Introduction

All of us at one time or another have concerns about what is happening at work. Usually these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public or the environment or harassment or misbehaviour at work, it can be difficult to know what to do.

You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it’s none of your business or that it’s only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

Everything Training Consultants Ltd(“the Company”) takes very seriously any form of malpractice and has introduced this procedure to enable you to raise your concerns about such malpractice at an early stage and in the right way. We would rather that you raised the matter when it is just a concern rather than wait for proof.

Examples of Malpractice

Examples of malpractice as ‘malpractice’ is not easily defined the following are examples only and the list is not deemed to be exhaustive It is the right of the individual raising the concern to interpret their definition of what he/she considers to be malpractice

· Disruption of, or improper interference with, the academic, administrative endeavours of the company.

· Obstruction of, or improper interference with, the functions, duties or activities of any candidate, assessor/trainer or any authorised visitor to the company.

· Violent, indecent, disorderly, threatening or offensive behaviour or language whilst in training or engaged in any Outsource activity, include that committed by electronic means using e mail.

· Fraud, deceit, bribery, deception or dishonesty in relation to the company, assessors/trainers, or any property of a candidate or that on loan to Outsource (including damage resulting from negligence)

· Acts of disturbance that threaten the rights and privacy of any member of the company whilst in training or engaged in work based activity in employment.

· Harassment of any kind, including sexual or racial harassment of any candidate, member of staff or authorised visitor to the company, including that committed by electronic or other remote means.

· Unfounded and malicious complaints brought against assessors/trainers or staff

· Possession or misuse of drugs (including cannabis) which constitutes an offence at law

The Public Interest Disclosure Act gives protection for workers against detriment or dismissal for raising concerns about matters in the public interest. The Act seeks to ensure that any person suspecting malpractice knows how to raise concerns and what procedures are in place to deal with such concerns. It protects disclosure if an employee can show one of the following:

· That a criminal offence has been committed, is being committed, or is likely to be committed

· That a person has failed or is likely to fail to comply with any legal obligation to which he/she is subject

· That a miscarriage of justice has occurred is occurring or is likely to occur.

· That the health and safety or 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 above has been is being or is likely to be deliberately concealed.

If something is troubling you which you think we should know about or look into, please use this procedure. If you are aggrieved about your personal position, the Grievance Procedure, which is available from your manager or personnel officer, is available to you. However, this Whistle blowing and Malpractice Procedure is also available for concerns about your personal position where you are uneasy about using the Grievance Procedure, as well as where the interests of others or of the organisation itself is at risk.

If in doubt – raise it!

2. The Company’s assurances to you

Your safety

The Company and the Board of Directors are committed to this policy. If you raise a genuine concern under this Policy, you will not be at risk of losing your job or suffering any form of retribution as a result. Provided you are acting in good faith, it does not matter if you are mistaken. Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue.

Your confidence

The Company will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, we recognise that you may nonetheless want to raise a concern in confidence under this Policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed.

Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter or to protect your position or to give you feedback. Accordingly, while we will consider anonymous reports, this Policy is not appropriate for concerns raised anonymously.

How we will handle the matter?

Once you have told us of your concern, we will look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation. We will tell you who is handling the matter, how you can contact him/her and whether your further assistance may be needed. If you request, we will write to you summarising your concern and setting out how we propose to handle it.

When you raise the concern you may be asked how you think the matter might best be resolved. If you do have any personal interest in the matter, we do ask that you tell us at the outset. If your concern falls more properly within the Grievance Procedure we will tell you.

While the purpose of this Policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can. If requested, we will confirm our response to you in writing. However, we may not be able to tell you the precise action we’ve taken where this would infringe a duty of confidence owed by us to someone else.

How to raise a concern internally

If you have a concern about malpractice, we hope you will feel able to raise if first with your Line Manager. This may be done orally or in writing.

If you feel unable to raise the matter with your Line Manager, for whatever reason, please raise the matter with an Executive Director.

Please say if you want to raise the matter in confidence so that they can make appropriate arrangements.

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact The Board of Directors.

If you are unsure whether to use this procedure or you want independent advice at any stage you may contact ACAS.

If you are dissatisfied

If you are unhappy with the response you get, remember you can go to the other levels and bodies detailed in this policy. Whilst we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and properly. By using this policy, you will help us to achieve this.