



WHISTLEBLOWING POLICY AND PROCEDURE

Policy Statement

Beacon+ is committed to the highest standards of openness, honesty and accountability. In line with this commitment we encourage employees and others that we deal with who have serious concerns about any aspect of Beacon+'s work or environment to come forward to voice those concerns on a confidential basis.

The purpose of the Whistleblowing Policy is to enable concerns of malpractice that are in the public interest to be raised confidentially inside, and if necessary, outside the organisation. It is intended to encourage staff to inform management if they are concerned about serious malpractice, fraud or corruption. However, it is not meant to be another mechanism for employees to raise collective or personal grievances. The Grievance Procedure is in place to enable employees to lodge a concern relating to their employment.

The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures.

All staff are protected from victimisation, harassment or disciplinary action as a result of any disclosure, where the disclosure is made in the public interest and is not made maliciously or for personal gain. Where disclosures are made in the public interest, staff will have statutory protection under the Public Interest Disclosure Act 1998. Beacon+ is also committed to ensuring compliance with the Bribery Act 2010.

Beacon+ will not tolerate any form of harassment or victimisation and will take appropriate action to protect employees when they raise a concern in the public interest. If in the course of their employment, an employee becomes aware of information which

they reasonably believe shows one or more of the following reasons for concern, they must use Beacon+'s disclosure procedure as set out here. It does not include mismanagement which may arise from, for example, weak management rather than malpractice

Learners of Beacon+ are also encouraged to raise genuine concerns about suspected wrongdoing by making a complaint to the Head of Beacon+ or in the first instance through their personal Tutor if appropriate. Should a member of the public have a genuine concern then this should be raised directly with the Clerk to the Governing Body in the first instance. This policy and procedure is designed for the use of workers of Beacon+. Employees who might be unsure whether it is appropriate to raise their concern under this policy are encouraged to approach the Clerk to the Governing Body in confidence.

This policy applies to all employees of Beacon+, including apprentices; Workers which includes any casual workers; home-based casual workers; and employees of subcontractors; and Agency workers engaged by Beacon+.

Workers might be unsure whether it is appropriate to raise their concern under this policy and procedure or whether it is a personal grievance, which is more appropriate to raise under Beacon+'s grievance procedure. Any worker in this situation is encouraged to approach the Clerk to the Governors in confidence for advice.

Protected disclosures

The law protects workers who, out of a sense of public duty, want to reveal suspected wrongdoing or malpractice.

The law allows workers to raise what it defines as a 'protected disclosure'. In order to be a protected disclosure, a disclosure must relate to a specific subject matter and the disclosure must also be made in an appropriate way. A 'protected disclosure' must, in the reasonable belief of the worker making it, also be made in the public interest. A

protected disclosure must consist of information and not merely be allegations of suspected malpractice.

Specific subject matter

If, in the course of employment, a worker becomes aware of information which they reasonably believe tends to show one or more of the following, they must use this policy and procedure:

- That a criminal offence is being committed, is likely to be committed or has been committed
- There is wrongdoing or malpractice.
- That an individual 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, 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 of the above is being, or is likely to be deliberately concealed

Procedure for making a disclosure

Information which a worker reasonably believes tends to show one or more of the situations given above should promptly be disclosed to their line manager so that any appropriate action can be taken.

If it is inappropriate to make such a disclosure to their line manager, a worker can raise the issue with their Assistant Principal/Director or with the Principal.

If the disclosure relates to the Principal and Chief Executive, a worker can raise the issue with the Clerk of the Governors.

In the event that the disclosure relates to the Clerk of the Governors, a worker can raise the issue with the Chair of the Governors.

Workers are encouraged to identify themselves when making a disclosure. If an anonymous disclosure is made, Beacon+ will not be in a position to notify the individual making the disclosure of the outcome of action taken by Beacon+. Anonymity also means that Beacon+ will have difficulty in investigating such a concern. Beacon+ reserves the right to determine whether to apply this procedure in respect of an anonymised disclosure in light of the following considerations:

- The seriousness of the issues raised in the disclosure.
- The credibility of the concern
- How likely is it that the concern can be confirmed from attributable sources.

For further guidance in relation to this policy and procedure, or concerning the use of the disclosure procedure generally, employees should speak in confidence to Clerk to the Governors.

Procedure for investigation of a disclosure

When a worker makes a disclosure, Beacon+ will acknowledge its receipt, in writing, within a reasonable time.

Beacon+ will then determine whether or not it believes that the disclosure is wholly without substance or merit. If Beacon+ considers that the disclosure does not have sufficient merit to warrant further action, the worker will be notified in writing of the reasons for Beacon+'s decision and advised that no further action will be taken by Beacon+ under this policy and procedure.

Considerations to be taken into account when making this determination may include the following:

- If Beacon+ is satisfied that a worker does not have a reasonable belief that suspected malpractice is occurring, or
- If the matter is already the subject of legal proceedings or appropriate action by an external body, or,
- If the matter is already subject to another, appropriate procedure.

When a worker makes a disclosure which has sufficient substance or merit warranting further action, Beacon+ will take action it deems appropriate . Possible actions could include internal investigation; referral to Beacon+'s auditors; or referral to relevant external bodies such as the police, OFSTED, Health and Safety Executive or the Information Commissioners office

If appropriate, any internal investigation would be conducted by a manager of Beacon+ without any direct association with the individual to whom the disclosure relates, or by an external investigator appointed by Beacon+ as appropriate.

Any recommendations for further action made by Beacon+ will be addressed to the Principal or Chair of the Governors as appropriate in the circumstances. The recipient will take all steps within their power to ensure the recommendations are implemented unless there are good reasons for not doing so.

The worker making the disclosure will be notified of the outcome of any action taken by Beacon+ under this policy and procedure within a reasonable period of time. If the worker is not satisfied that their concern has been appropriately addressed, they can appeal against the outcome by raising the issue with the Principal and Chief Executive within 10 working days. The Principal and Chief Executive will make a final decision on action to be taken and notify the worker making the disclosure.

Safeguards for workers making a disclosure

A worker making a disclosure under this procedure can expect their matter to be treated confidentially by Beacon+ and, where applicable, their name will not be disclosed to anyone implicated in the suspected wrongdoing, without their prior approval.

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For confidentiality purposes, if the worker requests to raise their concern verbally, it would be appropriate for Beacon+ to allow the worker to do so.

Beacon+ will take all reasonable steps to ensure that any report of recommendations, or other relevant documentation, produced by Beacon+ does not identify the worker making the disclosure without their written consent, or unless Beacon+ is legally obliged to do so, or for the purposes of seeking legal advice.

No formal disciplinary action will be taken against a worker on the grounds of making a disclosure made under this policy or procedure. This does not prevent Beacon+ from bringing disciplinary action against a worker where Beacon+ has grounds to believe that a disclosure was made maliciously or vexatiously, or where a disclosure is made outside Beacon+ without reasonable grounds.

A worker will not suffer dismissal or any detrimental action or omission of any type (including informal pressure or any form of victimisation) by Beacon+ for making a disclosure in accordance with this policy and procedure. Equally, where a worker is threatened, bullied, pressurised or victimised by a colleague for making a disclosure, disciplinary action will be taken by Beacon+ against the colleague in question.

Disclosure to external bodies

This policy and procedure has been implemented to allow workers to raise disclosures internally within Beacon+. A worker has the right to make a disclosure outside of Beacon+ where there are reasonable grounds to do so and in accordance with the law. Workers may make a disclosure to an appropriate external body prescribed by the law. This list of 'prescribed' organisations and bodies can be found in information on the GOV.UK website.

Workers can also make disclosures on a confidential basis to a practising solicitor or barrister.

If a worker seeks advice outside of Beacon+, they must be careful not to breach any confidentiality obligations or damage Beacon+'s reputation in so doing

Accountability

Beacon+ will keep a record of all concerns raised under this policy and procedure (including cases where Beacon+ deems that there is no case to answer and therefore that no action should be taken) and will report to Beacon+'s Board of Governors on an annual basis as appropriate

Further assistance for workers

Beacon+ will not tolerate any harassment or victimisation of workers who make disclosures. If, at any stage of this procedure a worker feels that they are being subject to informal pressures, bullying or harassment due to making a disclosure, they should raise this matter, in writing, to the Principal and Chief Executive.

A worker making a disclosure may want to confidentially request counselling or other support from Beacon+'s occupational health service. Any such request for counselling or support services should be addressed to the Human Resources Manager. Such a request would be made in confidence.

Workers can also contact the charity Public Concern at Work for confidential advice on whistleblowing issues. Contact details are as follows: 3rd floor bank chambers 6 - 10
Borough High Street London SE1 9QQ
Whistleblowing Advice Line: 020 7404 6609 <http://www.pcaw.org.uk>