

WHISTLEBLOWING POLICY

Date Agreed:	15/7/21
Agreed By:	The Seva Governing Body
Reviewed and Updated:	15/7/22, 14/1/24, 14/1/25
Next Review Date:	14/1/2026

Purpose:

Seva Education is committed to the highest possible standard of operation, care provision and accountability, and recognises that its workers are often the first to realise that there may be something wrong within the Company. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Company, and 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. The aim of this policy and associated procedures is to establish an internal mechanism that will encourage and enable workers to raise serious concerns about any aspect of the Company's work, in confidence and without fear of reprisals, to ensure that the Company continues to improve its services and provides best value.

Definition:

Whistleblowing is when an individual knows, or suspects, that there is some wrongdoing occurring within the organisation and alerts the employer or the relevant authority accordingly.

The Public Interest Disclosure Act 1998 gives protection to individuals, casual workers, agency workers and contractors who make a qualifying disclosure when they reasonably believe it is in the public interest for them to do so.

Scope:

The details provided here are more generic,

Concerns that should be raised via the Whistleblowing Policy may be in relation to the actions/behaviours of other Company workers and/or private contractors and be about something that is perceived as:

- unlawful; or
- against the Company policies; or
- a breach, or potential breach, of health and safety legislation; or
- the committing of a criminal offence; or
- an act of bribery; or
- falling below established standard or practice; or
- amounting to improper conduct. - as or on behalf of a service user

Principles:

This policy is based on the following fundamental principles:

All employees have the right to raise concerns about perceived unacceptable practice or behaviour.

The responsibility for expressing concerns about unacceptable practice or behaviour rests with all workers, and under the Company's Health & Safety Policy workers are expected to raise concerns about potential health and safety risks.

The Company will not tolerate harassment or victimisation and will take action to protect employees when they raise a concern in good faith.

The Company will do its best to protect an employee's identity when he/she raises a concern and does not want his/her name to be disclosed. However, if the concern raised needs to be

addressed through another procedure, e.g. disciplinary procedure, the worker may be required to provide a signed statement as part of the evidence.

In some circumstances the school may have to disclose the identity of the employee without his/her consent, although this will be discussed with the employee first.

Appropriate advice and support will be made available to workers who raise concerns.

Employees who raise concerns will be kept informed of the progress and outcome of any investigation.

The Company will not tolerate malicious or vexatious allegations, which may be considered a disciplinary offence.

Whistle blowing procedure

- Employees should report any concerns to their line manager.
- If for any reason it is not appropriate to involve your line manager approach then you may approach Human Resources.
- If this fails to achieve a satisfactory outcome raise your concerns to the Company director as a last result

Procedures for reporting and investigating 'whistleblowing' concerns have been developed to ensure that:

- avenues exist for employees to raise concerns internally as a matter of course, and receive feedback on any action taken;
- concerns are taken seriously and dealt with quickly and appropriately;
- Employees are reassured that they will be protected from reprisals or victimisation for whistle blowing in good faith;
- Employees can take the matter further if they are dissatisfied with the Council's response;
- Issues raised are addressed via other procedures as appropriate, e.g. anti-fraud and corruption, grievance, disciplinary, health & safety, harassment, child protection and adult abuse procedures; and appropriate records are maintained for monitoring purposes.

Not all 'whistle blowing' is protected. The legal protection is only for 'qualifying disclosures', which must relate to:

- 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.
- Concealing any information relating to the above.

Protected disclosures

Employees are protected if they make a qualifying disclosure in good faith to a person or body specified in the legislation and under these circumstances a qualifying disclosure becomes a 'protected disclosure'.

Action to be taken by the manager or HR

Any manager or HR individual who is informed by an individual of potential wrongdoing will take immediate action to investigate the situation. In doing so, the manager or HR individual will take every possible step to maintain the anonymity of the individual who has made the allegation of wrongdoing.

The individual who has raised the issue will be kept informed of any investigation that is taking place. The individual will also be informed of the outcome of the investigation. It might not always be appropriate to tell the individual the detail of any action that is taken, but the individual will be informed if action is taken.

Contacting the media

The media is not a relevant external body. Individuals should not contact the media with allegations about the organisation, except in extraordinary circumstances where neither the organisation nor the relevant regulatory body would be appropriate

Protection against detriment

Any individual who takes action under the Public Interest Disclosure Act 1998 will be protected from suffering any detriment in relation to the allegations that are made, including victimisation by the organisation or by colleagues.

If the individual does not follow the procedure set out, which encompasses the requirements of the Public Disclosure Act 1998, the protection against detriment will not apply. Disclosing information in an inappropriate way (eg contacting the media) could result in disciplinary action being taken against the individual, which could include dismissal.