Whistleblowing Policy

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REVIEW CYCLE	Annual

DETAILS OF POLICY UPDATES

DATE	DETAILS
Nov 25	Added OFG reporting requirements into section 4 roles and responsibilities
July 2020	Removed allegations section and created a new allegations policy.

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1 INTRODUCTION

Under certain circumstances, employees are protected from suffering any detriment or termination of employment if they make disclosures about organisations for whom they work.

2 PURPOSE AND AIMS

This policy sets out and gives guidance on what procedure to follow to make a disclosure they feel may be detrimental to the company.

3 QUALIFYING DISCLOSURES

Certain disclosures are prescribed by law as "qualifying disclosures". A "qualifying disclosure" means a disclosure of information that the employee genuinely and reasonably believes is in the public interest and shows that the Company has committed a "relevant failure" by:

- Committing a criminal offence.
- Failing to comply with a legal obligation.
- A miscarriage of justice.
- Endangering the health and safety of an individual.
- Environmental damage; or
- Concealing any information relating to the above.

These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. The Company will take any concerns that you may raise relating to the above matters very seriously.

The Employment Rights Act 1996 provides protection for workers who 'blow the whistle' where they reasonably believe that some form of illegality, injustice or breach of health and safety has occurred or is likely to occur. The disclosure has to be "in the public interest". We encourage you to use the procedure to raise any such concerns.

4 ROLES AND RESPONSIBILITIES

Any whistleblowing concerns raised by employees, children, parents or clients will be directed to the an appropriate person will be appointed to investigate the concern.

The Investigating Manager will be a person not directly involved in the whistleblowing and someone who has completed the training on this procedure. Further written guidance on the role of the investigating manager and that of line management will be provided

OFG reporting requirements

Tute Education is part of Outcomes First Group and follows the group's managing allegations procedures.

All allegations involving staff must be reported within 24 hours. The reporting route is:

- all allegations relating to staff conduct or suitability are emailed within 24 hours to **hroperationsadvice@ofgl.co.uk**
- where the allegation involves any safeguarding concern, a copy must also be sent to **safeguarding@ofgl.co.uk**
- all whistleblowing concerns must follow the same reporting route

This ensures mandatory HR and safeguarding oversight and alignment with group expectations.

5 RELATED POLICIES

- Safer Recruitment Policy
- Safeguarding and Child Protection Policy
- Anti-Bullying Policy
- Online Safety Policy
- Behaviour Policy
- Allegations Policy
- Serious Incident Policy

6 MALPRACTICE

It is the responsibility of all Tute staff to be alert for occurrences of fraud or any malpractice and to be aware that unusual events, transactions or behaviours could be indications of fraud or malpractice or attempted fraud or malpractice. Employees are encouraged to raise concerns about any instance of malpractice at the earliest possible stage. Any suspicion of, or if you are aware of any suspected

fraud or malpractice, should be reported to your Line Manager. In addition, it should be reported to the Head of People, Culture and Social Responsibility.

7 THE PROCEDURE

In the first instance you should report any concerns you may have to a Senior Manager or a Director who will treat the matter with complete confidence. If you are not satisfied with the explanation or reason given to you, you should raise the matter with the appropriate official organisation or regulatory body.

If you do not report your concerns to a Senior Manager or a Director, you should take them direct to the appropriate organisation or body.

7.1 Tute will commit to the following:

- Those who are the subject of allegations will be treated fairly.
- Those who are subject of the allegations will be fully supported and have access to the Peninsula EAP (Employee Assistance Programme)
- The employee under investigation will be suspended form normal duties whilst the investigation is carried out it will be assessed if the allegation is deemed such that the employee be suspended in full.
- If the allegation is founded, then appropriate disciplinary action will be taken.
- If the allegation is not found proven by the investigation, then provided the allegation was not malicious, no action will be taken against that employee.
- If the allegation was made due to a genuine misunderstanding, the individual(s) who have been the subject of the investigation will be expected to bear no malice or ill-feeling towards their accuser.
- If the allegation is found to be groundless, Management will take reasonable actions, including any suggestions from the person accused of malpractice, to remedy any adverse consequences arising from the investigation.

- Any child found guilty of making malicious allegations against teachers will be the subject of serious discussion with the commissioning body and depending upon the severity of the allegation, may ultimately be excluded from accessing Tute's services.
- Employees may seek independent advice at any time, further details listed below in references.
- Tute recognises its duty as an employer and service provider to report any concerns to the Disclosure and Barring Service (DBS)

8 TREATMENT BY OTHERS

Bullying, harassment, or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. Anyone found to have acted in such a manner will be subject to disciplinary action.

For further guidance please see link to public concern at work https://www.pcaw.org.uk

9 ANNUAL REVIEW

The Whistleblowing policy will be reviewed on an annual basis.