WHISTLEBLOWING POLICY

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DOCUMENT CONTROL

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Organisation	Reach Education and Employment
Author	Christopher Murray
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Key Internal & External Whistleblowing Contacts

Role / Authority	Contact Name / Detail	Contact Information
Executive Director / Whistleblowing Lead	Andrew Mallin	07740606684/ andrew@reach-education.org
Designated Safeguarding Lead (DSL)	Christopher Murray	07583695771 / chris@reach-education.org
Deputy Designated Safeguarding Lead (DDSL)	Jade Wilson	07772303522 / jade@reach-education.org
NSPCC Whistleblowing Advice Line	National Statutory Safeguarding Line	0800 028 0285 / help@nspcc.org.uk
Protect (Independent Whistleblowing Advice)	Free Confidential Legal Advice	020 3117 2520 / protect-advice.org.uk
North Yorkshire Council / Veritau Counter Fraud	Dedicated Fraud Investigation Team	counter.fraud@veritau.co.uk / 0800 9179 247
Local Authority Designated Officer (LADO)	North Yorkshire LADO Duty	01609 533080
Awarding Body / Regulator Escalation	NCFE Provider Assurance / Ofqual	service@ncfe.org.uk / public.enquiries@ofqual.gov.uk

1. Policy Statement

Reach Education and Employment (REACH) is committed to operating with complete openness, integrity, and accountability. We recognise that workers are often the first to realise that there may be something seriously wrong within an organisation. We foster an open culture where all employees, directors, agency workers, contractors, and volunteers are actively encouraged and empowered to raise genuine concerns regarding unlawful conduct, malpractice, or dangers to public safety without fear of reprisal, victimisation, or detriment.

This Whistleblowing Policy provides a clear, safe mechanism for reporting concerns in the public interest. It ensures that concerns are investigated promptly, impartially, and thoroughly, while ensuring full compliance with the Public Interest Disclosure Act 1998 (PIDA) and relevant statutory guidance.

2. Scope & Delineation of Concerns

2.1 Individuals Covered:

This policy applies across all Reach Education and Employment operations, covering: all full-time, part-time, and sessional employees; directors and trustees; agency workers, supply staff, and independent contractors; volunteers, mentors, and student trainees; and employer partners and subcontractors involved in supported employment or apprenticeships.

2.2 Qualifying Disclosures (Matters Covered):

A qualifying disclosure is any disclosure of information that, in the reasonable belief of the worker, is made in the public interest and shows one or more of the following categories of wrongdoing:

- Criminal offences (e.g. fraud, theft, bribery, corruption, financial false accounting).
- Safeguarding failures or child/adult protection risks (e.g. failure to refer abuse, concealing disclosures).
- Actual or likely sexual harassment, or organizational failures to comply with the statutory preventative duty to protect staff and learners under the Worker Protection Act.
- Breaches of legal, statutory, or regulatory obligations (e.g. UK GDPR breaches, ESFA funding rule violations, NYC legal contractual obligations, Access to Work fraud).
- Danger to the health and safety of any individual (e.g. unaddressed fire hazards, dangerous machinery).
- Awarding body malpractice or maladministration (e.g. assessment fraud, certificate manipulation, plagiarism).
- Damage to the environment.
- Deliberate concealment of any of the above matters.

2.3 Personal Grievances Exclusion:

This policy does NOT apply to personal employment grievances, disputes regarding personal terms and conditions, or individual workplace friction. Personal complaints should be pursued through the separate REACH Grievance Procedure or Anti-Bullying Policy.

3. Legal and Regulatory Framework

This policy is grounded in and complies with relevant statutory legislation and sector guidance:

- Public Interest Disclosure Act 1998 (PIDA)
- Employment Rights Act 1996 (Sections 43A to 43L & Section 103A)
- Employment Rights Act 2025 & Worker Protection (Amendment of Equality Act 2010) Act 2023
- Keeping Children Safe in Education (KCSIE 2026) (Mandatory NSPCC whistleblowing provisions)
- Working Together to Safeguard Children 2023 & Care Act 2014
- Bribery Act 2010 & Fraud Act 2006
- Education and Skills Funding Agency (ESFA) / DfE Funding and Accountability Rules
- NCFE General Regulations & Centre Agreement Criteria

4. Core Principles & Whistleblower Protections

- **1. Statutory Protection:** Absolute Protection from Detriment: A worker who makes a protected disclosure has the statutory right not to be subjected to any detriment, victimisation, harassment, disciplinary action, or dismissal as a result of raising a concern.
- **2. Objective Investigation:** Impartial & Rigorous Investigation: All disclosures are evaluated objectively by an independent manager or external investigator, free from conflicts of interest.
- **3. Confidentiality:** Confidentiality by Default: Every effort will be made to preserve the confidentiality of the whistleblower. Identity will not be disclosed without prior consultation unless legally compelled.
- **4. Public Interest Focus:** Acting in the Public Interest: The organisation prioritises public safety, learner welfare, and financial integrity above institutional reputation.

5. Internal Procedure for Raising Concerns

Workers may raise concerns verbally, via email, or in writing using the Whistleblowing Notification Form (Appendix). To facilitate effective investigation, disclosures should provide factual context, dates, times, locations, and names of individuals involved:

- **Stage 1: Internal Disclosure:** Standard Internal Route: Workers should initially raise concerns with the Executive Director / Whistleblowing Lead, Andrew Mallin (07740606684), or Designated Safeguarding Lead Christopher Murray (07583695771 / chris@reach-education.org).
- **Stage 2: Leadership Conflict:** Concerns Involving the Whistleblowing Lead: If the disclosure involves Andrew Mallin, it must be submitted directly to Christopher Murray or raised with an independent external investigator.

- **Stage 3: Board-Level Conflict:** Concerns Involving the Entire Board of Directors: If the disclosure involves all Directors, or where internal raising would compromise the evidence, the whistleblower should escalate directly to external prescribed persons (Section 8).
- **Safeguarding Fast-Track:** Immediate Safeguarding Overhaul: Any concern indicating immediate physical abuse, child exploitation, or sexual harm must be reported immediately to Christopher Murray (DSL) or dial 999. Safeguarding overrides standard administrative timelines.

6. Investigation Process & Timelines

Reach Education and Employment adheres to structured response standards for all whistleblowing disclosures:

- **1. Acknowledgement:** Written Acknowledgement: The Whistleblowing Lead will formally acknowledge receipt of the disclosure within 5 WORKING DAYS.
- **2. Initial Assessment:** Initial Assessment: A preliminary triage will be executed within 10 WORKING DAYS to establish whether the disclosure qualifies under PIDA and whether an internal, external, or multi-agency investigation is warranted.
- **3. Formal Investigation:** Formal Investigation: An independent investigator will examine documents, review digital logs, conduct interviews, and compile a formal factual report. The target resolution timescale is 20 WORKING DAYS.
- **4. Feedback & Closure:** Outcome & Remedial Action: The whistleblower will receive written feedback regarding the status of the investigation and general remedial outcomes within 25 WORKING DAYS, respecting privacy constraints.

7. Confidentiality and Anonymous Disclosures

REACH treats all whistleblowing disclosures with strict confidentiality. If an individual asks to keep their identity secret, REACH will not disclose it to colleagues without consent, unless legally required to do so by a court of law or police order.

Anonymous Disclosures: Workers may raise concerns anonymously. REACH will evaluate anonymous reports and take appropriate action where sufficient evidence exists; however, anonymous reports can make it significantly more difficult to verify facts, protect the whistleblower from subtle detriment, or deliver outcome feedback. Workers are encouraged to provide their identity under full confidential protection.

8. External Escalation & Prescribed Regulatory Persons

The primary intention of this policy is to provide a robust internal mechanism to resolve wrongdoing. However, under PIDA, workers have the statutory right to raise concerns externally with 'prescribed persons' where they reasonably believe that internal escalation would result in evidence destruction, cover-up, or serious detriment:

Regulatory Body / Prescribed Person	Nature of Regulatory Remit	Official Contact Details
NSPCC Whistleblowing Advice Line (Statutory KCSIE Mandate)	For education staff who feel unable to raise safeguarding concerns internally, or where concerns are ignored.	0800 028 0285 help@nspcc.org.uk
Protect (Independent Whistleblowing Advice)	UK whistleblowing charity offering free, confidential, independent legal advice to workers.	020 3117 2520 protect-advice.org.uk
North Yorkshire Council / Veritau Counter Fraud	Public funds integrity, procurement fraud, and local government counter-fraud investigations.	0800 9179 247 counter.fraud@veritau.co.uk
Local Authority Designated Officer (LADO)	Allegations that staff/management have harmed, abused, or posed a risk to children.	01609 533080 North Yorkshire Council
Department for Education (DfE) / ESFA	Public education funding irregularities, governance failures, or breach of ESFA rules.	allegations.mailbox@education.gov.uk www.gov.uk/contact-dfe
NCFE / Ofqual	Awarding body malpractice, systemic examination cheating, or qualification delivery fraud.	service@ncfe.org.uk (NCFE) public.enquiries@ofqual.gov.uk (Ofqual)

9. Protection from Detriment & Victimisation

Under Section 47B and Section 103A of the Employment Rights Act 1996, workers are legally protected against any detriment or dismissal on the grounds of making a protected disclosure:

- Zero Tolerance for Reprisal: Any staff member who subjects a whistleblower to bullying, harassment, social ostracisation, workload penalisation, or subtle retaliation will face gross misconduct disciplinary action, leading to summary dismissal.

- Automatic Unfair Dismissal: Dismissing an employee or terminating a contractor's engagement because they raised a protected disclosure constitutes automatic unfair dismissal under UK employment law.

10. Malicious or Vexatious Disclosures

REACH recognises that disclosures are often made in good faith under stressful circumstances. A concern raised in good faith that turns out to be mistaken or unsubstantiated will NEVER result in disciplinary action. However, if an investigation conclusively proves that a worker knowingly made false, fabricated, or malicious allegations to damage a colleague or the organisation, this will be treated as gross misconduct under the Disciplinary Procedure.

11. Monitoring, Record-Keeping & Quality Improvement

A confidential Whistleblowing Register is maintained by Andrew Mallin (Executive Director). The Board of Directors reviews anonymized themes, incident patterns, and procedural compliance annually. Whistleblowing review outcomes inform the organisation's annual Quality Improvement Plan (QIP) and risk registers.

12. Linked Organisational Policies

This policy operates in direct alignment with: Safeguarding and Child Protection Policy (Version 1.2); Anti-Corruption and Anti-Bribery Policy; Compliments and Complaints Policy; Data Protection (UK GDPR) Policy; Health and Safety Policy; and Staff Code of Conduct.

REACH EDUCATION AND EMPLOYMENT

APPENDIX: WHISTLEBLOWING NOTIFICATION FORM

Confidential Public Interest Disclosure Submission Form | Reach Education and Employment

This form is designed to assist workers in raising concerns regarding unlawful conduct, malpractice, or danger to public safety. Once completed, submit this form confidentially to Andrew Mallin (Executive Director) or Christopher Murray (DSL).

Section 1: Disclosing Worker Details (Optional)

Full Name: _____

Role / Title: _____

Contact Telephone: _____

Contact Email: _____

Do you request that your identity be kept strictly confidential? [ ] YES [ ] NO

Section 2: Details of the Concern / Wrongdoing

Select the category that best describes the wrongdoing:

- **[ ]** Criminal offence / financial fraud / bribery / corruption
- **[ ]** Safeguarding failure / child or adult protection risk
- **[ ]** Sexual harassment or failure of preventative duty
- **[ ]** Health and safety danger to staff, learners, or the public
- **[ ]** Awarding body malpractice (NCFE examination/assessment fraud)
- **[ ]** Deliberate breach of legal duties / funding regulations / UK GDPR
- **[ ]** Deliberate cover-up of any of the above

Please provide factual details of the concern (dates, times, locations, individuals involved, and any physical or digital evidence available):

_____

_____

_____

_____

_____

_____

_____

_____

Section 3: Previous Reporting & Evidence

Have you raised this concern previously with your line manager or another leader?

[ ] YES [ ] NO

If YES, what action was taken, and why are you escalating the matter?

_____

_____

_____

_____

Section 4: Declaration & Signature

I confirm that I reasonably believe the information provided above is substantially true and that I am raising this concern in the public interest.

Signature (Optional if anonymous): _____

Date: _____

For Executive Office Use Only:

[ ] Disclosure logged on Confidential Whistleblowing Register

Case Ref: _____

[ ] Acknowledged within 5 working days by: _____

Date: _____

[ ] Investigating Lead Appointed: _____

Target Resolution Date: _____