



## WHISTLEBLOWING POLICY

OF

### Campbell Harris Tutors Ltd (t/a Campbell Harris)

#### **1 INTRODUCTION**

- 1.1 This policy is designed to enable members of staff to raise concerns or disclose information which the individual believes shows malpractice. All organisations face the risk of things going wrong or of unknowingly harbouring malpractice and the company believes it has a duty to identify such situations and take the appropriate measures to remedy the situation.
- 1.2 Campbell Harris is committed to the highest standards of openness, probity and accountability and wants to encourage members of staff to raise issues which concern them at work. The Public Interest Disclosure Act 1998 ("the Act") gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns, provided the disclosure is made in accordance with the procedures identified in the Act and in good faith.
- 1.3 This policy sets out arrangements for members of staff to raise serious concerns about malpractice or serious wrongdoing in ways which will protect them from reprisal. By knowing about malpractice at an early stage the company stands a good chance of taking the necessary steps to safeguard the interests of all staff and protect the organisation.
- 1.4 Members of staff aggrieved about their own personal circumstances should use the normal Grievance Procedure. The procedure outlined in this policy should be used only where members of staff have concerns about malpractice within the organisation.

#### **2 GUARANTEE**

- 2.1 Campbell Harris is committed to this policy. If a member of staff raises a genuine concern under this policy, they will not be at risk of losing their job or suffering any form of retribution, victimisation or detriment as a result. Provided they are acting in good faith, it does not matter if they are mistaken. If, however, an investigation shows that an individual has made malicious or vexatious allegations, and particularly if they persist in making them, disciplinary action may be taken against the individual concerned.

- 2.2 The company will treat any disclosure seriously and act according to this policy. Members of staff will not be asked to prove anything and if they ask for a matter to be treated in confidence the company will respect that request. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required. Members of staff will be given feedback on any investigation and the company will be sensitive to any concerns they may have as a result of any steps taken under this procedure.
- 2.3 This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the company.

### **3 HOW TO RAISE A CONCERN INTERNALLY**

- 3.1 If a member of staff has a concern about malpractice, they should normally first raise the issue with their immediate superior. This may be done orally or in writing.
- 3.2 If a member of staff feels unable to raise the matter with their immediate superior, for whatever reason, they should raise the matter with Mark Harris.
- 3.3 If these channels have been followed and a member of staff still has concerns, or if the individual feels that the matter is so serious that they cannot discuss it with any of the above, they should raise the matter with the Chair of the Board of Governors.

### **4 HOW THE COMPANY WILL HANDLE THE MATTER**

- 4.1 Once a member of staff has raised their concern the company will look into it to assess initially what action should be taken in a responsible and appropriate manner under this policy. This will usually involve making internal enquiries first, but it may be necessary to carry out an investigation at a later stage which may be formal or informal depending on the nature of the concern raised.
- 4.2 The company will tell the individual who is handling the matter, how they can contact them and whether their further assistance may be needed. As far as possible, the company will keep the individual informed of the decisions taken and the outcome of any enquiries and investigations carried out. However, the company will not be able to inform the individual of any matters which would infringe the duty of confidentiality owed to others.

### **5 HOW TO RAISE A CONCERN EXTERNALLY**

It is intended that this policy should be used to give members of staff the opportunity and protection they need to raise their concerns internally. However, in exceptional circumstances, if an individual feels they cannot raise their concerns internally and they honestly and reasonably believe the information and any allegations are true, they should consider raising the matter with the appropriate regulator. A list of bodies which are recognised for this purpose are outlined in the Schedule to this policy.

## SCHEDULE

### APPROPRIATE REGULATORS IN ENGLAND, WALES AND SCOTLAND (as prescribed by the Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2003)

Regulator	Description of Matters
Accounts Commission for Scotland and auditors appointed by the Commission to audit the accounts of local government bodies	The proper conduct of public business, value for money, fraud and corruption in local government bodies.
Audit Commission for England and Wales and auditors appointed by the Commission to audit the accounts of local government, and health service, bodies	The proper conduct of public business, value for money, fraud and corruption in local government, and health service, bodies.
Certification Officer	Fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations.
Charity Commissioners for England and Wales	The proper administration of charities and of funds given or held for charitable purposes.
The Scottish Ministers	The proper administration of charities and of funds given or held for charitable purposes.
Chief Executive of the Criminal Cases Review Commission	Actual or potential miscarriages of justice.
Chief Executive of the Scottish Criminal Cases Review Commission	Actual or potential miscarriages of justice.
Civil Aviation Authority	Compliance with the requirements of civil aviation legislation, including aviation safety.
The competent authority under Part IV of the Financial Services and Markets Act 2000	The listing of securities on a stock exchange; prospectuses on offers of transferable securities to the public.
Commissioners of Customs and Excise	Value added tax, insurance premium tax, excise duties and landfill tax.  The import and export of prohibited or restricted goods.
Commissioners of the Inland Revenue	Income tax, corporation tax, capital gains tax, petroleum revenue tax, inheritance tax, stamp duties, national insurance contributions, statutory maternity pay, statutory sick pay, tax credits, child benefits, collection of student loans and the enforcement of the national minimum wage.
Comptroller and Auditor General of the National Audit Office	The proper conduct of public business, value for money, fraud and corruption in relation to the provision of centrally-funded public services.
Auditor General for Wales	The proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services.
Auditor General for Scotland and persons appointed by or on his behalf under the Public Finance and Accountability (Scotland) Act 2000 to act as auditors or examiners for the purposes of sections 21 to 24 of that Act	The proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services.
Audit Scotland	The proper conduct of public business, value

	for money, fraud and corruption in public bodies.
Director General of Electricity Supply	The generation, transmission, distribution and supply of electricity, and activities ancillary to these matters.
Director General of Gas Supply	The transportation, shipping and supply of gas through pipes, and activities ancillary to these matters.
Director General of Telecommunications	The provision and use of telecommunications systems, services and apparatus
Director General of Water Services	The supply of water and the provision of sewerage services.
Water Industry Commissioner for Scotland	The supply of water and the provision of sewerage services.
Director of the Serious Fraud Office	Serious or complex fraud.
Lord Advocate, Scotland	Serious or complex fraud.
Environment Agency	Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment, including those relating to pollution, abstraction of water, flooding, the flow in rivers, inland fisheries and migratory salmon or trout.
Scottish Environment Protection Agency	Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment, including those relating to flood warning systems and pollution.
Food Standards Agency	Matters which may affect the health of any member of the public in relation to the consumption of food and other matters concerning the protection of the interests of consumers in relation to food.
Financial Services Authority	The carrying on of investment business or of insurance business; the operation of banks and building societies, deposit-taking businesses and wholesale money market regimes; the operation of friendly societies, benevolent societies, working men's clubs, specially authorised societies, and industrial and provident societies; the functioning of financial markets, investment exchanges and clearing houses; money laundering, financial crime, and other serious financial misconduct, in connection with activities regulated by the Financial Services Authority.
General Social Care Council	Matters relating to the registration of social care workers under the Care Standards Act 2000
Care Council for Wales	Matters relating to the registration of social care workers under the Care Standards Act 2000.
Scottish Social Services Council	Matters relating to the registration of the social services workforce by the Scottish Social Services Council.
Children's Commissioner for Wales	Matters relating to the rights and welfare of

	children.
Health and Safety Executive	Matters which may affect the health or safety of any individual at work; matters, which may affect the health and safety of any member of the public, arising out of or in connection with the activities of persons at work.
Housing Corporation	The registration and operation of registered social landlords, including their administration of public and private funds and management of their housing stock.
Local authorities which are responsible for the enforcement of health and safety legislation	Matters which may affect the health or safety of any individual at work; matters, which may affect the health and safety of any member of the public, arising out of or in connection with the activities of persons at work.
Information Commissioner	Compliance with the requirements of legislation relating to data protection and to freedom of information.
Scottish Information Commissioner	Compliance with the requirements of legislation relating to freedom of information.
National Care Standards Commission	Matters relating to the provision of regulated care services, as defined in the Care Standards Act 2000.
National Assembly for Wales	Matters relating to the provision of social care services liable to be registered or inspected under the Care Standards Act 2000 or the Children Act 1989  The registration and operation of registered social landlords, including their administration of public and private funds and management of their housing stock.
Scottish Commission for the Regulation of Care	Matters relating to the provision of care services, as defined in the Regulation of Care (Scotland) Act 2001
Occupational Pensions Regulatory Authority	Matters relating to occupational pension schemes and other private pension arrangements.
Office of Fair Trading	Matters concerning the sale of goods or the supply of services, which adversely affect the interests of consumers.  Competition affecting markets in the United Kingdom.
Rail Regulator	The provision and supply of railway services.
Standards Board for England	Breaches by a member or co-opted member of a relevant authority (as defined in section 49(6) of the Local Government Act 2000) of that authority's code of conduct.
Local Commissioner in Wales	Breaches by a member or co-opted member of a relevant authority (as defined in section 49(6) of the Local Government Act 2000) of that authority's code of conduct.
Standards Commission for Scotland and the Chief Investigating Officer	Breaches by a councillor or a member of a devolved public body (as defined in section 28 of the Ethical Standards in Public Life etc.

	(Scotland) Act 2000) of the code of conduct applicable to that councillor or member under that Act.
Treasury	The carrying on of insurance business.
Secretary of State for Trade and Industry	Fraud, and other misconduct, in relation to companies, investment business, insurance business, or multi-level marketing schemes (and similar trading schemes); insider dealing.  Consumer safety.
Secretary of State for Transport	Compliance with merchant shipping law, including maritime safety.
Local authorities which are responsible for the enforcement of consumer protection legislation	Compliance with the requirements of consumer protection legislation.
Local authorities which are responsible for the enforcement of food standards	Compliance with the requirements of food safety legislation.

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