

Avant Skills Academy is committed to the highest possible standards of accountability, encouraging a culture of openness and probity that enables all staff to raise issues which may concern them at work, without the worry that reporting such issues will open themselves up to victimisation or detriment, or risking their job security.

All employees enjoy statutory protection under the Public Interest Disclosure Act 1998 if they raise concerns in the correct way and we operate in such a way that provides them that opportunity and protection. Provided they are acting in good faith, it does not matter if they are mistaken.

We welcome all comments about our services as they enable us to make continuous improvements, which is set out in our *Comments, Compliments and Complaints Procedure*. That procedure should be followed by all customers directly in receipt of a service supplied by the organisation (including learners and employers engaged in learning programmes delivered by us).

This *Whistleblowing Procedure* aims to achieve the following:

- enable employees to raise serious concerns about the conduct or operation of the organisation in confidence and receive feedback on any action taken;
- ensure that employees receive a response to their concerns and that they are aware of how to pursue them if not satisfied;
- reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made a disclosure in good faith;

1 CONFIDENTIALITY

1.1 All concerns will be treated in confidence and every effort will be made not to reveal the employee's identity if they so wish.

1.2 At the appropriate time, however, the employee may need to come forward as a witness.

1.3 This procedure encourages employees to put their name to their concern whenever possible. The employee must:

- disclose the information in good faith;
- believe it to be substantially true;
- **not** act maliciously or make false allegations;
- **not** seek any personal gain;

2 PROTECTION

- 2.1 The organisation recognises that the decision to report a concern can be a difficult one to make.
- 2.2 Provided that what the employee is reporting is true, they will have nothing to fear because they will be doing their duty to the organisation and those for whom they provide a service.
- 2.3 The organisation will not tolerate any harassment or victimisation and will take appropriate action to protect the employee when raising a concern in good faith.
- 2.4 Whistleblowing legislation is designed to protect people who report serious concerns in the right way, and for the right reasons. Revealing concerns via social media or by going to the press, may result in the loss of entitlement to receive legal protection.

3 TYPES OF CONCERNS

- 3.1 The types of concerns disclosed must be in the public interest, which means they must affect others, eg the general public. These concerns may include:
 - criminal offence;
 - breach of a legal obligation;
 - miscarriage of justice;
 - danger to the health and safety of any individual;
 - damage to the environment;
 - deliberate attempt to conceal any of the above;
- 3.2 Whistleblowing is covered by the law, which provides protection when reporting unlawful or dangerous practices, as outlined in 3.1 above.
- 3.3 Personal grievances relating to their employment are not covered by this procedure, unless the particular concern is in the public interest. Employees must follow the organisation's *Grievance Procedure* to report personal grievances that relate to their employment.

4 HOW TO REPORT CONCERNS

- 4.1 In the first instance the concern should be reported to the employee's line manager.
- 4.2 In some instances and dependent on the seriousness and sensitivity of the concern and who it involves, it may not be appropriate to raise the concern with the immediate line manager.
- 4.3 In these instances it may be more appropriate to raise the concern with a member of the senior management team, or the Chief Executive.

- 4.4 If the concern relates to or involves the Chief Executive, the concern should be reported externally.

Information about external whistleblowing is covered in paragraph 7 of this procedure.

- 4.4 A concern being reported internally must be reported in writing and include all necessary evidence and information to substantiate the concern.

- 4.5 Receipt of the reported concern will be acknowledged within five working days.

5 INVESTIGATION

- 5.1 Following receipt of the written concern an internal investigation will be conducted.

- 5.2 The outcome of the investigation will be reported to the Chief Executive, who will decide the action to be taken.

- 5.3 When an outcome has been reached all parties involved will receive written notification of the decision within seven working days of completing the investigation.

- 5.4 This notification will aim to be provided within twenty working days, but not exceeding 60 working days, from receipt of the concern.

- 5.4 The organisation's *Equality and Diversity Policy*, *Health and Safety Policy* and *Safeguarding Procedure*, as appropriate, will be adhered to in the investigation.

6 SUBCONTRACTORS

- 6.1 All subcontractors should follow this procedure in raising a serious concern, with or about the organisation.

- 6.2 All delivery partners engaged in a contract with Avant Skills Academy, must have their own whistleblowing procedure in place, which as a minimum must comply with this procedure.

7 EXTERNAL REPORTING

- 7.1 Further information about whistle blowing for employees can be found on the GOV.UK website at the following location: <https://www.gov.uk/whistleblowing>

- 7.2 Guidance about whistleblowing can be obtained from the UKs whistleblowing charity 'Protect'. Their contact details are as follows:

The Green House
244-254 Cambridge Heath Road
London
E2 9DA

Tel: 020 3117 2520

Website: <https://protect-advice.org.uk/>

7.3 Further guidance about how to make a disclosure can be obtained from the Advisory, Conciliation and Arbitration Service (ACAS): <https://www.acas.org.uk/whistleblowing-at-work/how-to-make-a-whistleblowing-disclosure>

7.4 To make a disclosure to the Education and Skills Funding Agency (ESFA) please email ESFA's Customer Service Team, complaints.esfa@education.gov.uk

or write to them at

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

Further information on how to make a disclosure to the ESFA is available by following this link: <https://www.gov.uk/guidance/how-esfa-handles-whistleblowing-disclosures>

The organisational policies and procedures that relate to this procedure include:

- *Comments, Compliments and Complaints Procedure*
- *Equality and Diversity Policy*
- *Grievance Procedure*
- *Health and Safety Policy*
- *Safeguarding Procedure*