

WHISTLEBLOWING PROCEDURE

Background

Under UK law, staff are provided with legal protection against dismissal or penalty as a result of disclosing certain serious concerns. Staff are required to follow the relevant internal procedures to make a disclosure.

Procedure statement

Activate Learning is committed to the highest standards of ethics, professionalism, and regulatory compliance, and have established clear procedures for identifying and addressing any fraud, corruption, or malpractice. Enabling and encouraging staff to raise serious concerns, confidentially and without fear of repercussion, allows a further layer of protection against such practices. As a responsible employer, Activate Learning seeks to balance a culture of openness against our duty to protect staff against vexatious or unfounded allegations.

You are encouraged to raise genuine concerns about suspected wrongdoing at the earliest stage and using this internal procedure.

Purpose

This procedure outlines the process for making and investigating protected disclosures. The procedure also provides guidance on raising a concern externally, as is permitted by law, however it should be noted that failure to raise a concern under this procedure may result in a disclosure losing its protected status under law.

Scope

This procedure applies to all individuals working for Activate Learning Group (hereafter referred to as the Group), including managers, employees, contractors, and volunteers (collectively referred to as "staff" in this procedure).

Learners are encouraged to raise genuine concerns by making a complaint to their tutor, Faculty Manager or via the Customer Compliments, Comments and Complaints procedure.

This procedure is for staff who believe that they have discovered malpractice or impropriety and wish to make a protected disclosure, as defined below. Activate Learning provides other mechanisms for raising concerns that do not meet this definition, including the following:

- x concerns relating to safeguarding should be raised under the Safeguarding and Child Protection Policy.
- x concerns over the quality of financial or business decisions should be escalated via line management.
- x concerns relating to your employment or work should initially be raised

External disclosures

This procedure allows staff to make disclosures internally, and you should use the internal procedure first. However, you have the right to make a disclosure externally, where you have grounds to do so, such as:

- x you reasonably believe that you may be victimised or that evidence is likely to be concealed or destroyed because of such action; or
- x the concern has been raised previously and the matter has not been resolved.

You may make a disclosure to an appropriate external body prescribed by law, or on a confidential basis to a practising solicitor or barrister. This list of 'prescribed' organisations and bodies can be found on the GOV.uk website. When seeking advice outside of Activate Learning, you must be careful not to breach any confidentiality obligations or damage the Group's reputation in so doing.

Procedure for investigating a disclosure – initial investigation

Receipt of a protected disclosure will be acknowledged within 5 working days by the Head of Governance, provided that the discloser is identifiable. Correspondence will normally be in writing to a home address, rather than through internal mail, unless otherwise requested by the discloser.

The Head of Governance shall appoint three appropriate Directors, who have no direct association with the subject

Outcome and appeal

The Head of Governance will notify the discloser of the outcome of the disclosure, in writing and as soon as is reasonably practicable. To maintain confidentiality and ensure compliance with GDPR it may be necessary to withhold some details of the investigation.

If the discloser is not satisfied that their concern has been appropriately addressed, they may appeal against the outcome, by writing to the Chair of the Corporation, within 10 working days of notification of the outcome. The Chair of the Corporation will make a final decision on action to be taken and notify the discloser, in writing, as soon as reasonably practicable.

If the staff member remains dissatisfied with the Chair of the Corporation's response to the disclosure, they may make a disclosure to an external body, as outlined above.

Reporting and notification

The Head of Governance will retain a record of all concerns raised under this procedure and will report all protected disclosures to the Audit and Risk Committee. The Committee shall bring issues of general importance to the attention of the Corporation.

Any evidence of criminal activity uncovered or reported during the course of an investigation of a disclosure shall be promptly reported to the police by the Investigating Officer. Activate Learning will ensure that any internal investigation does not hinder a formal police investigation.

Where there is actual or perceived risk of harm to a child or vulnerable adult, the appropriate agencies will be informed by the designated officer, in line with the Safeguarding and Child Protection Policy.

Further assistance for staff

Activate Learning will not tolerate any harassment or victimisation of staff who make disclosures. If at any stage of this procedure a staff member feels that they are being subject to informal pressures, bullying, or harassment due to making a disclosure, they should notify the Head of Governance. If at any point a staff member feels that they are being subject to informal pressures by the Head of Governance as part of this procedure, they should notify the CEO directly.

A staff member making a disclosure is entitled to request counselling or other support from the Group's occupational health provider; please contact HR for details of this service.

You can also contact the charity Protect for confidential advice on whistleblowing issues. Contact details are as follows:

Whistleblowing Advice Line: 020 3117 2520
Whistleblowing form: [Advice Line Contact Form](#)

References

This Policy complies with the following legislation:

- [Enterprise and Regulatory Reform Act 2013](#)[Public Interest Disclosure Act 1998](#)

This Procedure should be read in conjunction with the following Activate Learning Policies and Procedures:

- Corporate Ethics Policy
- Socedure

- Whistleblowing form (online) in [Microsoft Forms](#)



Appendix 1

PERSONALIA

Name:	
Contact information :	
Role/position:	
College:	



