

Whistleblowing and Confidential Reporting Policy



Introduction

In this policy 'Whistleblowing' means the reporting of suspected misconduct, illegal, immoral, unsafe or fraudulent acts within RHG Consult Ltd (RHG) or any of its associated stakeholders. The aim of this Policy is to encourage employees and associates, subcontractors, learners, clients and any other stakeholders who have serious concerns about any aspect of RHG's work to come forward and voice those concerns.

Staff are often the first to realise that there may be something seriously wrong within RHG. 'Whistleblowing' is viewed by RHG as a positive act that can make a valuable contribution to RHG's efficiency and long-term success. It is not disloyal to colleagues or RHG to speak up.

RHG is committed to achieving the highest possible standards of customer service and the highest possible ethical standards in all its practices. To help achieve these standards RHG encourages freedom of speech.

This policy should be read in conjunction with RHG's:

- Staff Grievance Policy
- Equality, Diversity and Inclusion Policy
- Staff Handbook

Scope

This Policy is intended to enable those who become aware of wrongdoing at RHG to report their concerns at the earliest opportunity so that they can be properly investigated. The Whistle Blowing Policy is not intended to replace existing procedures if,

- the concern relates to your own treatment as a member of staff, subcontractor or learner, it should be raised it under the existing grievance, complaints or harassment procedures
- a client has a concern about services provided to them, it should be raised as a complaint to RHG

Implementation of the Policy

The Policy is designed to ensure that you can raise your concerns about wrongdoing or malpractice within RHG without fear of victimisation, subsequent discrimination, disadvantage or dismissal. It is also intended to encourage and enable you to raise serious concerns within RHG 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

The Policy applies to all:

- Employees, associates, subcontractors, learners and clients
- Suppliers
- Those providing services under a contract or other agreement with RHG in their own premises, for example apprenticeship workplaces and voluntary workers working with RHG
- Other stakeholders who have a legitimate reason to provide services to or receive services from RHG

A whistle blower may report any serious concerns they have about service provision or the conduct of personnel associated with RHG or others acting on behalf of RHG that:

- Make you feel uncomfortable in terms of known standards
- Are not in keeping with RHG's culture and ethos
- Fall below established standards of practice
- 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 including learners
- Other unethical conduct

This list is not exhaustive.

The legal rights of a whistle blower

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 the public interest.

The Act makes it unlawful for RHG 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 staff member that has participated in the action causing concern. In such a case it is in the staff member's interest to come into the open as soon as possible. RHG cannot promise not to act against such a staff member, but the fact that they came forward will be taken into account.

Harassment or Victimisation

RHG is committed to good practice and high standards and to being supportive to all its staff. RHG 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.

RHG will not tolerate any harassment or victimisation of a whistle blower (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.

Throughout this process:

- You will be given full support from senior management
- Your concerns will be taken seriously
- RHG will do all it can to help you throughout the investigation
- If appropriate, RHG will consider temporarily re-deploying you for the period of the investigation.
- For those who are not RHG employees, associates, subcontractors or learners, RHG will endeavour to provide appropriate advice and support wherever possible.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal the identity of the whistle blower. If disciplinary or other proceedings follow the investigation, it may not be possible

to take action as a result of disclosure without the whistle blower's help, so they may be asked to come forward as a witness.

Anonymous Allegations

This Policy encourages whistle blowers to put their name to an 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 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 RHG. In exercising this discretion, the factors to be taken into account would include:

- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from other sources

Untrue Allegations

If an allegation is made in good faith, but it is not confirmed by the investigation, RHG will recognise the concern raised and take no further action. However, if an allegation is made frivolously, maliciously or for personal gain, appropriate action that could include disciplinary action, may be taken.

Raising a Concern - concerns should normally be raised with:

Your line manager (RHG staff)

Your learning coach (RHG learners)

The Head of People Development – Kelly Jackson (RHG staff)

The Designated Safeguarding Lead – Kelly Jackson (RHG learners)

RHG Operations Director - Sarah Douglas (RHG Staff and RHG learners)

RHG Managing Director - Lee Patterson (RHG Staff and RHG learners)

If, exceptionally, the concern is about either of the Directors of RHG, your concern should be raised with the Head of People Development, Kelly Jackson who will decide how the investigation will proceed. This may include external investigation.

Concerns may be raised by telephone, e-mail, in person or in writing. The earlier the concern is raised, the easier it is to take action. The following information will need to be provided:

- The nature of the concern and why it is believed it to be true
- The background and history of the concern (giving relevant dates)

If you are unsure who to contact then the charity [Protect](#) - formerly Public Concern at Work, provides free confidential advice to workers who have concerns about wrongdoing in the workplace. The charity can be contacted by telephone on 020 7404 6609.

Although it is not expected to prove beyond doubt the truth of the suspicion, it will need to be demonstrated to the person contacted that the whistle blower has a genuine concern relating to suspected wrongdoing or malpractice within RHG and there are reasonable grounds for the concern.

RHG will respond to the whistle blower's concerns as quickly as possible. The overriding principle for RHG will be the public interest. In order to be fair to all staff, subcontractors and learners 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 an independent agency (E.G. ESFA, Environment Agency)
- Be referred to an 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 the concern will:

- Acknowledge that the concern has been received
- Indicate how RHG proposes to deal with the matter
- Supply information on support mechanisms
- State whether further investigations will take place and if not, why not

Further guidance on how to raise concerns may be found at:

<https://www.gov.uk/whistleblowing>

<https://www.acas.org.uk/whistleblowing-at-work>

<https://www.gov.uk/guidance/ofquals-whistleblowing-policy>

If your concern relates to apprenticeships, then you should contact the ESFA either by email:

complaints.esfa@education.gov.uk or by writing to:

Customer Service Team
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry CV1 2WT

Signed:



Name:

Lee Patterson

Position:

Managing Director

Date:

29/10/2024

Date of next review:

28/10/2025