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Whistleblowing Policy

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1. **Our commitment**

It is City Skills intention to ensure make all employee’s and colleagues feel comfortable in an environment that is built on the value of ensuring a high-quality provision is delivered to its learners and clients; and that they are confident enough to use whistle blowing when needed; in the event of identifying a serious malpractice, maladministration, or fraudulent activity.

This policy makes it clear, that employees can do so without fear of victimisation, subsequent discrimination, or disadvantage in reporting any concerns. This applies to all employees and those contractors working for City Skills, on City Skills premises or premises where City Skills is delivering a service.

2. **Objectives**

City Skills policy has been created to:

1. Provide safe and honest routes for employees to raise their concerns and receive feedback on any action taken
2. Encourage employees to feel confident in raising serious concerns and to question and act upon concerns about practice
3. Provide reassurance that employees will be protected from possible reprimand or victimisation
4. Ensure that employees receive a response to concerns and advise the employee on how to pursue this if employees are not satisfied

3. **Scope**

The scope of this policy is for all employees and contracted individuals to fully appreciate the steps to follow to report a breach of practice within City Skills.

The Confidential Reporting (Whistleblowing) is intended to cover major concerns that fall outside general grievance, related to employee’s own employment and other policies and procedures in place, including but not exhaustive.

* Conduct which is an offence or breach of law
* Damage to the environment
* Safeguarding issues, including Sexual or physical abuse
* Disclosures related to miscarriages of justice
* Action to conceal any of the above
* The unauthorised use of monies
* Possible intimidation or corruption of learners
* Other unethical conduct
* Institutional racism
* Health and safety risks, including to the learners and public as well as other employees

4. **Key contacts**

The overall responsibility falls under the Head of Corporate Affairs and the HR department to monitor and review this policy on a yearly basis. The Quality Manager also has the responsibility to ensure full understanding and adherence to the policy. The Quality Manager will be supported by the HR department.

5. **How to raise a concern**

The first step for any concern would be to raise the concerns with their immediate manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the employee believes their manager is involved, the employee could approach the HR department, Quality Manager or Directors

Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

1. The background and history of the concern (giving relevant dates and facts)
2. The reason the employee is particularly concerned about the situation

City Skills recognises and stresses that the earlier the employee expresses the concern, the easier it will be to act and investigate accordingly.

The employee may wish to consider discussing employer concern with a colleague first, and the employee may find it easier to raise the matter if there are two (or more) employees who have had the same experience or concerns.

*Employees need to be aware that they themselves are bound to the same obligations relating to confidential information. If employees share confidential information with others, they will need to be careful that confidential information is not used inappropriately.*

*The Public Interest Disclosure Act gives protection where information is disclosed while obtaining legal advice. Therefore, when seeking such advice, employees should ensure that in seeking the advice, confidential information is not passed on to third parties.*

Should the employee feel that they wish to remain anonymous, employees are invited to complete a Cognito form [Whistleblowing report form (cognitoforms.com)](https://www.cognitoforms.com/CitySkills1/whistleblowingreportform). This form is only accessible by the Quality Manager, HR Department, and the Directors of City Skills.

On the Whistleblowing report form, providing your name is not mandatory, however, by providing your name this will ensure we are able to investigate quickly, and the investigation will have more power and substance as the concern will be easier to examine the facts. By not supplying your name, this may limit the investigation into the issue and effect the overall outcome.

6. **How will City Skills respond**

City Skills will respond to employee concerns within 10 working days, which may include further clarity on the concern and to discuss any evidence presented to them. City Skills after this initial contact will not disclose the next steps to the employer and will encourage the employee to respect confidentiality of the meeting. The initial call will cover the following:

* Acknowledging that the concern has been received
* Indicate how City Skills propose to deal with the matter
* Give an estimate of how long it will take to provide a final response
* Tell employee whether any initial enquires have been made
* Supplying employee with information on staff support procedures
* Telling employee whether further investigations will take place and if not, why not

City Skills will take the most appropriate action following the information provided. This may include:

* Investigation from the City Skills management team, internal audit, or through the disciplinary process
* Be referred to the police
* Be referred to the external auditor
* Form the subject of an independent inquiry

To protect individuals and those accused of misdeeds or possible malpractice, initial enquires will be made to decide whether an investigation is appropriate and, if so, what form it should take.

The overriding principle which City Skills will have in mind is the learner interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

Following an investigation and dependent on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. City Skills may seek further information from employee. Where any meeting is arranged it will be off-site, and the employee can be accompanied by an associate.

City Skills will take steps to minimise any difficulties which employee may experience because of raising a concern, for instance, if employees are required to give evidence in a criminal or disciplinary proceeding, City Skills will arrange for the employee to receive advice about the procedure

City Skills accepts that the employee will need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform employee of the outcome of any investigation.

7. **Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal employee identity if employee so wishes. However, dependant on circumstances the employee may need to be identified later if required, and City Skills will explain and support the employee through the process.

8. **Untrue or malicious allegations**

If an employee of City Skills is found to be making false or malicious allegations, then disciplinary action will be taken. However, if an employee makes an allegation in good faith, after investigation, and this is not confirmed to be true, there will be no action towards the employee.

9. **How can you take the matter further if you are not satisfied with our investigation and outcome**

This policy is intended to provide employees with a procedure within City Skills to raise concerns. City Skills hopes employees will be satisfied with any action taken. If employees are not, and if employees feel it is right to take the matter outside City Skills, the following are possible contact points:

* The designated independent person or organisation (Skills Funding Agency)
* Employees local Citizens Advice Bureau
* Relevant professional bodies or organisations
* The Police

City Skills recognises the lawful right of employees to make disclosures to prescribed persons under the terms of the Public Interest Disclosure Act.

10. **Monitoring**

The Head of Corporate Affairs will work with the HR Department to ensure this policy remains up to date and delivered to the business effectively. The HR team will record all concerns and report this to the board every 3 months.

11. **Data protection**

City Skills recognises that during this process, an employee’s data may be collected throughout the investigation and because of the actions recommended; and as such City Skills will ensure that all data is stored securely and only accessed by those that are authorised. Data that is held securely will be treat confidentially and should a data breach occur, City Skills will enforce its own data protection policy immediately. Should a breach occur and through the investigation it highlights the path of the breach, City Skills will enforce its disciplinary procedure.

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| **Policy review area** | **Operations** |
| **Lead Manager** | **Human Resources** |
| **Approval Level** | **Board** |
| **Start Date** | **Sept-22** |
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|  |  |
| **Approved By** | **Rich Holmden** |