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**Alternative Education**

**Whistleblowing Policy**

##### **INTRODUCTION**

* Linked-Learning Ltd is committed to the highest possible standards of openness, probity and this policy provides a means for anyone associated with Linked-Learning Ltd who has serious concerns about any aspects of practice to come forward and voice those concerns, irrespective of seniority or status without fear of reprisal. Furthermore, to enable those who wish to raise serious concerns to be able to do so in a way that will not be seen as being disloyal to their colleagues or to Linked-Learning Ltd. This policy makes it clear that ‘whistleblowers can raise concerns in the public interest without fear of victimisation, or subsequent discrimination or the aim is to encourage and enable employees to raise serious concerns within the Linked-Learning Ltd rather than overlooking the problem or reporting the matter externally. This policy ensures that Linked-Learning Ltd complies with its duty under the Public Interest Disclosure Act 1998.

##### **AIMS AND SCOPE OF THIS POLICY**

* The Whistleblowing Policy should be used to raise serious concerns that fall outside the scope of other procedures, or where employees may lack the confidence or be too fearful to use these
* This policy should not be used for conduct which can be dealt with through Linked-Learning Ltd.'s normal procedures, for example employee grievances or complaints. Wherever issues such as these should be resolved through the usual management channels by discussion and open dialogue.
* This policy is in addition to Linked-Learning Ltd.'s complaints procedures and other specifically laid down statutory reporting procedures such as Safeguarding procedures and Teachers Standards
* For this policy, the term ‘employee’ will include all employees of Linked-Learning Ltd. It also applies to volunteers, supply or agency staff and contractors working for Linked-Learning Ltd or on the
* This Policy aims to:
  + Encourage employees to feel confident in coming forward with serious allegations;
  + provide a means for employees to make serious allegations and receive feedback on any action taken;
  + ensure confidentiality if required;
  + reassure employees that they will be protected from reprisals or victimisation;
  + reassure employees that they will suffer no detriment or disadvantage from making allegations if they do so in public interest, genuinely believing their allegations to be
* Examples of serious concerns that may be reported under the Whistleblowing policy may include:
  + Fraudulent or improper use of Linked-Learning Ltd.'s money or assets
  + Breach of Health and Safety Policy or practice including dangerous practices at work
  + Breach of Child Protection Policy/legislation
  + Criminal Activity
  + Alleged miscarriage of justice
  + Unethical Conduct
  + Abuse of Authority
  + Failure to comply with legal obligations
  + Maladministration, misconduct, or malpractice
  + Damage to the environment
  + Concealment of any of the above

These are examples; the list is not exhaustive

* Should an employee be unsure whether the conduct they are concerned about constitutes illegal or improper conduct, or is unsure how to proceed, advice can be sought from their Trade Union Representative or their immediate line If they expect their immediate line manager may be involved, then they should approach the Director or the Local Authority
* Should employees wish to seek other independent advice in relation to whistleblowing, the whistleblowing charity ‘Public Concern at Work’ [pcaw.org.uk](https://protect-advice.org.uk/)provides further advice and information.

##### **SAFEGUARDS**

* Linked-Learning Ltd recognises that the decision to raise a serious concern can be a difficult one to make. However, employees who raise serious concerns that are in the public interest will have nothing to fear because they are doing their duty to the employer and those for whom you are providing a service.
* Linked-Learning Ltd will not tolerate any harassment or victimisation (including informal pressure) and will take appropriate action to protect an employee who raises a concern in good
* Any investigation into allegations of potential malpractice will not influence or be influenced by any employment procedures (e.g., disciplinary) that may already affect the employee, if they are an employee.

##### **CONFIDENTIALITY**

* All concerns will be treated in confidence and every effort will be made not to reveal an employee’s identity if they so However, if the matter is subsequently dealt with through Linked-Learning Ltd.'s procedures, e.g., the Disciplinary Procedure, the employee may need to come forward as a witness if the matter is to be dealt with effectively.

##### **ANONYMOUS ALLEGATIONS**

* This procedure encourages people to put their name to an allegation whenever
* Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Council’s Monitoring Officer.
* In exercising this discretion, the factors to be considered would include the:
  + Seriousness of the issues raised;
  + Credibility of the allegation;
  + Likelihood of confirming the allegation from attributable sources and information

##### **HOW TO RAISE A CONCERN**

* As a first step, an employee should raise a serious concern with their line manager. However, this may depend on the seriousness and sensitivity of the issues involved and who is suspected of the for example, if the employee believes that management is involved it would be inappropriate to raise the matter directly with the Director. For these reasons, a range of alternative reporting methods have been put in place to enable the employee to raise the matter through the source that they feel most comfortable with.
* The range of alternative contacts include:
  + Trades Union or Professional Association representative;
* Serious allegations may be raised orally or in writing. Whether a written or oral report is made it is important that relevant information is provided. This includes:
  + The name of the employee making the allegation and a contact point. As referred to above it will be more difficult for Linked-Learning Ltd or Council to pursue issues if concerns have been expressed anonymously;
* The background and history of the allegation (giving relevant dates and names and positions of those who may be able to have contributed to the allegation);
* The reason for the allegation and concern.

##### **HOW THE LINK-LEARNING LTD OR COUNCIL MONITORING OFFICER WILL RESPOND**

* Linked-Learning Ltd or the Council will respond in every case to an allegation made under this procedure.
* Where a concern is raised with Linked-Learning Ltd, the employee with whom the concern is first raised (e.g., line manager, Director,) is the ‘receiving officer.’ The receiving officer will discuss the concern with the complainant (employee raising the concern). If, following discussion, the complainant wants to proceed with the allegation, the receiving officer will take the following steps:
* The receiving officer will notify the Monitoring Officer by telephone or e-mail that the allegation has been made and give details to the Monitoring Officer. This is so that the allegation can be registered in the Register of Whistleblowing Complaints.
* The Monitoring officer will discuss with the receiving officer the best way of investigating the If the allegation relates to fraud, or potential fraud or other financial irregularity, the Monitoring Officer will also discuss this with the an independently appointed HR advisor.
* The Monitoring Officer and the receiving officer will agree on the method of If the Monitoring Officer and the receiving officer cannot agree on the method of investigation, the Monitoring Officer’s decision will prevail. In the case of fraud, potential fraud or financial irregularity, the method of investigation will be determined by the HR team after discussions with the receiving officer and the Monitoring Officer.
* Where the complaint is made direct to the Monitoring Officer, then the Monitoring Officer, after liaison with any other appropriate officer(s) will decide if, and how, the matter should be investigated and will follow the steps
* If the allegation discloses evidence of a criminal offence, the Monitoring Officer or HR may decide to inform the police.
* Some of the allegations may be resolved by internal action, without the need for
* Within 10 working days of an allegation being made, the Monitoring Officer will write to the employee who raised the concern (unless they have requested not to be contacted or to be contacted in a different way, other than by letter):
  + Acknowledging the allegation has been received;
  + Indicating how the Council proposes to deal with the matter;
  + Giving an estimate of how long it will take to provide a final response;
  + Indicating whether any initial enquiries have been made;
  + Supplying information or employee support mechanisms; and
  + Indicating whether further investigations will take place and, if not, why
* Where the allegation has been made internally and anonymously, Linked-Learning Ltd /Council will be unable to communicate what action has been taken.

1 An officer may be another employee of Linked-Learning Ltd, in an appropriate position to investigate the matter and act.

* If subsequently any disciplinary action is required, the employee who conducted the investigation will seek support from HR who will support with the instigation of any disciplinary measures
* The amount of contact necessary between the employee investigating the allegation and the employee raising the concern will depend upon the nature of the matters raised, the potential difficulties involved and the clarity of the information
* Where any meetings are arranged with the employee, the employee has the right to be accompanied by a trade union representative or work colleague.
* The aim of the policy is to provide an internal mechanism for reporting, investigating, and remedying any wrongdoing in the workplace. In most cases, it should not be necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate to report concerns to an external body such as a
* Linked-Learning Ltd will take steps to minimise any difficulties which the employee may experience because of raising a concern, for example if the employee is required to provide evidence in a criminal or disciplinary proceeding, Linked-Learning Ltd will arrange for support to be given about such
* Linked-Learning Ltd /the Council accepts that employees need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, those making allegations will be informed of the outcome of any

Should an employee not be satisfied with any action taken because of raising a concern, they may wish to seek other independent advice in relation to whistleblowing, this can be sought from:

* The whistleblowing charity ‘Public Concern at Work’ [pcaw.org.uk](https://protect-advice.org.uk/)

Linked-Learning Ltd Employee Assistance Provider, Health Assured on

0800 030 5182, who provide confidential advice and support on a wide range of employment and employee related matters.

##### **CONFIDENTIALITY**

* Linked-Learning Ltd /Council will always keep the identity of the complainant confidential, unless the complainant requests
* A receiving officer will disclose the complainant’s identity to the Monitoring Officer, but to no other A receiving officer and the Monitoring Officer will not reveal any facts, which could lead to the disclosure of the complainant’s identity. These may, depending on the circumstances, include the complainant’s gender or position in Linked-Learning Ltd

##### **REGISTER OF ALLEGATIONS**

* The Council’s Monitoring Officer has overall responsibility for the maintenance and operation of The Monitoring Officer will maintain a Register of Allegations made under this procedure, and the outcomes, and will report as necessary to the Council’s Standards Committee. The recording and reporting procedure will be in a form which ensures confidentiality.

##### **REVIEW**

This policy is reviewed by the Director every three years. The next review will be completed by May 2026

# Appendix 1: Report Form

**Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2003 Statutory Instrument 2003 No. 1993.**

**STRICTLY CONFIDENTIAL**

**Public interest disclosure (whistleblowing) form**

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| **REPORT FORM** | |
| Name of employee making report  (You are encouraged to insert your name, but may choose not to - the recipient of the Form will attempt to preserve confidentiality) |  |
| Centre where reporting employee works |  |
| Person(s) reported |  |
| Concerns reported  (Give full details of the background to the concern; names, dates, and places; and the reasons why you are concerned - Attach a separate sheet if necessary) |  |

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| --- | --- |
| Concerns reported (cont.) |  |
| **Date** |  |
| **Signed**  (If employees’ name appears above) |  |

Legislative requirements contained within the Public Interest Disclosure Act 1998, and the Employment Rights Act 1996 are embedded within the Whistleblowing Policy (which can be obtained from our website). This gives the Whistleblower protection from reprisals and victimisation provided that the disclosure is made in good faith and relates to a concern set out in the policy. For good practice, we include Linked-Learning Ltd within the Public Interest Disclosure Act 1998.