

WHISTLEBLOWING POLICY

Adopted:	September 2018
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This Policy links to:

- The Public Interest Disclosure Act 1998
- Enterprise and Regulatory Reform Act 2013
- BRS Safeguarding Policy



DEFINITION OF WHISTLEBLOWING

“The disclosure by an employee or professional of confidential information which relates to some danger, fraud or other unethical conduct connected with the workplace, be it of the employee or his/her fellow employees.”

(Public Concern at Work Guidelines)

The British Racing School (BRS) expects the highest standards from all staff and is committed to the highest possible standards of openness, probity and accountability and we encourage employees who have concerns about any aspect of our work to come forward and voice those concerns. In some instances these concerns may need to be expressed confidentially.

All staff are expected to share concerns about any serious impropriety or breach of procedure that affects others e.g. members of the public, with the CEO or Board of Trustees without fear of reprisal or victimisation. For contact details see **Appendix 1** in Safeguarding Policy.

INTRODUCTION

The BRS at all times conducts its business with the highest ethical standards of integrity and honesty, and expects all employees to maintain the same standards in everything they do. However we also recognise that malpractices can occur.

The BRS will not tolerate any such malpractice in the performance and delivery of any of its programmes or services and will treat any complaints very seriously.

These procedures apply to all employees, trainees, contractors and suppliers of the BRS.

AIMS

This policy aims to:

- Give members of staff the confidence to raise concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with school standards and policies so that he/she is encouraged to act on those concerns.
- Provide members of staff with avenues to raise concerns
- Ensure that members of staff receive a response to concerns raised and feedback on any action deemed necessary.
- Offer assurance that there will be no reprisals or victimisation for whistleblowing action taken under good faith.

Examples of illegal and/or illegal conduct

- A criminal offence
- A miscarriage of justice
- An act creating risk to Health and Safety
- An act causing damage to the environment
- Abuse of authority
- Unauthorised use of funds
- Fraud or corruption
- Mistreatment of any person
- An act that has or is likely to cause physical danger to any person or risk serious damage to BRS property
- Unfair discrimination or favouritism
- Racist incidents/acts or racial harassment
- Concealment of any of above

These are called “qualifying disclosures” and need only the reasonable belief that one has taken, or will take, place. It is not necessary for the member of staff to have proof that such an act is being, has been, or is likely to take place. Reasonable belief is sufficient.



Safeguarding Concerns

All members of staff are expected to report any safeguarding or child protection concerns to the Designated Safeguarding Leads, the Chief Executive Officer or the Chair of the Board of Trustees as set down in the Safeguarding and Child Protection Policies. For contact details see **Appendix 1** in Safeguarding Policy.

Such concerns may relate to:

- The physical, sexual, emotional abuse or neglect of a trainee
- Concerns involving the government's Prevent Strategy (see Safeguarding Policy sect 6)
- An inappropriate relationship between a trainee and an adult

Confidentiality

All concerns raised will be treated in confidence and every effort will be made not to reveal the identity of the whistle blower if they so wish. However, it may not always be possible to maintain confidentiality, e.g. you may be asked to come forward as a witness or it is possible that the law would allow access to information to a person the subject of a complaint in order for them to respond to that complaint.

At the same time staff must keep their disclosure confidential in order that a fair professional investigation take place.

Malicious or Vexatious Allegations

No action will be taken against a member of staff if a concern is raised in good faith. However disciplinary action will be taken against the complainant if their disclosure can be shown to be malicious, vexatious, or made for personal gain.

How to raise a concern

As a first step, you should normally raise concerns with your line manager (unless it is a safeguarding concern then you should follow procedures laid out in Safeguarding Policy), their line manager or the CEO.

If you feel you cannot express your concerns within the BRS, you may express your concerns elsewhere outside the school e.g.

- The Chair of the Board of Trustees(Martin Mitchell)
- The local authority Designated Officer(if concern is about safeguarding or child protection)
- Police
- The Health and Safety Executive (HSE)
- Customer First Suffolk 0800 800 4005 (Safeguarding or child protection)
- OFSTED
- A solicitor
- Any other relevant professional body.
- For contact details see **Appendix 1** in Safeguarding Policy.

What happens next

The appointed person dealing with your concern will:

- Provide a written response acknowledging receipt of concern and notifying what will happen next (unless it was an anonymous allegation). This will happen within 10 working days.
- Look into the allegation- seeking evidence and interviewing witnesses as necessary to decide whether a full investigation is required and what form it will take.
- Maintain confidentiality wherever possible but be mindful that there is no guarantee that the whistle blower can remain anonymous.
- If appropriate, for concerns of a criminal nature, refer the matter to the Police.
- If appropriate, for concerns of a safeguarding nature, refer the matter to the Local Authority Designated Officer to lead on safeguarding or call Suffolk's "Customer First" on **0808 800 4005**.
- If appropriate, for concerns about the financial management of the BRS, bring the matter to the attention of the EFA or SFA.



- If appropriate, for concerns regarding assessment and awards, contact the appropriate awarding body (AQA, City and Guilds, 1st4Sport).

The whistleblowing process will halt until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

How the matter can be taken further

This procedure is intended to provide individuals with an avenue to raise concerns within the BRS. If the whistle blower is not satisfied, and feels it is right to take the matter further, please refer to section "How to raise a concern".

If the matter is taken outside the BRS, the whistle blower must take all reasonable steps to ensure that confidential or privileged information is not disclosed (i.e. confidential information, in whatever format, must not be handed over to a third party).