



## WHISTLEBLOWING POLICY

Port Training Services (PTS) is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we encourage and enable employees and others that access the service to be able to voice and make a "protected disclosure" if they have any concerns about any aspect of our work. It is recognised that most cases will proceed on a confidential basis.

### Principals

Within the workplace employees are often the first to realise when there may be something wrong. However, they may not express their concerns for fear of reprisals or because they feel that speaking up would be disloyal to their colleagues or to PTS.

This policy makes it clear that individuals can do so without fear of victimisation, subsequent discrimination or disadvantage. This whistleblowing policy is intended to encourage and enable employees to raise serious concerns within PTS rather than overlooking a problem or 'blowing the whistle' outside.

The purpose of this policy is to provide an approved way for concerns to be raised when an individual reasonably believes that such a disclosure will show past, present or potential future wrongdoing.

The policy applies to all PTS employees, contractors working on behalf of PTS, learners and service users of PTS. It also covers employers and mentors and those providing work placements under contract to PTS. This procedure is in addition to the PTS's safeguarding policy, complaints procedures, grievance procedure and other statutory reporting procedures.

### Aims and scope of this policy

This policy aims to:

- Encourage individuals to feel confident in raising concerns and to question and act upon concerns about practice.
- Provide avenues for individuals to raise those concerns and receive feedback on any action taken.

- Ensure that a response is given to any concerns raised and that individuals are aware of how to pursue such concerns if they are not satisfied with the outcome.
- Reassure individuals that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

There are existing procedures in place to enable employees to lodge a grievance relating to their employment.

The whistleblowing policy is intended to cover concerns that fall outside the scope of other procedures. Including but not limited to:

- Conduct which is an offence or a breach of the law
- Disclosures related to miscarriages of justice
- A serious safeguarding or child protection concern including any involvement in radicalisation or extremist activity
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- The unauthorised use of public funds
- Possible fraud and corruption
- Other unethical conduct
- Covering up wrongdoing in any of the above categories

Thus, any serious concerns that an individual has about any aspect of service provision or the conduct of staff, employers, mentors or others acting on behalf of PTS can be reported under the whistleblowing policy.

## **Personal Safeguards - Harassment or Victimisation**

PTS is committed to good practice and high standards and wants to be supportive of employees, learners and services users of PTS and therefore recognises that the decision to report a concern can be a difficult one to make.

PTS will not tolerate any harassment or victimisation (including informal pressures) against a bona fide whistleblower and will take appropriate action to protect an individual who raises a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect an individual raising an issue.

## **Confidentiality**

All concerns will be treated in confidence and every effort will be made NOT to reveal an individual's identity where they have requested anonymity, so long as this does not hinder the investigation. At the appropriate time, however, PTS may request the individual to come forward as a witness. This policy encourages an individual allegation to put their name to the allegation whenever possible.

## **Anonymous Allegations**

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Business Manager(s) or HR Manager.

In exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issues raised,
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

## **Untrue Allegations**

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. Whistleblowers will not suffer any form of detriment as a result of raising their concerns. However, if an individual is found to have made an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

## **How to Raise Concern**

The earlier the individual expresses the concern the easier it will be to take action. Although the whistleblower is not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for the concern. The individual may wish to consider discussing their concern with a colleague first as they may find it easier to raise the matter if there are two (or more) people who have had the same experience or concerns.

As a first step, the individual should normally raise concerns with the Business Manager(s). This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. For example, if it is believed that management is involved the individual should approach the HR Manager or a Director who will do their utmost to ensure impartiality.

Concerns may be raised verbally or in writing. Individuals wishing to make a written report are invited to use the following format:

- The background and history of the concern (giving relevant dates)
- The reason why they are particularly concerned about the situation
- Citing this policy in correspondence so that if there is a more suitable way to deal with the concern (for example the complaints policy) the whistleblower can be informed

### **How PTS will respond**

Once an individual has raised a concern PTS will commence initial enquires and respond to the whistleblower to acknowledge the concern.

In order to protect individuals and those accused of misdeeds or possible malpractice / maladministration, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

The overriding principle which PTS will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, safeguarding, child protection or discrimination issues) will normally be referred for consideration under those procedures. If there are matters that cannot be dealt with internally and whereby external authorities will need to be involved, PTS reserves the right to make such referrals themselves without the consent of the whistleblower.

Following the initial enquiries, the whistleblower will be further contacted to advise them, wherever possible, of:

- The action PTS intends to take
- If a full investigation is to be initiated
- How long it is likely to take to give a final response
- Further information on staff support mechanisms

The amount of contact between the member of staff considering the issues and the whistleblower will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided.

If necessary, PTS may seek further information from the whistleblower, such as via a meeting.

Where any meeting is arranged (off-site if the individual wishes), the whistleblower can be accompanied by a colleague and/or representative.

PTS will take steps to minimise any difficulties which may be experienced by the whistleblower as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings PTS will arrange for them to receive advice about the procedure.

The company accepts that any individual who raises a concern and initiates the whistleblowing policy will need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, PTS will inform them of the outcome of any investigation.

This policy is intended to provide all staff, learners and services users of PTS with an avenue to raise concerns and as such hopes anyone who raises such will be satisfied with any action taken.

If not, and the individual feels it is right to take the matter outside the company, the following are possible contact points:

- The local authority - Children's Services Department
- The local Safeguarding Board
- Independent Safeguarding Authority
- A local Citizens Advice Bureau
- A relevant professional body or regulatory organisation
- A relevant voluntary organisation
- The police

All individuals have a duty of confidentiality to PTS, and thus if an individual does take the matter outside the company, they should ensure that they do not (unless legal obliged to do so) disclose confidential information.