



Whistle Blowing Policy

The purpose of this policy is to set out the policy and procedure for Productive Learning UK Limited with regards to dealing with concerns raised by employees except allegations of child abuse made against staff and volunteers which will be dealt with under the Managing Allegations Against Staff Policy.

As employees are often the first to realise that there may be something wrong within an organisation it is important that they feel able to express their concerns without fear of harassment or victimisation, otherwise they may find it easier to ignore the concern rather than report it.

Productive Learning UK Limited is committed to the highest possible standard of operation and in line with that commitment, employees or others with serious concerns about any aspect of Productive Learning UK Limited and its work are encouraged to come forward and voice their concerns. This policy makes it clear that employees can do so without fear of reprisal and it is intended to encourage and enable employees to raise serious concerns rather than overlooking a problem or alerting anyone external to Productive Learning UK Limited. It is recognised that cases may have to proceed on a confidential basis.

This policy aims to:

- provide a means by which employees can raise concerns internally as a matter of course, and receive feedback on any action taken.
- provide a means for matters to be dealt with quickly and appropriately and ensure that concerns are taken seriously .
- reassure employees that they will be protected from any reprisals or victimisation for whistle blowing in good faith.
- allow employees to take the matter further if they are dissatisfied with the any response.

This policy describes the method by which any employee can raise any concerns they may have about working practices and who should be informed about the concerns. It may be that issues raised via this policy will be addressed via other procedures, e.g. anti-fraud and corruption, grievance, disciplinary, harassment and safeguarding/child protection procedures.

A whistleblower is a person who raises a genuine concern. If any employees have any concerns related to suspected wrongdoing or danger affecting any of the activities at Productive Learning UK Limited they should report it under this policy.

Whistle blowing is the disclosure of information which relates to suspected wrong doing or dangers at work. This potentially could include:

- Any criminal activity.
- Any miscarriages of justice.



- Danger to health and safety for staff or learners.
- Damage to the environment.
- Failure to comply with any legal, professional, or regulatory requirements.
- Bribery.
- Fraud or mismanagement.
- Negligence.
- Breach of Productive Learning UK Limited policies and procedures.
- Conduct likely to damage the reputation of Productive Learning UK Limited.
- Unauthorised disclosure of confidential information.
- The deliberate concealment of any of the above matters.

Before initiating the procedure employees should consider the following:

- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all employees.
- Employees should use meetings and other opportunities to raise questions and seek clarification on issues which are of day-to-day concern.
- Whilst it can be difficult to raise concerns about the practice or behaviour of a colleague or manager/director, employees must act to prevent an escalation of the problem and to prevent themselves being implicated.

Safeguarding Against Harassment or Victimisation

The decision to report a concern can be a difficult one to make, because of the fear of reprisal from those responsible for any malpractice. Productive Learning UK Limited will not tolerate harassment or victimisation and will take action to protect employees when they raise a concern in good faith.

Confidentiality

Productive Learning UK Limited hope that employees feel able to voice whistle blowing concerns openly under this policy, and Productive Learning UK Limited will make every effort to protect an employee's identity if confidentiality is requested. However, it must be understood that should the concern raised need to be addressed through another procedure, e.g. disciplinary procedures, the employee may be asked to provide a signed statement as part of the evidence, potentially revealing their identity. Failure to provide such a statement may mean that further action cannot be taken by Productive Learning UK Limited to address the concern and in some circumstances, Productive Learning UK Limited may have to disclose the identity of the employee without their consent, although this will always be discussed with the employee first.

Anonymous Allegations

Employees are encouraged to put their name to an allegation. Allegations expressed anonymously will be considered at the discretion Productive Learning UK Limited. Employees will not be pressured into dropping their anonymity.



Unproven Allegations

If an employee makes an allegation in good faith, but it is not confirmed/proven by the investigation, no action will be taken against that employee. If, however, any subsequent investigation concludes that an employee has made malicious or vexatious allegations, or for personal gain, then appropriate disciplinary action may be taken against that employee.

Following investigation, allegations may be confirmed as unfounded. This outcome will be notified to the employee who raised the concern, who will be informed that Productive Learning UK Limited decides the matter to be closed and that it should not be raised again unless new evidence is available.

Support for Employees

Productive Learning UK Limited recognises that raising concerns can be difficult and even stressful. Support will be made available, as appropriate to both the employee raising the concerns and the employee subject to any investigation.

Raising a Concern

Firstly, an employee should consider raising their concern with the Director of Productive Learning UK Limited. It is acknowledged that this may not always be appropriate and depends on the seriousness and sensitivity of the issues and who is involved. For example, if an employee believes the Director is involved then they should approach the Safeguarding Lead directly.

Any concerns raised internally must be done so in writing, setting out the background and all history of the concerns, giving names, dates and places where possible, and the reasons why they are particularly concerned about the situation. If an employee does not feel able to put the concern in writing, they should telephone or meet with an appropriate person. It is important that, however the concern is raised, the employee makes it clear that they are raising the issue via the Whistle Blowing Policy/Procedure.

Employees can bypass internal methods the above if they believe either of the parties to be involved and may opt to go direct to one of the following agencies:

- A local authority if a contract is held for learning provision.
- Public Concern at Work - a registered charity that employees can contact for advice on concerns about poor practice in the workplace - www.pcaw.co.uk.
- NSPCC Whistle blowing helpline - 0800 028 0285 or email at help@nspcc.org.uk
- Information Commissioner – ico.org.uk/.
- Health and Safety Executive – www.hse.gov.uk.



Employees are made aware via this policy that if they choose to take a concern outside of Productive Learning UK Limited it is the employee's responsibility to ensure that confidential information is not disclosed, and that in whatever format, is given over to a third party.

Meeting Procedure Following the Lodging of a Concern – Internal Only

At each meeting under this policy/procedure the employee must be advised that they may bring a work colleague or trade union representative to the meeting. The work colleague or trade union representative must respect the confidentiality of the disclosure and any subsequent investigations.

At the initial meeting it should be established that:

- There is genuine cause and sufficient grounds for the concern.
- The concern has been appropriately raised via the Whistle Blowing Policy.

The employee should be asked to put their concerns in writing if they have not done so already. If they are unable to write down their concerns, this will be facilitated for them, and a written summary taken.

Discuss the contents of the concerns, take notes of the discussions and provide them with a copy of these notes after the meeting and ask the employee to confirm that it represents an accurate summary of their meeting.

The person chairing the meeting should explain the following to the employee:

- What steps will be taken to address the concern.
- How they will communicate with the employee during and at the end of the process and that a written response will be sent out within ten working days.
- That their identity will be protected as far as possible, but should the investigation into the concern require the employee to be named as the source of the information, that this will be discussed with the employee before their name is disclosed.
- That Productive Learning UK Limited will do all that it can to protect the employee from discrimination and/or victimisation, that the matter will be taken seriously and investigated immediately and that if the employee's concern, though raised in good faith, is not confirmed by the investigation, no punitive action will be taken against them.
- It should however, be disclosed by the person chairing the meeting that if clear evidence is uncovered during the investigation that they have made a malicious or vexatious allegation, then disciplinary action may be taken against them.
- The investigation may confirm their allegations to be unfounded in which case Productive Learning UK Limited will deem the matter to be concluded and they will be expected not to raise the concern again, unless new evidence becomes available.



Following the initial meeting with the employee, person chairing the meeting should seek advice on what action should take place. A record should be made of the decisions and/or agreed actions and advice must be sought from a Human Resources partner before a decision is taken in this regard.

It may be necessary, with any anonymous allegations, to consider whether it is possible to take any further action. When making this decision, the following should be taken into account:

- The seriousness of the issue(s) raised.
- The credibility of the concern(s).
- The likelihood of confirming the allegation(s) from attributable sources.

In some cases, it may be possible to resolve the concern(s) simply, by agreed action or an explanation regarding the concern(s), without the need for further investigation. However, depending on the nature of the concern(s) it may be necessary for the concern(s) to:

- Be investigated internally.
- Be referred to the police.
- Be referred to the external auditor.
- Form the subject of an independent inquiry.

Within ten working days of a concern being received, the person receiving the concern must write to the employee, including the following:

- Acknowledging that the concern has been received.
- Indicating how they propose to deal with the matter.
- Giving an estimate of how long it will take to provide a final response and/or telling the employee whether any initial enquiries have been made.
- Telling the employee if further investigations will take place, and if not why not.
- Letting the employee know when they will receive further details if the situation is not yet resolved.
- Providing the employee with details of whom to contact should they be dissatisfied with this response.

Policy Review

This policy will be reviewed regularly in line with legislative updates, and in any event not less than annually.

A handwritten signature in black ink, appearing to read "N. Morris", is written over a horizontal line.

Nicholas Morris
Director – Productive Learning UK Limited