

WHISTLEBLOWING POLICY

1. Introduction

Insite is committed to the exposure and eradication of any fraud, corruption or malpractice. In support of this aim, Insite will support and protect anyone who makes a genuine public interest disclosure relating to the conduct of affairs at Insite.

Employees are often the first to know when something is going seriously wrong, be it a serious danger to the public or a major fraud. Turning a blind eye to wrongdoing or having an aversion to reporting malpractice may mean that the alarm is not sounded on serious irregularities with the consequence that those in authority do not get to know about them in time to take action before real damage is done. Whistleblowing policies aim to ensure that wrongdoing in the workplace can be properly brought to attention and addressed. Malpractice, fraud and corruption will be dealt with promptly.

Insite is committed to ensuring that management is open to whistle-blowing concerns, that prompt and appropriate action is taken by management in the event that concerns are made known, that whistle-blowers will be supported and protected from reprisals and that confidentiality will be respected.

An effective whistleblowing policy can help to:

- avoid crisis management and public criticism
- deter serious malpractice
- ensure staff play their part and feel valued
- promote accountability throughout the organisation
- promote openness

Application of the policy

The Policy applies:

- To all members of Insite i.e. staff, apprentices, delegates and members of the governance. Members of the public may also have concerns and this policy has been produced to help members of Insite and public to contact Insite with their concerns.
- to situations where allegations of “malpractice” made about an individual or individuals in relation to their work for Insite, whether made by or about a member of staff, student, Directors or someone who provides or has provided goods and services to Insite. The term “malpractice” might include:

Financial malpractice, fraud or corruption;

- failure to comply with legal obligations or Insite Charter or statutes
- danger to health and safety
- criminal activity
- academic malpractice

- nepotism
- improper unethical behaviour
- person being discriminated against because of race, colour, religion, ethnic or national origin, disability, age, sex, sexuality, class or home life
- financial malpractice
- attempts to conceal any of the above.

What is not covered?

This should not be used to deal with serious or sensitive matters covered by other policies or procedures e.g. it is important for all concerned to distinguish between whistle blowing and grievance. Whistleblowing is a public interest disclosure and potential whistle-blowers should seek advice from a senior staff member, depending on the circumstances to determine whether the issue is a grievance or a matter for whistleblowing.

This policy cannot be used to raise issues already settled through other procedures.

3. Protecting you

If an individual raises a concern that they believe is true Insite will take appropriate action under the Public Interest Disclosure Act 1998 to protect the individual from any harassment, victimisation or bullying by informing the Discloser of his/her right to raise any concerns to the Designated Insite representative.

Insite will respect confidentiality if this is requested by the Discloser. In this case Insite will not reveal details of the name or position of the Discloser without permission or unless Insite is obliged by law to disclose. Insite will explain this at the time that the concern is raised.

Any documentation (including electronic) relating to the matter will be kept secure. Where the Discloser involves a Trade

Union Representative or work colleague in this procedure, the Discloser will be under an obligation to use reasonable endeavours to ensure that they and their representative or work colleague keeps the matter strictly confidential, as permitted under this procedure, as required by law or until such time as it comes into the public domain.

Failure to comply with the obligation to keep the matter confidential by any member of staff may lead to disciplinary action.

Any allegation will not be influenced by any unrelated disciplinary action against the Discloser or any pending redundancies that may affect the individual.

Anonymous Allegations

Since Insite is committed to protecting the Discloser, individuals should be encouraged to provide their name at the time of making the disclosure. Concerns raised anonymously tend to be far less effective and if there is not enough information Insite may not be able to investigate the matter at all. If the Discloser feels that they cannot provide their name then the

Designated Insite representative will decide whether or not to consider the matter based on the seriousness of the matter and whether an investigation can be carried out based on the information provided.

Protection against Disciplinary Action.

No disciplinary action will be taken against a Discloser on the grounds of a disclosure in accordance with this procedure. This will not prevent Insite taking disciplinary action where it has been substantiated that a disclosure has been made:

- that is malicious or vexatious
- where there has been a breach of commercial confidentiality
- where an external disclosure is made in breach of this procedure without reasonable grounds, or otherwise than to an appropriate public authority

4. Raising a concern

If deemed appropriate, the discloser should raise their concerns internally in the first instance to allow those Insite staff and

directors in positions of responsibility and authority the opportunity to rectify the situation and to be given an explanation for the behaviour or activity.

The following individual has been selected to specifically deal with such matters.

Phill Yates Contract and Procurement Manager

Tel: 0330 818 8888

E-mail: Phill.Yates@insite.training

Where the concern is a matter involving the above, the concern should be drawn to the attention of Commercial Director.

Darren Clapich

Tel: 020 3808 8010

E-mail: Darren@insite.training

Phill Yates will advise the whistle-blower whether or not the concern comes within the scope of the Whistleblowing Procedure. Where it does not, he will seek to advise the whistle-blower how the concern should be dealt with and if possible, under what procedure.

All matters will be treated in confidence and anonymity will be respected wherever possible. Any disclosure to an employee under this procedure shall, wherever possible, be in writing but, if this is not practicable, any such disclosure may be verbal, at the choice of the Discloser. The Discloser should provide as much supporting written evidence as possible about the disclosure and the grounds for the belief of malpractice.

Although the discloser does not have to prove conclusively that an allegation is true it should be shown that there is a good reason for concern.

5. RESPONDING TO CONCERNS

Initial Step

On receipt of the disclosure of a concern Phill Yates will offer to meet the Discloser, in confidence, within 5 working days or immediately if there is any danger of loss of life or serious injury. The purpose of the meeting will be to obtain as much information as possible about the grounds for the Discloser's belief that malpractice has occurred or is likely to occur.

The Discloser may be accompanied by a Trade Union representative or work colleague at the meeting. Phill Yates may be accompanied by an administrator to take notes; these notes will not identify the Discloser. Disclosure under this procedure shall, wherever possible, be in writing but, if this is not practicable, such disclosure may be oral, at the choice of the

Discloser. The Discloser should provide as much supporting written evidence as possible about the disclosure and the grounds for concern about malpractice.

After considering the information obtained at the initial meeting Phill Yates will, within 5 working days or immediately if there is any perceived danger of loss of life or serious injury, provide the Discloser with a written summary/record of the information obtained at the meeting. The summary will include recommendations as to actions to be taken in response to the disclosure.

The Discloser will then have 5 working days in which to confirm the written summary.

Once the written summary has been confirmed Phill Yates will forward a copy of this to Insite Director.

The recommendations in the summary may include one or more of the following:

- that the matter should be investigated by Phill Yates
- that the matter should be investigated internally using independent Insite Managers, or other investigators

appointed by Insite

- that a member of staff should be given the opportunity to seek redress through Insite's grievance, disciplinary, or

harassment procedure

- that the matter should be reported to the police and/or Insite solicitors
- No further action should be taken.

The grounds on which the Phill Yates could legitimately recommend no further action by Insite includes the following:

- that Phil Yates is satisfied that, on balance of probabilities, there is no evidence of malpractice •
- that Phill Yates believes that the Discloser is not acting in good faith

- that the matter is already (or has been) the subject of proceedings under one of Insite's other procedures
- That the matter concerned is already the subject of legal proceedings.

If the recipient of the summary decides not to act on any of the recommendations, that decision will be notified in writing to the Chair of the governance giving full reasons for the decision.

Notification of Outcomes

- Once the Insite Director has decided what further action (if any) should be taken, the DA will inform the Discloser in writing of the decision.
- If no further action is proposed, Phill Yates will give reasons for this.
- If the outcome is the activation of the Disciplinary or Grievance procedures, then the confidentiality required

under these procedures will be observed, which may mean that the Discloser is not informed of the specific

outcome of those procedures. Phill Yates will inform the Discloser that appropriate action has been taken without describing the detail.

- If the outcome is the activation of an investigation this should normally be completed within 20 working days of

confirmation of the written record of the disclosure. As soon as it is available, a copy of the report of the

investigation will be given to the discloser, and the person/persons against whom the concern is directed

- Once the investigation report has been received, the following steps may be taken depending on the conclusions

reached by the development coach and which particular members of staff or Directors are the subject of concern:

A. When the concern is explained to the satisfaction of the development coach, the discloser, and when the last

two individuals are not in any way the subject of the concern, the investigation will be closed and the report retained on file.

B. When the concern relates to a senior post holder and has been explained to the satisfaction of Phill Yates, but not the discloser, the matter will be drawn to the attention of the Insite Director. In such circumstances the Insite Director will interview the discloser/Phill Yates in order to determine whether further investigation is needed. In the event of the decision being made not to investigate further.

C. Where the concern has been explained to the satisfaction of the development coach but not the discloser and where the concern relates to the individuals other than Directors and senior post

holders, the matter will be drawn to the attention of the Insite Director who will decide whether further action is needed. The discloser will be informed.

D. Where the development coach concludes that there is substance to the concerns expressed by the discloser, the matter will be referred to the Insite Director who will determine the form and scope of the full investigation. A full investigation may be undertaken by:

- the police
- Internal Audit
- External Auditors
- others as appropriate

The Development coach will be kept informed as appropriate at all stages in the matter.

Appeal

Disclosers who remain dissatisfied with the outcome will be informed of their right to take up the matter with the relevant external bodies.