Whistleblowing Policy

Context

i. Public Interest Disclosure Act 1998 (PID Act) – The PID Act came into force in 1999 and applies to all organisations. It protects workers from detriment or victimisation when they make a disclosure ("blow the whistle") about wrongdoing within the organisation and, in certain circumstances, outside the organisation. The Act encourages individuals to raise concerns about malpractice, breaches of law, or serious misconduct, ensuring that organisations focus on addressing the issue rather than penalising the whistleblower. Subsequent guidance and case law continue to clarify these protections..

ii. Workers are often the first to realise that there may be something seriously wrong within the Company. However, they may not voice their concerns because they feel that speaking out would be disloyal to their colleagues or the employer. They may also be worried about being harassed or victimised. In these circumstances, some people might find it easier to ignore the issues, rather than report what may be just a suspicion of malpractice.

iii. It is important to strike a balance between the right of the individual member of staff to speak freely and the right of the Company or colleagues to protect themselves against false or malicious accusations.

iv. It can be hard to raise a concern, especially if it could have an impact on friends, colleagues or managers. A whistle blowing policy/procedure shows how concerns about malpractice, either inside or outside the Company, can be raised whilst protecting whistle blowers from the threat of victimisation or dismissal.

v. Any disclosure made in 'good faith' will be protected by this policy if the whistle blower has a reasonable suspicion that malpractice has occurred, is occurring or is likely to occur.

About this Policy

This policy applies to all employees, learners on placement, volunteers, agencies and anyone else who has access to learners or a Company. This includes any contractors working on site, suppliers and those providing services either to the learners or the Company.

This procedure is in addition to the Complaints Procedure.

This procedure should be used to raise serious concerns. These include:

- conduct which has failed, or is likely to fail, to comply with a legal obligation;
- disclosure related to miscarriages of justice;
- actions which endanger the health or safety of any individual, including risks to children, young people or the public as well as learners and other workers;
- damage to the environment;
- theft or misuse of Company property or assets;
- the unauthorised use of public funds;
- possible fraud or corruption;
- serious departure from professional standards;
- sexual or physical abuse of children or young people / learners/ service users / workers;

- neglect or emotional abuse of children in the institution;
- serious breach of Company, SFA, Local Authority or Government regulations;

This is not a complete list.

All employees have a duty to report fraud and offences of a criminal or child protection nature. They should use their own judgement but it is better to report suspicions using these procedures rather than ignore concerns. Employees can use these procedures to report concerns about service provision, or the conduct of staff or other people; e.g. this might include something that:

- falls below established standards or practice;
- could be viewed as improper conduct; or
- makes individuals feel uncomfortable and goes against their experience of right and wrong.

1. Introduction

All of us at one time or another has concerns about what is happening at work. Usually these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public or the environment or harassment or misbehaviour at work, it can be difficult to know what to do.

You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

KBM Training & Recruitment, Ltd takes very seriously any form of malpractice and has introduced this procedure to enable you to raise your concerns about such malpractice at an early stage and in the right way. The Company aims to create and sustain an ethical open culture. It is important that all staff raise their concerns as soon as possible rather than wait until they become more serious. *We would rather that you raised the matter when it is just a concern rather than wait for proof.*

If something is troubling you which you think we should know about or look into, please use this procedure. If you are aggrieved about your personal position, the Grievance Procedure, which is available from your manager or personnel officer, is available to you. However, this Whistleblowing Procedure is also available for concerns about your personal position where you are uneasy about using the Grievance Procedure, as well as where the interests of others or of the organisation itself is at risk.

If in doubt – raise it!

2 The Company's assurances to you

Your safety

The Company and the Board of Directors are committed to this policy. If you raise a genuine concern under

this Policy, you will not be at risk of losing your job or suffering any form of retribution as a result. Provided you are acting in good faith, it does not matter if you are mistaken. Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue.

Your confidence

All concerns will be treated in confidence and every effort will be made not to reveal the identity of the whistle blower. The Company will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, we recognise that you may nonetheless want to raise a concern in confidence under this Policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed. Some cases are clearly so serious that police may have to be involved. In these cases it may be necessary to reveal the identity of individuals. While these procedures are being carried out, all parties will need to agree that the issue will be kept confidential

Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter or to protect your position or to give you feedback. Accordingly, while we will consider anonymous reports, this Policy is not appropriate for concerns raised anonymously.

3 How we will handle the matter?

Once you have told us of your concern, we will look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation. We will tell you who is handling the matter, how you can contact him/her and whether your further assistance may be needed. If you request, we will write to you summarising your concern and setting out how we propose to handle it.

When you raise the concern you may be asked how you think the matter might best be resolved. If you do have any personal interest in the matter, we do ask that you tell us at the outset. If your concern falls more properly within the Grievance Procedure we will tell you.

While the purpose of this Policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can. If requested, we will confirm our response to you in writing. However, we may not be able to tell you the precise action we've taken where this would infringe a duty of confidence owed by us to someone else.

4 How to raise a concern internally

If you have a concern about malpractice, we hope you will feel able to raise if first with your Line Manager. This may be done orally or in writing.

If you feel unable to raise the matter with your Line Manager, for whatever reason, please raise the matter with the SMT or Directors.

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Please say if you want to raise the matter in confidence so that they can make appropriate arrangements. If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact the SMT.

Role of trade unions
The management recognise that individuals may wish to seek advice and be represented by their trade union when following these procedures. We actively encourage trade union support for any member of staff who raises concerns. If you are unsure whether to use this procedure or you want independent advice at any stage you may contact KBM.

5 If you are dissatisfied

If you are unhappy with the response you get, remember you can go to the other levels and bodies detailed in this policy. Whilst we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and properly. By using this policy, you will help us to achieve this.

6 Recording, monitoring and evaluation

All staff should be made aware of the organisation's whistle blowing policy and feel able to voice concerns about the attitude or actions of colleagues. The most senior member of staff dealing with the disclosure will keep records and monitor progress. These should be kept in a safe location.

7 Review

The Directors will review the policy annually or following legislative changes to assess its progress and performance. All staff and people working within the Company will be made aware of the policy.

Agreed/signed by: Salman Khan

Position: CEO/Director