



Bespoke Professional Development and Training Limited

## Whistleblowing Policy

Updated: June 2021

Next renew due: June 2022

Version Number	Last Amended	Amended By-
v1	July 2019	Tracey Carter
v2	July 2020	Tracey Carter
v3	June 2021	Tracey Carter

## Introduction

BePro is committed to the highest standards of openness, probity and accountability.

An important aspect of accountability and transparency is having a mechanism to enable staff and other members of BePro to voice concern in responsible and effective manner. It is a fundamental term of every contract of employment that an employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affair.

Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organization then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told.)

The Public Interest Disclosure Act 1998 gives legal protection to employees against being dismissed or penalized by their employer because of reporting certain serious concerns. BePro has endorsed the provision set out below to ensure that no member(s) of staff should feel at a disadvantage as a result of raising legitimate concerns.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the company nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures.

## Scope

The policy aims to offer guidance to facilities and support stakeholders including learners, employees, associate staff and partners to safely raise a complaint or concern.

The policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures e.g. disciplinary.

These concerns could include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or statutes
- Dangers to Health and Safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour

This policy is designed to offer guidance to those who disclose such concerns. When making a disclosure the individual must ensure:

1. It is made in good faith. If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against the individual.

2. Reasonably believe malpractice or impropriety is evident. In making a disclosure the individual should exercise due care to ensure the accuracy of the information.
3. If an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against the individual. It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the whistle blowing procedure. In an extreme case, malicious or wild allegations could give rise to legal action by the person complained about.
4. Disclosure is delivered confidentially and in a sensitive manner, by following the process described in this policy. The identity of the individual making the allegation may be kept confidential, so long as it does not hinder any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

## How to raise a concern – Stage 1

### Raising your initial concern

If you witness or suspect there is some wrongdoing or malpractice taking place or about to take place, it is important to keep calm and discuss the issue informally with your line manager. They will help you think about what has happened and help you decide if there is a genuine problem.

If it is not appropriate to raise concerns with your line manager, then the matter should be raised with a member of the Executive Team. Your initial concern should be raised as soon as possible and submitted using the BePro Whistle Blowing Report Form. The aim of this early informal discussion is to promote prompt resolution. At this stage the Executive team member will ask the whistle-blower for his/her preferred means of communication and contact details and use these for all communications with the Whistle-blower to preserve confidentiality.

If the issue is resolved at this stage, no further action is required.

## How to raise a concern – Stage 2

### Formal Exploratory Meeting

If the concern/issue cannot be resolved locally, a formal exploratory meeting must be arranged by the Director of People. The meeting will be held with the Director of People and if necessary relevant investigating personnel. The concern will be explored and discussed fully. This meeting should be documented and a “Whistle Blowing Report Form” completed.

The exploratory meeting may decide:

- There is no case to answer and further action is not justified – the reason for this decisions must be made clear to you.

- The matter could be resolved through mediation – if you are happy with this, the other party will be informed, and discussions will take place.
- An investigation may be necessary, which may lead to a discipline process and hearing.

Any employees invoking the whistleblowing policy will be assured of a fair and impartial investigations and will be supported throughout the process. BePro will maintain a whistleblowing policy in line with relevant legislation and good practice.

## How to raise a concern – Stage 3

### Whistleblowing

If your concern / complaint has not been resolved at either stage one or two of this policy or if your concern requires immediate escalation to stage three, you need to complete a “Whistle Blowing Reports Form”. The form must be e-mailed or posted to the Chief Financial Officer (CFO) OR the Chief Executive Officer (CEO) who will decide on the appropriate action.

Within 10 working days of receiving a stage three concern, the CEO or Managing Director will write to the discloser to:

- Acknowledge that the concern has been received
- Indicate how long it has been dealt with
- Give an estimate of how long it will take to provide a final response
- Explain whether any initial enquiries have been made
- Explain whether further investigations are to take place

If the allegation relates to fraud, potential fraud or other financial irregularity the Directors will be informed within 5 working days of receipt of the allegation. The Directors will determine whether the allegation should be investigated and the method of investigation.

If the allegation concerns suspected harm to children, the appropriate authorities will be informed immediately. If the issue is around suspected harm to vulnerable adults or young people in the Safeguarding Policy should be referred to.

BePro recognises the lawful rights of individuals to make disclosures to prescribed persons or bodies. A full list of prescribed bodies can be found on the Government Website [www.gov.uk](http://www.gov.uk)

### Review

This policy will be reviewed at intervals of 1 year to ensure it remains up to date and compliant with the law.

The policy was last updated June 2021 and is due for review May 2022

The policy may also be reviewed if legislation changes or if monitoring information suggests that policy or practices should be altered.

*GSelmi*

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