

# Whistleblowing Policy

## **Policy Review**

The responsibility of reviewing and maintaining this policy is Craig Dembicki (Managing Director). This policy will be reviewed annually.

Start date of policy: **19<sup>th</sup> December 2016**

Reviewed: **18<sup>th</sup> July 2024**

Date of next review: **18<sup>th</sup> July 2025**

Signed



Craig Dembicki  
Managing Director  
Education 1st

### **Purpose of this Policy**

Whistleblowing encourages and enables employees to raise serious concerns within Education 1<sup>st</sup> instead of the concern being overlooked and whistleblowing occurring externally to the company.

This policy applies to all employees (including those who are designated as casual, temporary, agency, volunteers or work experience and placement students). This will also include contractors working for Education 1<sup>st</sup> on its premises.

### **Related Policies**

Complaints & Feedback Policy and Procedures

Capability Procedures

Recruitment and Selection Policy

Staff Wellbeing Policy

SEND and Inclusion Policy

### **Introduction to the Policy**

- Education 1<sup>st</sup> is committed to providing the highest possible standards of service, honesty and accountability. Education 1<sup>st</sup> believes that its employees are an essential aspect of maintaining its standards.
- Education 1<sup>st</sup> expects all employees who have serious concerns regarding any aspect of work to come forward and disclose their concerns.
- Whilst Education 1<sup>st</sup> is subject to a range of external inspections and audits from a variety of organisations and bodies, it recognises that wrongdoing, whilst rare, can occur.
- Education 1<sup>st</sup> employees have an important part to play in reporting any such situations, since they can be the first to realise that some wrongdoing is happening within the organisation.
- Education 1<sup>st</sup> recognises that employees may sometimes be reluctant to express their concerns because they feel that this would be disloyal to managers, colleagues and others in the organisation. Employees may also fear harassment or victimisation. These factors could lead employees to ignore the issue rather than report it, particularly if it is just a suspicion.
- The procedures in this document look to:
  - Reinforce Education 1<sup>st</sup>'s expectations that employees should raise any concerns.
  - Provide all employees with internal procedures for raising concerns.
  - Provide all employees with an entitlement to feedback on any concerns raised.
  - Reassure all employees that they will be protected from victimisation or harassment when raising any concerns or issues.

- Enable all employees to take action further if they are not satisfied with the response of Education 1<sup>st</sup>.
- The Managing Director will ensure all members of the Management Team take the appropriate and necessary action to investigate any concerns and apply the relevant sanctions. This includes action to support the employees who have identified the concerns.

### **Aims of the Whistleblowing Procedure**

The Whistleblowing procedure is intended to cover situations where employees become concerned about any wrongdoing at work by other employees, members, local authority officers, local councilors, volunteers, suppliers contractors and former employees (collectively known as employees in this policy).

The concerns could be about acts or omissions which have led, or could lead to future wrongdoing within the organisation, these include:

- Conduct which is against the law, a miscarriage of justice, or fails to meet a legal obligation.
- Financial irregularities include fraud, corruption, unauthorised or inappropriate use of public funds.
- Failure to observe health and safety regulations, or action which involves risks to the students, public or colleagues.
- Action causing major harm to the environment.
- Employees claiming benefits to which they are not entitled.
- Sexual, racial, physical or other abuse/discrimination of students or colleagues.
- Other cases of malpractice, negligent, unprofessional or unethical behaviour.
- A breach of Education 1<sup>st</sup>'s Policies and Procedures.
- Concealment of any of the above.

Education 1<sup>st</sup> believes that the procedures described in this document will provide employees with the means to raise issues internally, but it also recognises that there may be exceptional occasions where external disclosure is appropriate.

It should be highlighted that the Whistleblowing procedure should not be used for employees to raise issues or make complaints about their own employment. These should be dealt with through the grievance or other appropriate personnel procedures.

### **Safeguards for Employees**

Education 1<sup>st</sup> recognises and understands that employees may be reluctant to disclose concerns. Education 1st stresses the following safeguards:

### **Protecting the Whistleblower**

Employees will be protected from harassment/victimisation when a concern has been raised. Education 1<sup>st</sup> will arrange for the investigation of any claims of harassment/victimisation and, depending on the outcome, may take disciplinary action. Employees should only make allegations in good faith and where there is a reasonable suspicion that wrongdoing has occurred, is occurring or will occur. If it is established that an employee has made allegations maliciously or for personal advantage, disciplinary action may be taken against that employee.

### **Confidentiality**

All disclosures will be reported in complete confidence and every effort made not to reveal the employee's identity if the employee wishes. However, the employee may need to come forward at the appropriate time as a witness. Employees raising concerns under this procedure, and any person to whom allegations are disclosed, must ensure that they maintain the necessary confidentiality towards service users i.e. students, parents and the wider educational community.

### **Anonymous Allegations**

This policy encourages employees to put their name to the allegation whenever possible. All allegations will be investigated, although employees need to be aware that anonymous allegations are much less powerful and are more difficult to act upon. The following considerations and factors will be taken into account regarding an anonymous allegation:

- The seriousness of the matter raised.
- The credibility of the allegation.
- The likelihood of obtaining information from other sources which would be able to confirm the allegation.

### **Who to Contact with a Concern**

- When employees are raising an issue, they should make it clear that it is part of the whistleblowing procedure. Where possible, employees should put the details of the issue in writing.
- In most circumstances, employees should raise concerns about wrongdoing to the Operations Manager or an appropriate member of the Management Team. If the concern involves the Operations Manager or a member of the Management Team, the issue should be raised with the Managing Director.
- If the employee is dissatisfied with the outcome of the action taken by the Management Team, that the Management Team has condoned or taken no action at all regarding the issue, they should notify the Managing Director.
- In some situations, the employee may want advice/guidance from an external source appropriate to the issue.

### **How Education 1<sup>st</sup> will Respond to Whistleblowing**

Depending upon the nature of the alleged wrongdoing Education 1<sup>st</sup> will arrange for the issue to be:

- Investigated Internally.

- Referred to the Audit Commission or be investigated as part of an independent inquiry.
- Referred to the police, other external enforcement agency (e.g. Health & Safety Executive, Environment Agency, Local Authority Social Work teams) or the appropriate government department.

Any cases raised under this procedure which have been notified to Education 1<sup>st</sup> will be registered with the Managing Director who will monitor the situation and ensure its progression. The Managing Director will ensure the following is adhered to:

- Some situations the problem may be resolved without the need for a major investigation. If urgent action is required, this will be taken immediately.
- The employee raising the concern will be written to, within 10 working days of the concern being raised, by the person they first contacted. The letter will acknowledge receipt of the concern and indicate how it is proposed to deal with the matter.
- The Managing Director will ensure the employee raising the concern will be written to, within 10 working days of the concern being raised, by the person they first contacted. The letter will acknowledge receipt of the concern and indicate how it is proposed to deal with the matter.
- Education 1<sup>st</sup> will provide support to the employee raising the concern.
- If the employee subsequently feels victimised or harassed as a result of raising a concern in accordance with this procedure, they should advise the person they originally contacted, unless it is this person who is doing the victimising.

### **What employees should do if they are dissatisfied with the outcome**

Education 1<sup>st</sup> considers that the Whistleblowing procedure provides effective mechanism for employees to raise concerns internally.

The Public Interest Disclosure Act 1998 provides some employment protection rights to individuals who “blow the whistle” outside their organisation. However, the types of information, and the situations in which concerns are disclosed externally, are tightly defined in the legislation. The Act only protects those making disclosures which are considered to be in the public interest and therefore not all issues listed in the policy would be covered. Employees need to be careful and take advice before making an external disclosure and they should normally have used the internal procedure first.

Employees should have made the following considerations before making an external disclosure:

- Have the reasonable attempts been made to prevent the wrong through the internal whistleblowing procedures been tried and failed?
- Will it be reasonably certain that the external whistleblowing will prevent the wrong?



☎ 07341 564 377  
✉ admin@education-1st.org.uk  
@ www.education-1st.org.uk

Education 1st reserve the right to take disciplinary action against the employee where an external disclosure is made that consequently is damaging to the organisation and is not protected under the terms of the The Public Interest Disclosure Act 1998.

If an employee is dissatisfied with the response of Education 1<sup>st</sup> through its internal procedures, they may contact an external organisation. However, employees are not expected to make a disclosure to the press.

Employees can contact the independent whistleblowing charity; Public Concern at Work for confidential advice and information:

**Public Concern at Work**

Whistleblowing Advice Line: 020 7404 6609

Website: <http://www.pcaw.org.uk/>

**Monitoring, Evaluation and Review**

The Whistleblowing Policy will be monitored and reviewed by the Senior Leadership Team (SLT); including but not limited to the Managing Director, Operations Manager, Health and Safety Lead.

The Management Team will also be responsible for identifying any relevant policies/procedures in regard to the Whistleblowing Policy and draw attention to areas that require greater attention in regard to achieving the objectives and goals set out in the policy.