

Whistleblowing Policy and Procedure

Overview

Whistle blowers are individuals who discover activities or information that they believe shows malpractice or wrongdoing by the organisation. This policy and procedure is for all whistle-blowers, both internal (employees, directors, senior managers) and external (learners, centres, customers, stakeholders). This policy abides by current law and codes of practice, in relation to whistle-blowers. This policy is designed to encourage and protect whistle-blowers and ensure they are not disadvantaged in any way, shape or form, in their support of good corporate practices.

Scope of the Policy

This policy is designed to assist any internal or external individual who believes they have discovered malpractice or impropriety. It is not intended as a means to re-open matters that have already been addressed under other policies e.g. appeals, EARs, malpractice, grievance or disciplinary procedures, or to question legitimate financial or business decisions taken by ISP

This policy covers allegations of malpractice or wrongdoing, confirmation of which would be in the interests of ISP and its stakeholders. Such allegations might include, for example (this list is not exhaustive):

- Improper conduct, unethical and/or illegal behaviour, malpractice or maladministration of centres, assessments, EPA, assessors or learners
- failure to comply with legal obligations by the organisation
- financial malpractice, impropriety or fraud by the organisation
- criminal activity of the organisation
- improper conduct or unethical behaviour by the organisation
- dangers to health and safety by the organisation
- attempts to conceal any of the above by the organisation.

Separate policies and procedures exist for malpractice, appeals, EARs, grievances, disciplinary, etc.

Safeguards of the Policy

Protection - this policy offers protection to individuals who make disclosures in the interests of ISP, its stakeholders and the public, provided that these are made in good faith, and in the reasonable belief that the conduct indicates malpractice or maladministration

Confidentiality – ISP will treat all such disclosures in a confidential and sensitive manner. Individuals are, however, encouraged to put their name to any disclosures they make rather than seek anonymity.

Identity - the identity of the individual making the allegation will be kept confidential as long as it does not hinder or frustrate any investigation. However, the investigation process may need to reveal the source of the information to ensure conclusion of the investigation and the individual making the disclosure may need to provide a statement as part of the evidence required.

Untrue allegations - where an individual makes an allegation in good faith, but this is not confirmed by subsequent investigation, no action will be taken against that individual. If, however, an internal or external individual makes malicious or vexatious allegations, and particularly if he or she persists in making them, legal and/or disciplinary action may be taken against the person concerned.

Procedure for making and dealing with a disclosure

In the first instance any disclosure should be made to the Head of Operations who will decide, with the Head of Quality, an appropriate course of action to resolve the matter. Action may include a range of approaches including informal resolution, changes to policy and procedure, internal investigation, an independent inquiry undertaken by the ISP SMT, or referral to the police. It also includes the option to dismiss the concern. The Head of Quality has a direct reporting line to the Board and an obligation to ensure any disclosures are dealt with properly.

If it is inappropriate that the matter should be raised with the Head of Operations it should be made to the Head of Quality (or the Managing Director whichever of these is deemed the most suitable). A member of staff may, if they choose, make an allegation through their recognised Trade Union. The person who receives the initial disclosure will inform the individual who made the disclosure of the outcome of the investigation ensuring this would not breach confidentiality.

All internal and/or independent investigations will be conducted as sensitively and speedily as possible. Such investigations will be carried out by someone who is not involved in the allegation and is not implicated by the allegations. Where the allegation involves potential misconduct, care must be taken to carry out the investigation in accordance with the disciplinary policy and procedure.

The person(s) against whom the allegation is made must be told the claims made against them and any evidence supporting this, and be allowed to respond before any further action is taken. The person who investigates the allegation (or the panel if required), will decide what action, if any, should be taken, in light of the information available.

A brief record of all disclosures and outcomes will be made, and held by the Head of Quality, which will be retained for at least 5 years.

Other sources of advice

If you feel concerned about raising an issue there is other support available. Public Concern at Work is the whistle-blowing charity (<http://www.pcaw.co.uk/index.htm>), they can be contacted on 020 7404 6609 or by e-mailing 'helpline@pcaw.co.uk'.

They offer free, confidential advice to people concerned about crime, danger or wrongdoing at work and promote individual responsibility and organisational accountability in the public interest.

The ISP Head of Education may be contacted on equ@the-ISP.com