Confidential Reporting Code (Whistleblowing Policy)

Ratification Date: ___20/07/21_____

Signed: ___AJHawkins_____

Review Date: ___11/09/26_____

Date of next review: Sept 2027

Version Control

Version	Date	Changes
1	20/07/21	Original adopted from existing
2	20/09/23	Reformatted; references amended throughout and updated processes
2.1	02/09/24	1.3, 1.6 reference changes; 8.1 and 8.7 updated reference to Protect and contact details; 9 title change
	11/09/25	Amended review schedule, no changes to policy
2.2	11/09/26	Updated references to Head of Centre role in process Section 8

Review

Approved and reviewed by The Board of Directors.

This policy will be reviewed biannually, or more frequently, if necessary, to ensure that it remains up-to-date and effective. The review will take into account changes in legislation, guidance, and best practice. The review will also consider feedback from young people, staff, and parents.

1. INTRODUCTION

1.1. The policy applies to all permanent and short-term employees working within Liminal Education and is based on best practice as utilised in mainstream school settings.

1.2. The staff and directors of Liminal seek to run all aspects of the business and activity with full regard for high standards of conduct and integrity. If members of staff, parents, directors, or the community at large become aware of activities which give cause for concern, this confidential reporting code acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

1.3. Liminal is committed to tackling fraud and other forms of malpractice and treats these issues seriously. Some examples of malpractice are set out in paragraph 2.4. We recognise that some concerns may be extremely sensitive and have therefore developed a system which allows for the confidential raising of concerns within the organisation but also has recourse to an external party outside the management structure as set out in paragraph 8.7.

1.4. The provisions of this Code apply to matters of suspected fraud and impropriety and not matters of more general grievance which would be dealt with under the other relevant policies.

1.5. The Directors of Liminal are committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

1.6. This Code sets out a framework within which you can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. The Code is intended to encourage and enable serious concerns to be raised rather than overlooking a problem.

1.7. This code has been adopted by the Directors and based on best practice in local authorities which has been the subject of consultation with recognised trade unions and approved by elected members.

2. AIMS AND SCOPE OF THIS CODE

2.1 This code aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;

- provide avenues for you to raise those concerns and receive feedback on any action taken.

- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.

- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

2.2 This Code is not intended to be used where other, more appropriate; procedures are available. If you are aggrieved by your personal position, you will be directed towards these policies.

2.3 If your complaint is intended to cover issues of Child Protections then please see the Safeguarding procedures, or if you wish to discuss complaints regarding the setting which is not within the scope of this document then please see Complaints Policy.

2.4 Whilst complaints of the nature described in 2.2 – 2.3 may be initially received under the Confidential Reporting Code, they may be progressed under other more suitable procedures as indicated above.

2.5 The Confidential Reporting Code is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Conduct which is an offence or a breach of law, *e.g., negligence in service delivery or breach of contractual requirements such as those in the employee code of conduct.*

- Disclosures related to miscarriages of justice, *e.g., false reporting or perjury.*

▪ Health and safety risks, including risks to the public as well as other employees, *e.g., failure to carry out risk assessments or mishandling of hazardous materials such as asbestos.*

▪ Damage to the environment *e.g., inappropriate disposal or treatment of hazardous waste.*

▪ The unauthorised use of public funds, *e.g serious breaches of organisational procedures which may advantage a particular party, tampering with tender documentation, manipulation of accounting records and finances, inappropriate use of organisation assets or funds.*

▪ Possible fraud and corruption, *e.g., false claims for overtime payments.*

▪ Sexual or physical abuse of any employee or individual.

▪ Other unethical conduct, *e.g., inappropriate receipts of gifts and hospitalities, breach of governance arrangement.*

2.8 Thus, any serious concerns that you have about any aspect of Liminal Education or the conduct of the staff, directors or others acting on behalf of the organisation can be reported under the confidential reporting policy. This may be about something that:

- Makes you feel uncomfortable in terms of known standards, your experience, or the standards you believe the organisation subscribes to; or
- Is against financial regulations and policies; or
- Falls below the standards of practice; or
- Amounts to improper conduct.
- Breaches Liminal procedures
- Is in the public interest.

2.9 This policy does not replace our complaints procedure.

3. WHO IS COVERED BY CONFIDENTIAL REPORTING CODE

3.1 All employees in or working with or assisting Liminal may use this Code. This includes permanent and temporary employees, and employees seconded to a third party. It is also applicable to: -

- Contractors working for Liminal on Liminal premises, for example, agency staff, builders;
- Suppliers and those providing services under a contract with Liminal in their own premises.

Any concerns relating to the third party, if relevant to the employee's secondment, can also be raised under this Code.

4. SAFEGUARDS

4.1 The Directors and SLT are committed to good practice and high standards and want to be supportive of employees.

4.2 The Directors and SLT recognise that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

4.3 The Directors and SLT will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.

4.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary, redundancy or other procedures that already affect you.

5. CONFIDENTIALITY

5.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

6. ANONYMOUS ALLEGATIONS

6.1 This Code encourages you to put your name to your allegation whenever possible.

6.2 Concerns expressed anonymously are much less powerful but may be considered at the discretion of the Directors.

6.3 In exercising this discretion the factors to be considered would include:

- the seriousness of the issues raised.
- the credibility of the concern.
- the likelihood of confirming the allegation from attributable sources; and
- whether the allegations are likely to have been made in good faith.

7. UNTRUE ALLEGATIONS

7.1 If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

8. HOW TO RAISE A CONCERN

8.1 As a first step, you should normally raise concerns with the Head of Centre (HoC) who will discuss the matter with the COO. However, if you feel unable or do not wish to discuss your concerns with the COO, CEO or Directors, you can contact a charity called Protect which can provide free confidential advice on how an issue should be dealt with. Their website is https://protect-advice.org.uk

Not every concern raised will be treated as a confidential disclosure under this Code. Some concerns will be investigated and dealt with under alternative

policies and procedures e.g., disciplinary matters will be dealt with under the disciplinary procedure.

8.2 You may wish to contact your trade union for advice and guidance.

8.3 Concerns may be raised verbally or in writing. Employees who wish to make a written report are invited to use the following format:

- The background and history of the concern (giving relevant dates).
- The reason why you are particularly concerned about the situation.

You should also, as far as possible, provide evidence to support your concern.

8.4 The earlier you express the concern the easier it is to take action.

8.5 Although you are not expected to prove beyond doubt the truth of an allegation, you must act in good faith, and you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

8.6 Advice and guidance on how matters of concern may be pursued can be obtained from either the Head of Centre, COO, or your trade union.

8.7 If you feel unable or do not wish to discuss your concerns with the Head of Centre, COO, CEO or Directors, you can contact a charity called Protect which can provide free confidential advice on how an issue should be dealt with. Their website is https://protect-advice.org.uk

8.8 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

8.9 You can be accompanied by your trade union, professional association representative or a friend during any meetings or interviews in connection with the concerns you have raised.

9. HOW WILL THE DIRECTORS RESPOND

9.1 If you have informed the Head of Centre or COO of your concern, the CEO/ will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

9.2 Where appropriate, the matters raised may;

- Be investigated by the COO, CEO or Directors
- Be referred to the external auditor.
- Be referred to the Police.
- Form the subject of an independent inquiry.

9.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example child protection or discrimination issues) will normally be referred for consideration under those procedures.

9.4 While the purpose of this Code is to enable the Directors to investigate possible malpractice and take appropriate steps to deal with it, the Directors will give you as much feedback as it properly can.

9.5 Concerns or allegations which fall within the scope of specific procedures (for example grievance) will normally be referred for consideration under that relevant procedure. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

9.6 Usually within 10 working days of a concern being raised, the person looking into the concern will write to the person raising the concern:

- acknowledging that the concern has been received;
- indicating how the matter will be dealt with.
- giving an estimate of how long it will take to provide a full response.
- telling you whether any initial enquiries have been made.
- supplying information on support available to you; and

- saying whether further investigations will take place and if not, why not.

9.7 The amount of contact between you and the person considering the issues will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of information provided. However, the person investigating the issues will be expected to keep you, the CEO, or the Directors informed of the progress of the matter on a monthly basis. If it is necessary to seek further information from you the investigating officer will do so without delay.

9.8 Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a friend.

9.9 The Directors will take steps to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Directors will arrange for you to receive advice about the procedure.

9.10 The Directors accept that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints and duties of confidentiality, you will be informed of the broad outcome of any investigation.

9.11 At the end of the investigation process a questionnaire will be forwarded to you to ask for feedback on the process and your role in the same. You are asked to complete the same to enable future revisions of the code to be carried out effectively.

9.12 If you are still not satisfied as to how your concern has been dealt with, you should refer to section 11.

10. THE RESPONSIBLE OFFICER

10.1 The CEO has overall responsibility for the maintenance and operation of this Code. That officer maintains a record of concerns raised and the

outcomes. The record is maintained in a form, which does not endanger the confidentiality of the person raising the concern or indeed that of any person against whom action is taken as a result of the concern being raised or relevant regulators. The CEO will report as necessary to the Directors in accordance with these principles on confidentiality.

10.2 The CEO will maintain a Whistleblowing Register containing all concerns and outcomes that are brought to his/her attention.

11. HOW THE MATTER CAN BE TAKEN FURTHER

11.1 This Code is intended to provide you with an avenue within the organisation to raise concerns. The Directors hope you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the organisation, the following are possible contact points:

- The designated independent organisation, Protect.
- The external auditor.
- Your trade union.
- Your local Citizens Advice Bureau.
- Relevant professional bodies or regulatory organisations.
- A relevant voluntary organisation