

## WHISTLE BLOWING POLICY

### London Training and Employment Network (LTEN)

Last updated	November 2023
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LTEN is committed to creating a secure working environment and expects its employees and consultants at all times to act within the law, within applicable codes of practice and to apply the highest possible operating/business ethics in all areas of its activities. Any employee or consultant found to be knowingly and culpably operating or behaving in a manner which is not in accordance with these standards will be subject to disciplinary action up to and including dismissal.

The Company recognises the particular difficulty that those who work with and within the Company may face in disclosing to the Company (“blowing the whistle on”) instances of malpractice in the conduct of the Company’s business. Such malpractice could include financial mismanagement, breach of health and safety laws, breach of other statutory duties, or any other matter.

The Company is committed to ensuring that any such malpractice is immediately dealt with. This procedure has been established to enable anyone working in or for the Company who genuinely believes that malpractice is occurring, has occurred or is likely to occur within the Company to raise the matter with the appropriate level of management in confidence and without fear of recrimination.

Employees, agency employees, consultants and contractors are reminded that the unauthorised disclosure to third parties of confidential information belonging to the Company or relating to its business will normally constitute a breach of contract which may lead to summary dismissal or the summary termination of any contract for services and may, in addition, give rise to legal action for the recovery of damages.

The Public Interest Disclosure Act 1998 allows workers to make disclosures that are “protected disclosures” under current legislation and provides them with legal protection against being dismissed or penalised by their employer if they do so. A disclosure is only protected if it relates to specific subject matter (see paragraph below) and the disclosure is made in the appropriate way by following the procedure outlined.

### Who Should Use This Procedure?

Any person who works with or for the Company. This includes those employed directly by the Company as well as employees supplied by an employment agency. Individuals who work for the Company as independent consultants or contractors are also encouraged to report any malpractice through this procedure. If you are

employed directly by the Company, please note that you have a specific duty under your contract of employment to disclose in accordance with this procedure any matter defined under the following paragraph “Subject Matter of Disclosures”.

## **Subject Matter of Disclosures**

You must use the disclosure procedure set out below in order to disclose to the Company any matter concerning the conduct of the Company’s business which leads you to believe that malpractice is occurring, may occur or has occurred. In particular, you are encouraged to disclose only information, which you reasonably believe, shows one or more of the following:

- That a criminal offence has been committed, is being committed or is likely to be committed.
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject.
- That improper conduct or unethical behaviour has occurred, is occurring or is likely to occur (including financial malpractice and fraud)
- That a miscarriage of justice has occurred, is occurring or is likely to occur.
- That the health or safety of any individual (or the environment) has been, is being or is likely to be endangered.
- That the information tending to show any of the above has been or is likely to be deliberately concealed.

## **Procedure**

You should raise your concerns initially with the person who has immediate responsibility for your work (your Manager). If the malpractice that you wish to report concerns your manager or you believe it is not appropriate to disclose your information directly to your manager, you may make your initial disclosure Head of Operations. Alternatively, if you consider that the issue has not been satisfactorily addressed you may wish to raise your concerns directly with the Chief Executive Officer.

The Company will normally contact you, where possible, within seven working days of receiving your disclosure, to confirm that the disclosure has been received and to indicate how the Company proposes to deal with it. If possible, the Company will provide an estimate of how long it will take to provide a final response. The company will investigate the matter that you have disclosed. You may be requested to put your concerns in writing or to attend as a witness during any stage of the investigation. If you are requested to attend, you will normally be permitted to be accompanied by an appropriate companion (usually a colleague).

The Company will carry out an investigation and implement any necessary action as soon as is reasonably practicable. Where possible, the Company will inform you of the outcome of the investigation and any action it proposes to take. The Company will aim to do this, where possible, within seven working days of the conclusion of its

investigation. If the Company cannot provide a response within this time you will be informed of the likely timetable.

If you are unhappy with the Company's investigation of any matter disclosed by you under this procedure or with the action taken by the Company in respect of it, you may raise your concerns in writing with the Chair of the Board of Trustees who will make such further investigations and take such further action, as he or she may consider appropriate.


If you still remain dissatisfied with the outcome of the investigation or the action taken, the Company recognises your lawful right to make disclosures to other prescribed persons, such as the Health and Safety Executive, or the Audit Commission.

You will suffer no detriment for coming forward, and the Company will deal with any disclosure in a confidential and sensitive manner. Your identity will be kept confidential so long as it does not hinder or frustrate any investigation.

Any harassment, victimisation or less favourable treatment of any person on the grounds of having made a disclosure under this procedure will be treated as a disciplinary offence and may lead to summary dismissal. However, failure to follow this procedure may result in the disclosure losing its "protected" status and result in you being liable to disciplinary action. In particular any disclosure, which is made under this procedure in bad faith (for instance, to cause disruption within the Company, or which concerns information which you do not believe to be true or which is motivated by personal gain) will be treated as a disciplinary offence and may lead to summary dismissal.

It is in the best interests of the Company that you disclose any relevant information by following the procedure set out above. The Company will then be able to take appropriate action and uphold the highest public standards.

Any questions you may have concerning the Company's Whistleblowing Policy or the operation of this procedure should be directed to the Board of Trustees in the first instance.

Signed: 

**Name:** REBECCA BROWN

**Position:** DIRECTOR/CHAIR BOARD OF TRUSTEES