

Whistleblowing Policy and Procedure

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1. Rationale

1.1 This Whistleblowing Policy encourages and enables individuals to make a “protected disclosure” in order to raise serious concerns within the organisation. We are committed to the highest possible standards of openness, honesty, integrity and accountability. In line with that commitment, we expect people who have serious concerns about any aspect of our work to come forward and voice those concerns.

1.2 This procedure has been written to take account of the Public Interest Disclosure Act 1998 and the Employment Rights Act 1996, which protect workers making disclosures about certain matters of concern, where those disclosures are made in accordance with the provisions of the legislation.

1.3 The directors of ISOteaching have overall responsibility for this policy and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

2. What is Whistleblowing?

2.1 Whistleblowing is the term which has been adopted to describe

arrangements which allow persons, usually employees, to express concerns about any types of malpractice which may be occurring in the workplace. When a report is made, in the public interest, with regards about a suspected wrongdoing it is referred to as making a disclosure. A whistle-blower is someone who raises serious concern about wrongdoing or malpractice so that problems can be identified and resolved quickly.

2.2 Staff members are encouraged to report malpractice as quickly as possible. The person making the disclosure must have a reasonable belief that it is in the “public interest” for protection to apply. This is referred to as a “Protected Disclosure”; further information with regards to the parameters of a ‘protected disclosure is given below.

3. Policy Statement

3.1 ISOteaching is committed to operating in an ethical and principled way. The aim of this policy and procedure is to provide a clear format with a means for raising genuine concerns, that are in the public interest, regarding issues such as suspected bribery, breaches of the law, improper conduct, or other serious wrongdoings.

3.2 ISOteaching encourages employees to raise genuine concerns about suspected wrongdoing at the earliest practicable stage. This procedure is intended to provide safeguards to enable members of staff to raise concerns about malpractice in connection with the organisation.

3.3 This procedure also aims to encourage employees to raise genuine concerns through an internal procedure without fear of adverse repercussions being taken against them. The law allows employees to raise such concerns externally and this procedure informs workers how they can do so. However, a failure to raise a concern under this procedure may result in a disclosure losing its protected status under the law.

3.4 This procedure also seeks to balance the need to allow a culture of openness against the need to protect other employees against vexatious allegations or allegations which are not well-founded.

3.5 The principles of openness and accountability which underpin legislation protecting whistle-blowers are reflected in this procedure. The company is also committed to ensuring compliance with the Bribery Act 2010.

3.6 Students and or parents/guardians who are involved with ISOteaching, are also encouraged to raise genuine concerns about suspected wrongdoing by making a complaint directly to the director(s) of ISOteaching directly as this procedure is designed for the use of employees of the company.

3.7 It is further noted that this policy does not form part of any employee's contract of employment.

4. Protected disclosures

4.1 The law protects workers who, out of a sense of public duty, want to reveal suspected wrongdoing or malpractice.

4.2 The law allows workers to raise what it defines as a 'Protected Disclosure'. In order to be a Protected Disclosure, a disclosure must

- relate to a *specific subject matter*
- be made in an *appropriate way*
- be made, in the reasonable belief of the worker making it, in the public interest

Specific Subject Matter. An employee should use this procedure if, in the course of employment, they become aware of information which they reasonably believe tends to show one or more of the following

- that a criminal offence has been committed, is being committed or is likely to be committed
- that an individual 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 of the above, is being, or is likely to

be, deliberately concealed

4.4 ISOteaching acknowledges that the decision to report a concern can be a difficult decision for any member of staff to take, not least because of the fear of reprisal from those responsible for the malpractice. The directors of ISOteaching will not tolerate harassment or victimisation and will take appropriate action to protect any person who raises a concern in good faith.

4.5 ISOteaching does not encourage workers to make disclosures anonymously. An anonymous disclosure may make proper investigation more difficult or impossible. It will also be difficult for the company to establish whether any concerns raised are credible.

5. Procedure for making a disclosure

5.1 Employees should raise their concerns with their immediate line manager; however, it is noted that the most appropriate person to contact may depend upon who is suspected of malpractice.

5.2 Wherever possible, concerns should be expressed in writing following a format as outlined in Appendix 1. Where an employee does not feel able to put the concern in writing initially, s/he may telephone or meet the appropriate person who will take note of the concerns. At any meeting arranged to discuss the disclosure, the member of staff may be accompanied by an advocate.

5.3 When a worker makes a disclosure, the company will acknowledge its receipt, in writing, within 10 working days.

5.4 Upon receipt of the disclosure, it may become apparent that the investigator may need to meet with the worker to get further information from them. Again, the member of staff may wish to be accompanied by an advocate at this meeting.

5.5 The director(s) of ISOteaching will then determine whether they believe that the disclosure is wholly without substance or merit or whether there may be other reasons why an investigation is not necessary. If this is the case the employee will be notified in writing of the reasons for the decision and advised that no further action will be taken under this procedure. Considerations to be

taken into account when making this determination may include the following:

the director(s) is/are satisfied that an employee does not have a reasonable belief that suspected malpractice is occurring

the matter is already the subject of legal proceedings or appropriate action by an external body

the matter is already subject to another, appropriate, procedure

5.6 Where an employee makes a disclosure, which has enough substance or merit warranting further action, the director(s) will take the action deemed appropriate (including action under any other applicable policy or procedure). Possible actions could include internal investigation or referral to relevant external bodies such as the Police, Local Area Designated Officer, Independent Safeguarding Authority, OFSTED, Health and Safety Executive or the Information Commissioner's Office (this is not an exhaustive list). If appropriate, any internal investigation would be conducted by an appropriate person without any direct association with the individual to whom the disclosure relates.

5.7 The employee making the disclosure will, where appropriate, be notified of the outcome of any action taken under this procedure within a reasonable period.

5.8 If the concern has safeguarding implications the Director(s) will contact the LADO (Local Authority Designated Officer) where appropriate.

6. Disclosure to external bodies

6.1 This procedure has been implemented to allow members of staff to raise disclosures internally within the company. A member of staff has the right to make a disclosure outside of the company where there are reasonable grounds to do so and in accordance with the law.

6.2 Employees may make a disclosure to an appropriate external body prescribed by the law. This list of 'prescribed' organisations and bodies can be found in information on the gov.uk website.

6.3 If a worker seeks advice outside of the organisation, they must be careful not to breach any confidentiality obligations or damage the organisation's reputation in so doing.

7. Accountability

7.1 ISOteaching will keep a record of all concerns raised under this procedure (including cases where it is deemed that there is no case to answer and therefore that no action should be taken)

8. Safeguarding

8.1 All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in terms of Safeguarding and know that such concerns will be taken seriously by the Directors.

8.2 All staff will receive staff training with regards to this procedure which will be reviewed as appropriate.

8.3 Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

8.4 The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0808 800 5000, email help@nspcc.org.uk or fill in our online form How to contact the NSPCC whistleblowing help line?

[Whistleblowing Advice Line | NSPCC](#)

8.5 Employees can also contact the charity Protect (formerly Public Concern at Work) for confidential advice on whistleblowing issues. Contact details are as follows: <https://protect-advice.org.uk/homepage/>

Telephone number: 020 3117 2520 Office hours are Mon, Tue, Thurs: 9:30am – 1pm, 2pm – 5:30pm; Wed, Fri: 9:30am – 1pm

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| Policy adopted: | August 2018 |
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Appendix: Whistle-Blowing Letter Template

To:

From: (name and contact details of whistle-blower)

Date of Submission: (when the individual makes the whistle-blowing concern)

Nature of concern:

- an outline of the known or suspected wrongdoing
- details, to the best of your knowledge, about when and where it occurred
- a list of the names of those suspected of being involved
- a list of the names of anyone who may have relevant information
- details of how you came to know about the suspected activities
- what, if any, breaches of internal controls, policy and procedure or other requirements you believe took place
- the name of anyone who you have discussed or reported this incident to
- your name and contact details (these will be kept confidential as far as reasonably practicable)
- the date and time of making the report

Details of any previous attempts to raise a concern (*what, who with, if this applies*)

Outcome of any previous investigations (*if this applies*)

Comments/ suggestions for action (*if appropriate*)

Signed by the individual