



Whistleblowing Policy and Procedure 2023-2025

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1. Purpose:

Educ8 Training Group Ltd ('Educ8') and its sub-contractors have built a reputation within the local community and wider business environment in Wales for the ethical, honest and principled manner in which operational activities are undertaken. The protection of this reputation is integral to the continued success of the consortium.

This policy aims to:

- Give confidence to staff and learners about raising concerns regards conduct which could potentially be illegal, corrupt, unsafe or unethical or which amounts to malpractice or maladministration
- Offer assurance that members of staff are protected from victimisation for whistleblowing action undertaken in good faith and within the meaning of Public Information Disclosure Act (1998).

2. Scope of Policy:

This policy covers all activities of Educ8 and its member organisations. This policy applies to all managers, employees, learners, associates and sub-contractors of Educ8.

This policy cannot be viewed in isolation and must be read in conjunction with the following Educ8 policies and strategies and regulatory guidance:

- Educ8 Anti-Bribery Policy
- Educ8 Charitable Donations and Fundraising
- Educ8 Complaints Policy and Procedure
- Educ8 Equality, Diversity and Inclusion Policy
- Educ8 Freedom of Speech / Expression
- Educ8 Health and Safety Policy and Procedure
- Educ8 Invigilation Policy and Procedure
- Educ8 Malpractice and Maladministration
- Educ8 Prevent Policy
- Educ8 Safeguarding Policy and Procedure
- Educ8 Teaching and Learning Strategy
- Educ8 Disciplinary Procedures

3. Impact on the Learner:

The implementation of this policy will ensure that all learners, employees and other stakeholders are able to raise concerns related to their learning programmes in a safe environment.

4. Definitions:

4.1 Whistleblowing:

'the disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the work place, be it of the employee or his/her fellow employees' (Public Concern at Work Guidelines 1997)

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Whistleblowing may relate to the following alleged actions:

- Unlawful conduct
- Failure to comply with a statutory or legal obligation
- Potential maladministration, misconduct or malpractice
- Health and safety issues
- Unauthorised use of funds
- Fraud or corruption
- Allegations in relation to safeguarding or child protection issues
- Racist incidents or acts, or racial harassment
- Any attempt to prevent disclosures being made
- Any actions which could fall within the organisation's Prevent duties in relation to extremism, radicalisation and terrorism

4.2 Public Interest Disclosure Act (1998) (PIDA):

Under the Public Interest Disclosure Act 1998 (PIDA), a 'protected disclosure' of information is one in which, in the reasonable belief of the employee or learner making the disclosure, one or more of the following are alleged:

- That a criminal offence has been committed, is being committed or is likely to be committed
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject
- That a miscarriage of justice has occurred, is occurring or is likely to occur
- That the health or safety of any individual has been, is being or is likely to be endangered
- That the environment has been, is being or is likely to be damaged
- That information tending to show any matter falling within any one of the preceding has been, is being or is likely to be deliberately concealed

5. Legal and Regulatory Frameworks:

Educ8 will comply fully with all related legislation and sector regulations which include, but not be limited to:

- Data Protection Act (2018)
- Employment Rights Act 1996
- Education Workforce Council *Fitness to Practice - Guidance for employers and agents: the responsibility to refer*
- Public Interest Disclosure Act 1998 (PIDA)

6. Implementation:

Where a disclosure is made, Educ8, and its sub-contractors will not tolerate harassment or victimisation of employees or learners.

Any employee who is found to have victimised or harassed another employee or learner as a result of their having raised a concern in accordance with the procedure outlined below, will be dealt with under the organisation's disciplinary procedures or in discussion with the learner's employer as appropriate.

Educ8, and its sub-contractors recognise that employees and learners may want to raise concerns in

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confidence. Where possible the identity of those raising a concern will be protected. However, investigation into a concern may be required which may reveal the source of statements and other documentary evidence.

Should an employee make a malicious and / or vexatious allegation for personal gain, the organisation will consider taking disciplinary action.

Allegations concerning safeguarding or child protection issues must be raised in line with the Educ8 Safeguarding Policy and Procedure. However, where disclosures are raised within the definition of a 'protected disclosure', The Whistleblowing Policy will be applied and procedure followed in conjunction.

All whistleblowing concerns must be raised in writing following the Educ8 Complaints Policy and Procedure.

Learners who have concerns which relate to their own workplace should follow their own internal whistleblowing policy and procedure in line with their Company's own policies and procedures.

7. Responsibilities:

7.1. Board of Directors:

- Ensuring Educ8, and its sub-contractors fully meet legal requirements
- Ensuring this policy and procedure meets the requirements of relevant legislation and regulations
- Ensuring effective implementation and monitoring of policy
- Ensuring the policy is continuously reviewed and disseminated to all employees

7.2. Senior Management Team:

- Ensuring all aims and procedures of this policy are effectively followed
- Ensuring all employees and learners are made aware of their responsibilities to raise concerns as outlined in this policy

7.3. Staff:

- Remaining vigilant in the protection of the integrity of the learning programmes provided by Educ8 and its member organisations
- Remaining vigilant in the protection of the reputation of Educ8 and its member organisations

7. Communication:

This policy and any updates will be disseminated to all Educ8 and sub-contractor employees through team meetings. All new employees will be advised of this policy as part of initial induction

All learners will be advised of this policy as part of the learning programme induction process.

This policy is available bilingually on the Educ8 website and may be provided in large print on request.

8. Monitoring and Review Processes:

This policy will be routinely reviewed on a bi-annual basis and where there are changes to regulatory requirements. Reviews will be validated by the SMT.

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9. **Complaints:**

All complaints will be taken seriously and dealt with in a timely and sensitive manner, in accordance with the Educ8 Complaints Policy and Procedure.