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## Whistleblowing – Policy and Procedure

Reviewed: September 2024  
Next Review: September 2025

### Staff Policy:

It is important to Isle Study Centre that any fraud, misconduct or wrongdoing by staff, or others working on behalf of Isle Study Centre, is reported and properly dealt with. We therefore require every individual to raise any concerns that they may have about the conduct of others in the company or the way in which the company is run. Staff have a duty not to disclose confidential information about the young people in our care or our business affairs and annually sign a non-disclosure agreement. This policy sets out the way in which you may raise a concern and how that concern/s will be dealt with.

### Background:

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in good faith by an employee who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for you, as the worker, to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. You have no responsibility for investigating the matter - it is Isle Study Centre's responsibility to ensure that an investigation takes place.

If you make a protected disclosure, you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have raised a disclosure.

Isle Study Centre encourages you to raise your concerns under this procedure in the first instance. If you are not sure whether or not to raise a concern, you should discuss the issue with your manager. If you wish to raise a qualifying disclosure relating to the acts or

omissions of any employee, then you should raise the matter with one of the Directors.

### **Principles:**

- You should be aware of the importance of preventing and eliminating wrongdoing at work. Isle Study Centre urge you to be watchful for any illegal or unethical conduct and report anything of that nature that you may become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to you, should you have been the one to raise the initial disclosure.
- You will not be subjected to detrimental treatment by Isle Study Centre for raising a matter under this procedure. This means that your continued employment and opportunities for future promotion or training will not be prejudiced because you raised a legitimate concern.
- If misconduct is discovered as a result of any investigation under this procedure Isle Study Centre's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority, you should not agree to remain silent. In this situation, you should report the matter to the your superior or one of the Directors.

### **Procedure:**

This procedure is for disclosures about matters other than a breach of your own contract of employment. If you are concerned that your own contract has been, or is likely to be, broken, you should use Isle Study Centre's Grievance Procedure.

#### **Stage 1:**

In the first instance, any concerns should be raised with your Line Manager. If you believe that your Line Manager is involved, or for any reason do not wish to approach them, then you should proceed straight to stage 3.

#### **Stage 2:**

Your Line Manager will arrange an investigation of the matter (either by investigating the matter themselves or immediately passing the issue to a Director). The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken

into account, and you will be asked to comment on any additional evidence obtained. Then who is due to carry out the investigation will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required the disciplinary procedure will be followed. On conclusion of any investigation, you will be told the outcome of the investigation and what Isle Study Centre has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

**Stage 3:**

If you are concerned that your Line Manager is involved in the wrongdoing, and has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, then you should escalate the matter to one of the Directors.

The Director will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report. Any approach to a Director will be treated with the strictest confidence and your identity will not be disclosed without your prior consent.

**Stage 4:**

If in the conclusion of stages 1, 2 and 3 you reasonably believe that the appropriate action has not been taken, you should report the matter to the proper authority. The legislation sets out several bodies to which qualifying disclosures may be made.

These include:

- HM Revenue & Customs;
- the Financial Services Authority;
- the Office of Fair Trading;
- the Health and Safety Executive;
- the Environment Agency;
- the Director of Public Prosecutions;
- the Serious Fraud Office; and
- the Police.