

WHISTLE BLOWING POLICY

Policy last updated: August 2024

Review date: August 2025

INTRODUCTION

Whistleblowing is the reporting of suspected wrongdoing in relation to NLTG activities. The wrongdoing must be in the public interest. NLTG has a duty to conduct its business in a responsible way with duty of care for its employees, students and others, and to comply with the law. NLTG is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards which are in line with NLTG's values.

We recognise that raising a whistleblowing concern can be daunting. However, we encourage you to report concerns internally as soon as possible where you suspect wrongdoing. We are here to listen and will take all concerns that you raise seriously.

This policy sets out the procedure for raising a whistleblowing concern and the support and protection that is available to you when you do so. Whilst we recognise that this policy is predominantly staff orientated, we have included provisions for learners to raise concerns should they wish in regard to safeguarding practices.

If a concern is staff related and relates to personal grievance that is not in the public interest (for example, an allegation of bullying or harassment, or an allegation that a contract of employment has been breached), this should be raised under NLTG's separate grievance procedure.

If you are unsure about whether your concerns are best dealt with under the whistleblowing policy or grievance procedure, please speak to our HR Manager or a member of the Senior Team for all internal / employment staff related matters. In the instances of safeguarding, a Tutor or a member of the safeguarding team should be contacted.

Additional information can be found in the following document [Whistleblowing for Employees](#) on the Gov.UK website.

This policy does not form part of an employee's contract of employment and we reserve the right to amend or withdraw it at any time.

Scope

This policy has been developed for NLTG employees, parents, learners and stakeholders to bring to the attention any concerns internally and at a high level and to disclose information which the individual believes shows malpractice within the meaning of a disclosure.

It is also intended to enable staff, learners etc., to share safeguarding concerns, in confidence with NLTG's designated safeguarding personnel, concerns they may have about a colleague or another learner's behaviour. This may be behaviour linked to abuse, radicalisation or behaviour that has gone beyond acceptable professional limits.

It is important to NLTG that any fraud, misconduct or wrongdoing by employees of the company is reported and properly dealt with. NLTG 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.

This policy applies to all employees of North Lancs Training Group. Other individuals performing functions in relation to the company, such as agency employees and contractors, are also encouraged to use it.

Whistleblowing concerns to which this policy relates

Whistleblowing is the act of reporting suspected wrongdoing or risk of wrongdoing relating to:

- malpractice including but not exhaustively: suspected fraud, malpractice, financial irregularity, corruption, bribery and dishonesty
- a criminal offence including radicalisation
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- an act to breach NLTG's code of conduct on safeguarding/child protection has not or is not being observed or is being breached by a member of staff
- any form of serious improper action or conduct is taking place
- limitation to sufficient training and / or development opportunities
- a breach of any legal obligation; or
- concealment of any of the above.

It is not necessary for you to prove the wrongdoing. However, to be protected by whistleblowing laws against detrimental treatment, dismissal or removal from programme, you must reasonably believe that wrongdoing (related to one of the categories listed above) is being, has been, or is likely to be committed and that your disclosure is in the public interest.

Reasons for whistle blowing:

Each individual has a responsibility for raising concerns about unacceptable practice or behaviour.

- To prevent the problem worsening or widening
- To protect or reduce risks to others
- To prevent becoming implicated yourself

What stops people from whistle blowing?

- Starting a chain of events that spirals
- Disrupting work or any ongoing process
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of not being believed

Procedure for reporting within NLTG

Stage 1

Making a disclosure – initial action

A summary of the procedure can be found at Appendix A. Each disclosure raised may vary, but the process for dealing with each allegation is as follows.

Any individual who wishes to raise a concern over malpractice within NLTG is requested to raise the concern with their manager, or in the case of a safeguarding concern, with our NLTG Designated

person for Safeguarding. In the case of the concern against any of the Managers or designated person, they must raise the concern with the next senior level of management unless the matter relates to a member of staff and a safeguarding concern in which case it must be reported to the SOFA – Senior Office for Allegations/Managing Director. The person to whom a concern is raised with will then become the investigating officer, unless circumstances dictate otherwise.

You can raise your concern orally, or in writing using Appendix B – ‘Initial Disclosure Form’. It is important that you set out clearly:

- the details of the suspected wrong doing;
- the names of any individuals involved; and
- and what action (if any) you are seeking.

In some cases, it may be necessary to ask you to attend a meeting to clarify the nature of your concern. This will be arranged as soon as possible. You may, if you wish, bring a colleague, or a trade union representative with you to the meeting. Where it is considered appropriate, a member of the HR department may also be present. In the cases of learners, an appropriate person can accompany to support the learner as agreed, ie a fellow student or parent.

Stage 2 - Responding to your whistleblowing concern

The Manager / DSO to whom you raise your concern will decide if an investigation is required and, if it is, the most appropriate person to conduct it. The relevant Manager / DSO will write to you confirming that they are conducting an investigation and the timescale for completion.

The level of investigation and time this will take will vary depending on the nature of the suspected wrongdoing.

Following the investigation, the relevant Manager / DSO will inform you in writing, as quickly as possible after completion of the investigation, of the outcome and any next steps or action that will be taken. While we aim to provide you with comprehensive feedback, in some cases this may not be possible, for example where data protection rules apply or there are sensitive issues that need to remain confidential.

NOTE If the disclosure relates to Safeguarding (including radicalisation) there maybe additional steps required / alternative action as detailed within the companies Safeguarding Policy. Ie, High level concerns should include the LADO etc.

Stage 3 – Appeal

If you are not satisfied with how your concern has been dealt with, you should appeal to the named person on the outcome letter who handled the original complaint or the HR Department. If the outcome of the original hearing was made by the Managing Director, then any appeals should be raised with NLTG’s Chairman.

You can raise your appeal orally, or in writing using Appendix C. It is important that you set out clearly the grounds of your appeal, i.e. the basis on which you consider that your original concern has not been satisfactorily dealt with.

In some cases, it may be necessary to ask you to attend a meeting to clarify the nature of your appeal. This will be arranged as soon as possible. You may, if you wish, bring a colleague or a trade union representative with you to the meeting. Where it is considered appropriate, a member of the

HR department may also be present. Again in the cases of learners, an appropriate person can accompany to support the learner as agreed, i.e. a fellow student or parent.

The relevant manager / DSL (safeguarding) will consider your grounds for appeal and review the manner in which your original whistleblowing concern was handled. You will be informed in writing of the outcome as quickly as possible.

If on conclusion of the appeal the employee / learner still reasonably believes that the appropriate action has not been taken, he/she can report the matter to the proper authority. The legislation sets out several bodies to which qualifying disclosures may be made. Examples of such authorities are provided later in the document.

Confidentiality and anonymity

We want you to feel comfortable about raising a whistleblowing concern openly and actively encourage you to do so.

Where you raise a whistleblowing concern openly, we will maintain your confidentiality as far as possible. If we need to identify your identity to anyone, we will notify you beforehand. In the alternative, you may decide to raise a whistleblowing concern anonymously.

We encourage anonymous reporting over remaining silent. Although we will investigate any concern that is reported anonymously as best we can, an anonymous report is likely to be more difficult for us to investigate and we will not be in a position to provide you with any feedback.

Our commitment to you

You have the right not to be subjected to any detrimental treatment (including being unfairly penalised, disciplined, dismissed or in the cases of learners removed from a programme) because you have raised a whistleblowing concern.

If you raise a whistleblowing concern in accordance with this policy, we will ensure that you are treated with respect and provided with adequate support and protection.

If you are told not to raise or pursue a whistleblowing concern, or you believe that you have been subjected to detrimental treatment because you have raised a whistleblowing concern, you should report the matter to a Senior Manager, our HR Manager, or our DSL (Safeguarding). In the alternative, you can raise it under our Grievance procedure if it applies to you.

Any such behaviour will not be tolerated and will be treated as a disciplinary offence.

If we find that an individual has knowingly raised false allegations, this will also be treated as a disciplinary offence.

Raising your whistleblowing concerns externally

NLTG employees that carry out work related to DfE/ESFA funded delivery can make a disclosure directly to the DfE/ESFA. For further information see the ESFA's guidance on [How the ESFA handles whistleblowing disclosures](#) and how to make a [direct disclosures to the ESFA](#)

Where a member of staff / learner feels unable to raise an issue with NLTG or feels that their genuine concerns are not being addressed for example in relation to Safeguarding practices within NLTG;

other whistleblowing channels may be open to them. i.e. · NSPCC helpline 0800 028 0285 (8 am - 8 pm Mon – Fri) help@nspcc.org.uk or HSE in regards to Health and Safety etc.

There are more than 30 Regulatory bodies to whom disclosures can be made some of which include:

- The Education & Skills Funding Agency;
- 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.

You should seek advice if you are thinking of raising your concern with the media as you will not have protection under whistleblowing laws unless certain conditions are met.

The [Protect](#) website (formerly 'Public Concern at Work') is a whistleblowing charity that can advise and provide additional support for individuals and organisations.

Contact Details for raising a complaint in the context of Safeguarding:

- Gareth Lindsay Managing Director – DSL / Prevent Lead / SOFA - 01254 397119
- Carl Morris JCP Manager / DSO - 01254 395355
- Mark Taylor HR Manager / DSO - 01254 397119

Associated Documentation:

- Grievance Policy
- Anti Bribery Policy
- Fraud prevention Policy
- Safeguarding Policy

Data protection

When an individual makes a disclosure, NLTG 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.

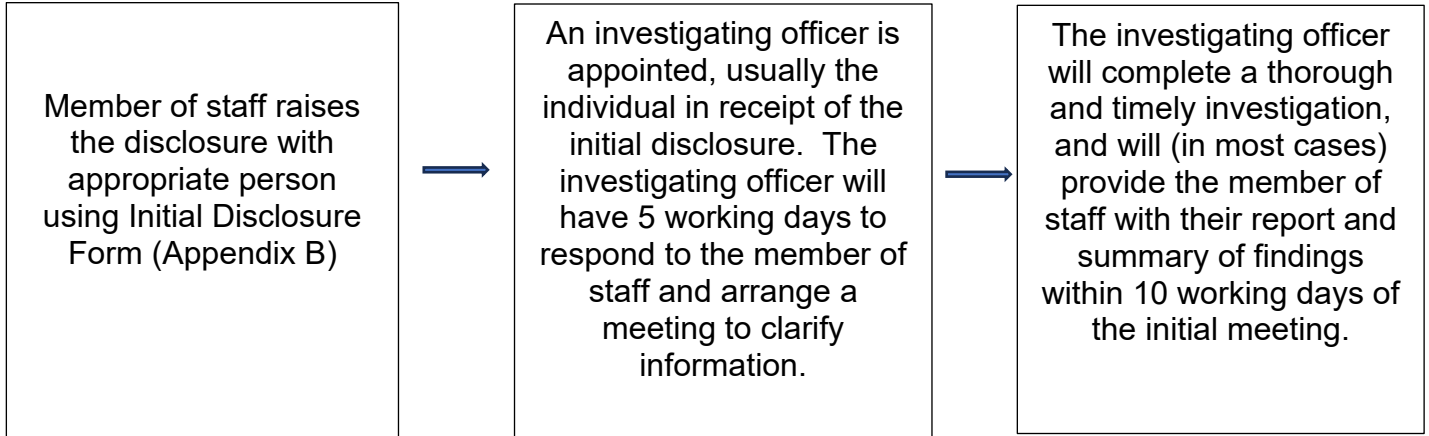


Signed: _____
GARETH LINDSAY
NLTG Managing Director

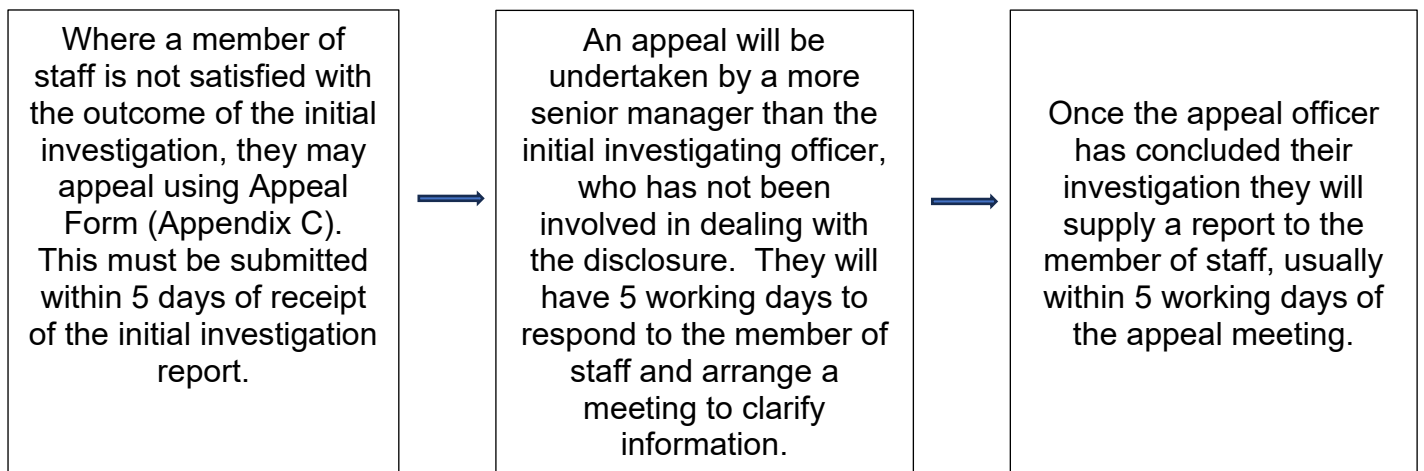
Appendix A – Process Summary

The Whistleblowing Procedure

Raising the formal disclosure



Appeal



Appendix B – Initial Disclosure Form

Notification of disclosure under NLTG’s Whistleblowing Policy

Name:

Team:

Nature of the complaint

Please outline the nature of your complaint in sufficient detail to enable us to commence an investigation into the issues that you have raised.

Reason for raising under Whistleblowing Policy

Please detail why this issue would constitute an issue of “public interest”.

Signed:

Date:

Please submit the completed form to an appropriate individual as identified in the policy, or to the HR Team.

For completion by HR:

Date received by initial individual:

Name of investigating officer appointed:

Date of latest response to member of staff:

Appendix C – Appeal Form

Notification of appeal under NLTG’s Whistleblowing Policy

Name:

Team:

Nature of the appeal

Please outline the nature of your appeal including the reasons why you believe the decision to be unfair and/or why you believe the investigation was flawed.

Signed:

Date:

Please submit the completed form to an appropriate individual as identified in the policy, or to the HR Team.

For completion by HR:

Date received by HR/Operations Director:

Name of appeal officer appointed:

Date of latest response to member of staff: