

Whistleblowing Policy

Sept 2021

Version 4

1. Scope

The policy applies to all employees and those contractors working for Expanse Learning.

2. Introduction

Employees are often the first to realise that there may be something seriously wrong within Expanse Learning. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Organisation. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

Expanse Learning is committed to the highest possible standards of openness, probity and accountability supported by our company values. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of Expanse Learnings work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This policy makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This whistle-blowing policy is intended to encourage and enable employees to raise serious concerns within Expanse Learning rather than overlooking a problem or 'blowing the whistle' outside.

These procedures are in addition to the Expanse Learnings complaints procedures.

3. Aims

This policy aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for you to raise those concerns and receive feedback on any action taken
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The whistle-blowing policy is intended to cover major concerns that fall outside the scope of other procedures.

These include but is not limited to:

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse, or
- other unethical conduct

Thus, any serious concerns that you have about any aspect of service provision or the conduct of employees of Expanse Learning or others acting on behalf of Expanse Learning can be reported under the whistle-blowing policy.

This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe Expanse Learning subscribes to; or
- is against Expanse Learnings policies, company values or organisational expectations; or
- falls below established standards of practice; or
- amounts to improper conduct.

This policy does **not** replace the complaints procedure.

4. Safeguards

Harassment or Victimization

Expansive Learning:

- Is committed to good practice and high standards and wants to be supportive of employees.
- Recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.
- Will not tolerate any harassment or victimisation (*including informal pressures*) and will take appropriate action to protect you when you raise a concern in good faith.
- Ensure any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

Anonymous Allegations

- This policy encourages you to put your name to your allegation whenever possible.
- Concerns expressed anonymously are much less powerful but will be considered at the discretion of Expansive Learning.
- In exercising this discretion, the factors to be taken into account would include:
 - *the seriousness of the issues raised*
 - *the credibility of the concern; and*
 - *the likelihood of confirming the allegation from attributable sources.*

Untrue Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

How to raise a concern

As a first step, you should normally raise concerns with your immediate Line Manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved you should approach a Human Resources/Director.

Concerns may be raised verbally or in writing. Employees who wish to make a written report are invited to use the following format:

- the background and history of the *concern (giving relevant dates)*
- the reason why you are particularly concerned about the situation.

The earlier you express the concern the easier it is to take action.

Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (*or more*) of you who have had the same experience or concerns.

You may invite a friend to be present during any meetings or interviews in connection with the concerns you have raised.

5. How Expansive Learning will Respond?

Expansive Learning will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them. Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which Expanse Learning will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

Within ten working days of a concern being raised, the responsible person will write to you:

- acknowledging that the concern has been received
- indicating how we propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling you whether any initial enquiries have been made
- supplying you with information on support mechanisms, and
- telling you whether further investigations will take place and if not, why not.

The amount of contact between the person considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, Expanse Learning will seek further information from you.

Where any meeting is arranged, off-site if you so wish, you can be accompanied by friend.

Expanse Learning will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings Expanse Learning will arrange for you to receive advice about the procedure.

Expanse Learning accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

6. The Responsible Officer

The Head of Shared Services have overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcome within DatabridgeMIS (*This is a format that does not endanger your confidentiality*) and will report as necessary to the Directors.

How the Matter can be Taken Further

This policy is intended to provide you with an avenue within Expanse Learning to raise concerns. Expanse Learning hopes you will be satisfied with any action taken.

If you are not, and if you feel it is right to take the matter outside Expanse Learning, the following are possible contact points:

- Public Concern at Work, is a registered charity whose services are free and strictly confidential
- your local Citizens Advice Bureau:
 - **Telephone:**
Protect Advice Line: 020 3117 2520 (* option 1)
Business Support: 020 3117 2520 (*option 2)
 - **Email**
Protect Advice line: whistle@protect-advice.org.uk
Media enquiries: press@protect-advice.org.uk
Business support services: business@protect-advice.org.uk
- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation
- the police.

If you do take the matter outside Expanse Learning, you should ensure that you do not disclose confidential information.

7. Monitoring and Review

The effectiveness of this policy will be reviewed annually.

Impact of non-compliance

Staff:	Disciplinary action, Support, Action Plan
Student:	Not applicable
Legislation/organisational:	statutory and non-regulated compliance. Prosecution, Staff Retention, Poor employee performance etc
Compliance lead:	Corporate Services (Human Resources)
Policy Reference:	ELGR-POL-HRM-014
Version:	4
Agreed policy location:	DatabridgeMIS
Does the policy require Governor approval?	No

Approval

Prepared by Scott Roberts 01/09/2021  Head of Corporate Services	Approved by Tony Brown 01/09/2021  CEO	Counter Signatory Karl Wane 01/09/2021  Director of College
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Version Control

Version	Date	Revision	Review Date
3	01/09/2020	Policy Review and update	31/08/2021
4	01/09/2021	Policy Reviewed	31/08/2022
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