



## Whistleblowing Policy

Policy Approval						
<b>Approval Required:</b>	<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Annual Review Required:</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approval Panel:</b>	Darren Powell					
<b>Created By:</b>	<b>Name</b>	<b>Signature</b>		<b>Date</b>		
	Darren Powell			01/09/2024		
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<b>Policy Writer/s:</b>	Darren Powell					

### INTRODUCTION

Employees are often the first to realise when something may be seriously wrong within an organisation. However, they may not always feel comfortable raising concerns — fearing disloyalty, harassment or victimisation. Cinders Training is committed to the highest standards of integrity, openness and accountability, and to creating a culture where it is safe to raise concerns.

This policy is designed to encourage staff to report concerns about wrongdoing in confidence and without fear of reprisal, provided concerns are genuine and raised in good faith. It is intended to complement, not replace, Cinders Training's grievance and disciplinary procedures.

### SCOPE

This policy applies to all employees, contractors, associates and volunteers working for or on behalf of Cinders Training. It covers concerns about malpractice that are in the public interest — it is not intended to address personal grievances, which should be raised through the Grievance Procedure.

### WHAT IS MALPRACTICE?

For the purpose of this policy, 'malpractice' includes:

- Fraud, theft, financial irregularities, corruption or bribery
- Other criminal activity or dishonesty
- Failure to comply with a legal obligation, the Staff Code of Conduct, or financial regulations
- A miscarriage of justice
- Creating or ignoring a serious risk to health, safety or the environment
- Abuse of learners, children or vulnerable adults — any safeguarding concern
- Deliberate cover-up of any of the above

- Assessment or qualification malpractice or maladministration
- Radicalisation or extremism concerns
- Failure to meet awarding organisation requirements

The Public Interest Disclosure Act 1998 (as amended by the Enterprise and Regulatory Reform Act 2013) provides legal protection for workers who make qualifying disclosures in the public interest ('whistleblowers').

## **PROCEDURE FOR RAISING CONCERNS**

Concerns should be raised at the earliest opportunity with your line manager or a member of the Cinders Training Management Team. Where the concern involves your line manager, or you do not feel able to approach them, raise it with the Managing Director directly.

Concerns are best raised in writing, setting out the background, history and reasons for the concern — giving names, dates and places where possible. If you cannot put your concern in writing, you may telephone or meet the appropriate person, and a note will be made of your concern.

If you raise a concern and wish to remain anonymous, Cinders Training will make every effort to respect this request. However, you should be aware that if the investigation is to proceed effectively, your identity may need to be disclosed and a statement may be required.

## **CINDERS TRAINING'S RESPONSE**

The action taken will depend on the nature of the concern. Matters raised may be investigated internally, referred to the police (where criminal activity is suspected), referred to an awarding organisation (e.g. Highfield Qualifications) or reported to relevant regulatory bodies.

Initial enquiries will be made promptly to determine whether a formal investigation is appropriate. You will normally receive a written acknowledgement within ten working days of your concern being received. You will be kept informed of the progress and outcome of the investigation, subject to the constraints of confidentiality and any ongoing investigation.

Concerns that fall within the scope of specific procedures — for example, safeguarding, malpractice and maladministration, or harassment — will normally be referred to those procedures.

## **PROTECTION FOR WHISTLEBLOWERS**

Cinders Training will not tolerate the victimisation, harassment or disciplinary action of any person who raises a genuine concern in good faith under this policy. Any member of staff found to have subjected a whistleblower to detriment will be subject to disciplinary action, which may include dismissal.

However, if a concern is raised maliciously, without reasonable grounds, or in bad faith, this may itself be treated as a disciplinary matter.

## **EXTERNAL REPORTING**

Where a concern has been raised internally and you are not satisfied that it is being properly addressed, or where the concern relates to the most senior management of Cinders Training, you may raise the concern externally. Appropriate external bodies include:

- Highfield Qualifications or other relevant awarding organisation — for qualification malpractice concerns
- Ofsted — for concerns about training provision quality or safeguarding
- The Police — for criminal matters
- The Education and Skills Funding Agency (ESFA) — for funding or apprenticeship concerns
- Skills Funding Agency / Department for Education
- Ofqual — for qualification regulation concerns
- Health and Safety Executive (HSE) — for health and safety matters
- NSPCC Whistleblowing Helpline: 0800 028 0285 — for child protection concerns

- Protect (formerly Public Concern at Work): 020 3117 2520 — for independent whistleblowing advice
- Your solicitor or a trade union representative

## **RECORD KEEPING**

All concerns raised under this policy and the actions taken will be recorded securely and treated as confidential. Records will be retained for a minimum of five years.

## **POLICY REVIEW**

This policy will be reviewed annually or following any significant whistleblowing event or change in legislation. All staff will be informed of material changes.

This policy should be read alongside: Malpractice and Maladministration Policy, Safeguarding Policy, Grievance Procedure, and Disciplinary Procedure.