

Whistleblowing Policy

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About TalentEd

TalentEd is a registered charity, committed to delivering services which address the following objectives:

1. The advancement of education; and
2. The relief of those in need by reason of financial hardship or other disadvantage

We do this by supporting high ability students from low income backgrounds to help realise their full academic potential.

1. About this policy

It is important that any fraud, misconduct or wrongdoing by staff or others working on behalf of the charity is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in the charity or the way in which the organisation is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with. This policy does not refer to safeguarding concerns, as these are dealt with in the separate Safeguarding Policy.

2. Background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called 'qualifying disclosures'. A qualifying disclosure is one made by an employee who has a reasonable belief that any of the following is being, has been or is likely to be, committed:

- A criminal offence
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- A breach of any other legal obligation
- Concealment of any of the above

It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is enough. You have no responsibility for investigating the matter – it is the charity's responsibility to ensure that an investigation takes place in accordance with the appropriate Policy

If you make a protected disclosure you have the right not to be dismissed, subjected to any other detriment or victimised because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

As previously stated, if you have a Safeguarding concern please refer to the separate Safeguarding Policy.

3. Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the charity should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- No employee or other person working on behalf of the charity will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure, our disciplinary procedure will be used, in addition to any appropriate external measures. Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the Chair of the Board of Trustees stating clearly that you are acting under the Whistleblowing Policy and procedures. If the subject of the Whistleblowing is related to actions taken by the chair then the matter should be reported to another Trustee.
- All allegations made under the Whistleblowing Policy will remain confidential.

4. Procedure

This procedure is for disclosures about matters other than a breach of your own contract of employment that may be considered as unlawful or likely to bring the company into disrepute. Matters relating to an employee's terms and conditions or day to day management should be raised via the grievance procedure.

4.1 Stage 1

In the first instance, any concerns should be discussed with your line manager. If the explanations do not appear acceptable then you should raise the matter formally in writing with the Director, if the matter is considered to involve the

Director then the matter should be raised in writing with the Chair of Trustees in writing stating clearly the matter is being pursued under the Whistleblowing Policy. A response to the initial acquisition will be sent within ten working days outlining the steps to be taken. Where an investigation of the matter is considered appropriate, the investigation will be arranged within a reasonable time and subject to the availability and accessibility of evidence and witnesses.

The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above.

Your statement will be taken into account and you will be asked to comment on any additional evidence obtained. The Director will take any necessary action, including reporting the matter to the chair of the board of trustees and any appropriate government department or regulatory agency. The Director will also invoke any disciplinary action required.

On conclusion of any investigation, you will be told the outcome within ten days and any actions proposed. If no action is to be taken, the reason for this will be explained.

4.2 Stage 2

If you are concerned that the Director is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should appeal the matter. In the case of the Director, this would be to the chair of the board of trustees. The chair will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the board. The decision of the Chair's investigation will be communicated to the Board and to the complainant. This decision is final

4.3 Stage 3

If, on conclusion of stages 1 and 2, you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant statutory body. This includes:

- HM Revenue & Customs
- the Health and Safety Executive
- the Environment Agency
- the Serious Fraud Office
- the Charity Commission
- the Pensions Regulator

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- the Information Commissioner
- the Financial Conduct Authority

You can find the full list in The Public Interest Disclosure (Prescribed Persons) Order 2014:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf