy and Procedure
- Educ8 Malpractice and Maladministration
- Educ8 Prevent Policy
- Educ8 Safeguarding Policy and Procedure
- Educ8 Teaching and Learning Strategy
- Educ8 Disciplinary Procedures
- Educ8 Professional Conduct Policy
- Educ8 Harrassment and Bullying at Work

## 3. Impact on stakeholders, learners and employees:

The implementation of this policy will ensure that all learners, Educ8 employees and other stakeholders are able to raise concerns related to their business dealing with Educ8, learning programmes and Educ8 employees contract of employment in a safe environment.

## 4. Definitions:

### 4.1 Whistleblowing:

*'the disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the work place, be it of the employee or his/her fellow employees' (Public*

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*Concern at Work Guidelines 1997*) Whistleblowing may relate to the following alleged actions:

- Unlawful conduct
- Failure to comply with a statutory or legal obligation
- Potential maladministration, misconduct or malpractice
- Health and safety issues
- Unauthorised use of funds
- Fraud, bribery or corruption
- Harassment of a colleague, customer or other individual
- Damage to the environment
- The committing of a criminal offence
- Any breach of legal or professional obligations
- Allegations in relation to safeguarding or child protection issues
- Racist incidents or acts, or racial harassment
- Any attempt to prevent disclosures being made
- Any actions which could fall within the organisation's Prevent duties in relation to extremism, radicalisation and terrorism

### 4.2 Public Interest Disclosure Act (1998) (PIDA):

Under the Public Interest Disclosure Act 1998 (PIDA), a 'protected disclosure' of information is one in which, in the reasonable belief of the Educ8 employee or learner making the disclosure, one or more of the following are alleged:

- That a criminal offence has been committed, is being committed or is likely to be committed
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are 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
- That information tending to show any matter falling within any one of the preceding has been, is being or is likely to be deliberately concealed.

### 5. Legal and Regulatory Frameworks:

Educ8 will comply fully with all related legislation and sector regulations which include, but not be limited to:

- Data Protection Act (2018)
- Employment Rights Act 1996
- Education Workforce Council *Fitness to Practice - Guidance for employers and agents: the responsibility to refer*
- Public Interest Disclosure Act 1998 (PIDA)

### 6. Implementation:

Where a disclosure is made, Educ8, and its sub-contractors will not tolerate harassment or victimisation of Educ8 employees or learners.

Any Educ8 employee who is found to have victimised or harassed another employee or learner as a result of their having raised a concern in accordance with the procedure outlined below, will be dealt with under the organisation's disciplinary procedures or in discussion with the learner's employer as appropriate.

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Educ8, and its sub-contractors recognise that Educ8 employees and learners may want to raise concerns in confidence. Where possible the identity of those raising a concern will be protected. However, investigation into a concern may be required which may reveal the source of statements and other documentary evidence.

Should an Educ8 employee make a malicious and / or vexatious allegation for personal gain, the organisation will consider taking disciplinary action.

Allegations concerning safeguarding or child protection issues must be raised in line with the Educ8 Safeguarding Policy and Procedure. However, where disclosures are raised within the definition of a 'protected disclosure', The Whistleblowing Policy will be applied and procedure followed in conjunction.

### **Actions to Be Taken By the Learner**

All whistleblowing concerns made by learners must be raised in writing following the Educ8 Complaints Policy and Procedure.

Learners who have concerns which relate to their own workplace should follow their own internal whistleblowing policy and procedure in line with their Company's own policies and procedures.

### **Actions to Be Taken By the Educ8 Employee**

If an individual knows or suspects that some wrongdoing is occurring within the Company, he or she should raise the matter immediately with his or her line manager. However, where an individual prefers not to raise it with their line manager for any reason, they should contact a Senior Manager.

The Company will arrange a meeting with the individual as soon as possible to discuss their concern.

### **Action to Be Taken By the Manager/Senior Manager**

Any manager who is informed by an individual of potential wrongdoing will take immediate action to investigate the situation.

The individual who has raised the issue will be kept informed of any investigation that is taking place. The individual will also be informed of the outcome of the investigation. It might not always be appropriate to tell the individual the detail of any action that is taken, but the individual will be informed if action is taken.

### **Confidentiality**

We hope that Educ8 employees will feel able to voice whistleblowing concerns openly under this policy. Completely anonymous disclosures are difficult to investigate. If an individual wants to raise a concern confidentially, the Company will make every effort to keep their identity secret and only reveal it where necessary to those involved in investigating the concern.

### **Alerting Outside Bodies to a Potential Wrongdoing**

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

An individual should always, in the first instance, talk to a manager in the Company about a potential

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wrongdoing.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external. You should:

- have a reasonable belief that the allegation is based on correct facts
- make the disclosure to a relevant body
- have a reasonable belief it is in the public interest to make the disclosure

If the whistleblower is not satisfied with the response from Educ8, they may escalate their concern and complain or make a disclosure about a post-16 education or a training provider to:

DfE/ESFA.

esfa@education.gov.uk or send a letter to: Customer Service Team Education and Skills Funding Agency  
Cheylesmore House Quinton Road Coventry CV1 2WT.

Welsh Government Work Based Learning

[whistleblowing@assembly.wales](mailto:whistleblowing@assembly.wales)

A “relevant body” is likely to be a regulatory body (e.g. the Health and Safety Executive, or the Financial Services Authority).

Public Concern at Work operates a confidential helpline. Their contact details are at the end of this policy.

### **Contacting the Media**

The media is not a relevant external body. Individuals should not contact the media with allegations about the Company, except in extraordinary circumstances where neither the Company nor the relevant regulatory body would be appropriate

### **Protection Against Detriment**

The Company aims to encourage openness and will support whistleblowers who raise genuine concerns under this policy, even if they turn out to be mistaken.

Any individual who takes action under the Public Interest Disclosure Act 1998 will be protected from suffering any detriment in relation to the allegations that are made, including victimisation by the Company or by colleagues.

If the individual does not follow the procedure set out, which encompasses the requirements of the Public Disclosure Act 1998, the protection against detriment will not apply. Educ8 employees who disclose information in an inappropriate way (e.g. contacting the media) or making false allegations maliciously or with a view to personal gain could result in disciplinary action being taken against the individual, which could include dismissal.

Individuals must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action. If an individual believes that they have suffered any detrimental treatment, they should raise it under the Companies Grievance Procedure.

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<b>Public Concern at Work</b>  Protect Independent whistleblowing charity	Helpline: 0203 177 2520
	E-mail: <a href="mailto:whistle@pcaw.co.uk">whistle@pcaw.co.uk</a>
	Website: <a href="http://www.protect-advice.co.uk">www.protect-advice.co.uk</a>

### 7. Responsibilities:

#### 7.1. Board of Directors:

- Ensuring Educ8, and its sub-contractors fully meet legal requirements
- Ensuring this policy and procedure meets the requirements of relevant legislation and regulations
- Ensuring effective implementation and monitoring of policy
- Ensuring the policy is continuously reviewed and disseminated to all employees

#### 7.2. Senior Management Team:

- Ensuring all aims and procedures of this policy are effectively followed
- Ensuring all employees and learners are made aware of their responsibilities to raise concerns as outlined in this policy

#### 7.3. Staff:

- Remaining vigilant in the protection of the integrity of the learning programmes provided by Educ8 and its member organisations
- Remaining vigilant in the protection of the reputation of Educ8 and its sub contractors

### 8. Communication:

This policy and any updates will be disseminated to all Educ8 and sub-contractor employees through team meetings. All new employees will be advised of this policy as part of initial induction

All learners will be advised of this policy as part of the learning programme induction process.

This policy is available bilingually on the Educ8 website and may be provided in large print on request.

### 9. Monitoring and Review Processes:

This policy will be routinely reviewed on a bi-annual basis and where there are changes to regulatory requirements. Reviews will be validated by the SMT.

### 10. Complaints:

All complaints will be taken seriously and dealt with in a timely and sensitive manner, in accordance with the Educ8 Complaints Policy and Procedure

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