



Whistleblowing Policy

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Whistleblowing Policy

1. What is Whistleblowing?

In this policy 'Whistleblowing' means the reporting by employees of suspected misconduct, illegal acts or failure to act within Aim2Learn Ltd (A2L).

The aim of this Policy is to encourage employees and others who have serious concerns about any aspect of the A2L's work to come forward and voice those concerns.

Employees are often the first to realise that there may be something seriously wrong. 'Whistleblowing' is viewed by A2L as a positive act that can make a valuable contribution to long-term success. It is not disloyal to colleagues or A2L to speak up. A2L is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices. To help achieve these standards it encourages freedom of speech.

If you are considering raising a concern you should read this Policy first. It explains:

- the type of issues that can be raised
- how the person raising a concern will be protected from victimisation and harassment
- how to raise a concern, and
- what A2L will do.

If you are unsure whether to use this Policy or want independent advice at any stage, you may contact the independent charity Public Concern at Work tel: 020 7404 6609. Their advisers can give you free confidential advice on how to raise a concern about serious malpractice at work.

2. What is the aim of the Policy and when does it apply?

2.1. Aims of the Policy

The Policy is designed to ensure that you can raise your concerns about wrongdoing or malpractice within A2L without fear of victimisation, subsequent discrimination, disadvantage or dismissal.

It is also intended to encourage and enable you to raise serious concerns within A2L rather than ignoring a problem or 'blowing the whistle' outside.

This Policy aims to:

- encourage you to feel confident in raising serious concerns at the earliest opportunity 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 made any disclosure in good faith.

2.2. Scope of this Policy

This Policy is intended to enable those who become aware of wrongdoing affecting some other person or service, to report their concerns at the earliest opportunity so that they can be properly investigated.

The Whistleblowing Policy is not intended to replace existing procedures:

- if your concern relates to your own treatment as an employee, you should raise it under the existing grievance or harassment procedures.
- if a client has a concern about services provided to them, it should be raised as a complaint to A2L
- complaints of misconduct by A2L employee are dealt with under a separate procedure.

2.3. Who can raise a concern under this Policy?

The Policy applies to all:

- employees of A2L.
- employees of contractors working for A2L, for example, agency staff, tutors etc.
- those providing services under a contract or other agreement with the A2L in their own premises.
- voluntary workers working with the A2L.

2.4. What should be reported?

Any serious concerns that you have about service provision or the conduct of officers or staff of A2L or others acting on behalf of A2L that:

- make you feel uncomfortable in terms of known standards
- are not in keeping with A2L's policies
- fall below established standards of practice; or
- are improper behaviour.

These might relate to:

- conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation)
- disclosures related to miscarriages of justice
- racial, sexual, disability or other discrimination
- health and safety of the public and/or other employees
- damage to the environment
- unauthorised use of public funds or other assets
- possible fraud and corruption
- neglect or abuse of clients, or
- other unethical conduct.

This list is not exhaustive.

3. Protecting the Whistleblower

3.1. Your legal rights

This policy has been written to take account of the Public Interest Disclosure Act 1998 which protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in good faith.

The Act makes it unlawful for A2L to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

Rarely, a case might arise where it is the employee that has participated in the action causing concern. In such a case it is in the employee's interest to come into the open as soon as possible. A2L cannot promise not to act against such an employee, but the fact that they came forward may be taken into account.

3.2. Harassment or victimisation

A2L is committed to good practice and high standards and to being supportive of you as an employee.

A2L recognises that the decision to report a concern can be a difficult one to make. If you honestly and reasonably believe what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer, your colleagues and those for whom you are providing a service.

A2L will not tolerate any harassment or victimisation of a whistleblower (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith and will treat this as a serious disciplinary offence which will be dealt with under the disciplinary rules and procedure.

3.3. Support to you

Throughout this process:

- you will be given full support from Senior Management
- your concerns will be taken seriously; and
- A2L will do all it can to help you throughout the investigation.

If appropriate, A2L will consider temporarily re-deploying you for the period of the investigation.

For those who are not A2L employees, A2L will endeavour to provide appropriate advice and support wherever possible.

3.4. Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of your disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.

3.5. Anonymous allegations

This Policy encourages you to put your name to your allegation whenever possible. If you do not tell us who you are it will be much more difficult for us to protect your position or to give you feedback. This Policy is not ideally suited to concerns raised anonymously.

Concerns expressed anonymously are much less powerful but they may be considered at the discretion of Senior Management. In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issue raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from other sources.

3.6. Untrue allegations

If you make an allegation in good faith and reasonably believing it to be true, but it is not confirmed by the investigation, A2L will recognise your concern and you have nothing to fear. If however, you make an allegation frivolously, maliciously or for personal gain, appropriate action that could include disciplinary action, may be taken.

4. Raising a concern

4.1. Who should you raise your concern with?

This will depend on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. You should normally raise concerns with:

- Your Line Manager
- The Managing Director on 0113 512 0512

The address for correspondence is Aim2Learn Ltd, 34 Lisbon Street, Leeds, LS1 4LX

If, exceptionally, the concern is about the Managing Director your concern should be raised with the next most senior member of staff who will decide how the investigation will proceed. This may include external investigation.

If you are unsure who to contact you may call the independent charity Public Concern at Work on 0207 404 6609 for advice.

4.2. How to raise a concern

You may raise your concern by telephone, in person or in writing. The earlier you express your concern, the easier it is to take action. You will need to provide the following information:

- the nature of your concern and why you believe it to be true
- the background and history of the concern (giving relevant dates).

Although you are not expected to prove beyond doubt the truth of your suspicion, you will need to demonstrate to the person contacted that you are acting in good faith and 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 your trade union, professional association representative or a friend to be present for support during any meetings or interviews in connection with the concerns you have raised.

5. What will Aim2Learn do

A2L will respond to your concerns as quickly as possible. Do not forget that testing your concerns is not the same as either accepting or rejecting them.

The overriding principle for A2L will be the public interest. In order to be fair to all employees, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

The investigation may need to be carried out under terms of strict confidentiality, i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. In certain cases however, such as allegations of ill treatment of others, suspension from work may have to be considered immediately. Protection of others is paramount in all cases.

Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary/grievance process
- be referred to the police
- be referred to the external auditor
- be referred and put through established child protection/abuse procedures
- form the subject of an independent inquiry.

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

- acknowledging that the concern has been received
- indicating how A2L proposes to deal with the matter
- supplying you with information on staff support mechanisms
- telling you whether further investigations will take place and if not, why not.

The amount of contact between you and the officers considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of your information. It is likely that you will be interviewed to ensure that your disclosure is fully understood.

Any meeting can be arranged away from your workplace, if you wish, and a union or professional association representative or a friend may accompany you in support.

A2L will do what it can to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are asked to give evidence in criminal or disciplinary proceedings, A2L will arrange for you to receive appropriate advice and support.

You need to be assured that your disclosure has been properly addressed. Unless there are any legal reasons why this cannot be done, you will be kept informed of the progress and outcome of any investigation.

6. The responsible officer

The Managing Director has overall responsibility for the maintenance and operation of this Policy.

7. How the matter can be taken further

This Policy is intended to provide you with an avenue within A2L to raise concerns. A2L hopes you will be satisfied with any action taken. If you are not, and you feel it is right to take the matter outside of A2L, the following are prescribed contacts:

- your trade union
- the police
- other relevant bodies prescribed by legislation – DWP

If you raise concerns outside A2L you should ensure that it is to one of these prescribed contacts. A public disclosure to anyone else could take you outside the protection of the Public Interest Disclosure Act and of this Policy.

You should not disclose information that is confidential to A2L or to anyone else, such as a client or contractor of A2L, except to those included in the list of prescribed contacts.

This Policy does not prevent you from taking your own legal advice.

8. Prevent Duty & Prevention of Radicalisation and Extremism

Background

A2L has an important part to play in educating adults about extremism and recognising when customers/students start to become radicalised. In March 2015, new statutory duties were placed on educational establishments by the Counter Terrorism and Security Act (2015) which means they must work to prevent children/students being drawn into extremism.

Safeguarding learners from all risks of harm is an important part of A2L work and protecting them from extremism is one aspect of that.

Ethos

At A2L we ensure that through our vision, values, rules, diverse curriculum and teaching we promote tolerance and respect for all cultures, faiths and lifestyles. The senior management also ensures that this ethos is reflected and implemented effectively in A2L policy and practice and that there are effective risk assessments in place to safeguard and promote students' welfare.

We have a duty to prepare our students for life in modern Britain and to keep them safe.

Pupils who attend our organisation have the right to learn in safety. We do not tolerate bullying of any kind and will challenge derogatory language and behaviour towards others.

Statutory Duties

The duty to prevent adults being radicalised is set out in the following documents.

- Counter Terrorism and Security Act (2015)
- Keeping Children Safe in Education (2015)
- Prevent Duty Guidance (2015)
- Working Together to Safeguard Children (2015)

Definitions

Extremism is defined in the 2011 Prevent strategy as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.

Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

British Values are democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.

Roles and Responsibilities

Role of the Governing Body

It is the role of senior management to ensure the business meets its statutory duties with regard to preventing radicalisation.

The senior management will liaise with the Managing Director (MD) and other staff about issues to do with protecting learners from radicalisation.

Role of the MD

It is the role of the MD to:

- ensure that the business and its staff respond to preventing radicalisation on a day-to-day basis,
- ensure that the business' curriculum addresses the issues involved in radicalisation
- ensure that staff conduct is consistent with preventing radicalisation

Role of Designated Safeguarding Lead

It is the role of the designated safeguarding lead to:

- ensure that staff understand the issues of radicalisation, are able to recognise the signs of vulnerability or radicalisation and know how to refer their concerns
- receive safeguarding concerns about learners and adults who may be vulnerable to the risk of radicalisation or are showing signs of radicalisation
- make referrals to appropriate agencies with regard to concerns about radicalisation
- liaise with partners, including the local authority and the police
- report to the governing body on these matters

Role of staff

It is the role of staff to understand the issues of radicalisation, are able to recognise the signs of vulnerability or radicalisation and know how to refer their concerns.

Curriculum/Work Programme

We are committed to ensuring that our Learners are offered a broad and balanced curriculum that aims to prepare them for life in modern Britain. We encourage our learners to be inquisitive. Learners who are open to new experiences and are tolerant of others.

Internet Safety

The internet provides learners and adults with access to a wide-range of content, some of which is harmful. Extremists use the internet, including social media, to share their messages. The filtering systems used in our IT equipment blocks inappropriate content, including extremist content.

We also filter out social media, such as Facebook. Searches and web addresses are monitored and the ICT technicians will alert senior staff where there are concerns and prevent further access when new sites that are unblocked are found.

Where staff, students or visitors find unblocked extremist content they must report it to a senior member of staff.

We are aware that learners and adults have access to unfiltered internet when using their mobile phones and staff are alert to the need for vigilance when learners are using their phones.

Learners and staff know how to report internet content that is inappropriate or of concern.

Staff Training

Staff will be given training to help them understand the issues of radicalisation, are able to recognise the signs of vulnerability or radicalisation and know how to refer their concerns. This information also forms part of induction safeguarding training. Staff are updated as necessary in weekly safeguarding briefings.

Safer Recruitment

We ensure that the staff we appoint at A2L are suitable, our recruitment procedures are rigorous and we follow the statutory guidance.

Visitors

Visitors who are invited to speak to learners will be informed about our preventing extremism policy and relevant vetting checks are undertaken. We undertake due diligence to ensure that visiting speakers are appropriate. Speakers will be supervised at all times and will not be allowed to speak to learners without a member of staff being present.

Staff must not invite speakers into A2L without first obtaining permission from the MD.

'No platform for extremists'

A2L does not accept bookings from individuals or organisations that are extremist in their views.

Signs of vulnerability

There are no known definitive indicators that a young person is vulnerable to radicalisation, but there are number of signs that together increase the risk. Signs of vulnerability include:

- underachievement
- being in possession of extremist literature
- poverty
- social exclusion
- traumatic events
- global or national events
- religious conversion
- change in behaviour
- extremist influences

- conflict with family over lifestyle
- confused identity
- victim or witness to race or hate crimes
- rejection by peers, family, social groups or faith

Recognising Extremism

Early indicators of radicalisation or extremism may include:

- showing sympathy for extremist causes
- glorifying violence, especially to other faiths or cultures
- making remarks or comments about being at extremist events
- evidence of possessing illegal or extremist literature
- advocating messages similar to illegal organisations or other extremist groups
- out of character changes in dress, behaviour and peer relationships (but there are also very powerful narratives, programmes and networks that adults can come across online so involvement with particular groups may not be apparent.)
- secretive behaviour
- online searches or sharing extremist messages or social profiles
- intolerance of difference, including faith, culture, gender, race or sexuality
- graffiti, art work or writing that displays extremist themes
- attempts to impose extremist views or practices on others
- verbalising anti-Western or anti-British views
- advocating violence towards others

Referral Process

Staff and visitors to A2L must refer all concerns about learners and adults who show signs of vulnerability or radicalisation must be passed to the Designated Safeguarding Lead using the usual methods for reporting other safeguarding concerns.

Monitoring and Review

This policy will be monitored by the senior management at least annually by receiving a report from the Designated Safeguarding Lead.

Aim2Learn Directors will review this Policy annually.