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|  | Policy & Procedure - BM 05 | Page 1 of 4 | Version 13 | Last Updated: 21/08/2024 |
| | Author: Mark Hewitt | Authorised:  Mark Hewitt Managing Director 21 st August 2024 | | Review due date: 20/08/2025 |
| Whistleblowing Policy | | | | |

1. Purpose of the Policy

The purpose of this policy is to provide clear guidance on how to raise concerns about wrongdoing or malpractice within TRN (Train) Ltd, (hereinafter referred to as "TRN"). This policy ensures that all employees and stakeholders understand how to make a whistleblowing disclosure, how these disclosures are handled, and the protections in place for whistleblowers.

2. Scope of the Policy

This policy applies to all employees, contractors, associate/freelance staff, learners, apprentices, and other stakeholders who work with or are associated with TRN. This policy does not apply to personal grievances concerning an individual's terms and conditions of employment, or other aspects of the working relationship or disciplinary matters. Such complaints will be dealt with under existing procedures on grievances and conduct management.

3. What is Whistleblowing?

Whistleblowing refers to the act of reporting concerns about unethical, illegal, or unsafe practices within the organisation. Such concerns may include, but are not limited to:

- Fraud or financial mismanagement
- Breach of health and safety regulations
- Breach of safeguarding arrangements
- Discrimination or harassment
- Criminal offence
- Breach of legal obligations
- Miscarriage of justice
- Maladministration
- Malpractice
- Improper conduct or unethical behaviour
- Abuse of authority
- Cover-up of any of the above.

4. References/Legislation

- Public Interest Disclosure Act (PIDA) 1998
- Employment Rights Act 1996

5. Making an Internal Whistleblowing Disclosure

The Public Interest Disclosure Act (PIDA) 1998 provides a framework within which organisations can promote responsible whistle blowing. It gives significant statutory protection to employees who disclose information (protected disclosure) and it also protects them if they raise the matter outside the organisation (if they have good reason for doing so).

In the UK, the Public Interest Disclosure Act has rules for making a Protected Disclosure, which are that you must:

- disclose the information in good faith
- believe it to be substantially true
- not act maliciously or make false allegations
- not seek any personal gain.

If you have a concern that falls under the definition of whistleblowing, you are encouraged to report it internally in the first instance. You can make a disclosure by following these steps:

1. **Report the Concern to Your Line Manager:** In most cases, your line manager is the first point of contact. Raise your concern verbally or in writing.
2. **Contact the Designated Whistleblowing Officer:** If you feel unable to report the issue to your line manager, or if your concern involves them, you can contact the Whistleblowing Officer directly:

Whistleblowing Officer: Rebecca Martin, Deputy Managing Director
Contact Information: Rebecca.martin@trainltd.org, 0191 477 0840

6. How TRN Deals with a Whistleblowing Disclosure

Upon receiving a whistleblowing disclosure, TRN will take the following steps:

1. **Acknowledgement:** We will acknowledge receipt of your disclosure within 5 working days.
2. **Initial Assessment:** The Whistleblowing Officer will carry out an initial assessment of the disclosure to determine the scope and nature of the investigation. This will be completed within 10 working days of acknowledging your disclosure.
3. **Investigation:** If an investigation is required, it will be conducted promptly, fairly, and impartially. Depending on the complexity of the case, investigations will be completed within 30 working days, unless more time is required. You will be informed of any delays and provided with an estimated completion date.
4. **Outcome:** Once the investigation is complete, you will be informed of the outcome and any actions that have been taken as a result of your disclosure. Where appropriate, we will also inform you of any steps taken to prevent a recurrence.

5. **Appeal:** If you are not satisfied with the outcome, you may appeal the decision by contacting Mark Hewitt, Managing Director, 0191 477 0840 within 10 working days of receiving the outcome.

7. Protection for Whistleblowers

TRN is committed to ensuring that individuals who make a whistleblowing disclosure in good faith are protected from retaliation. This includes:

- **Confidentiality:** Your identity will be kept confidential, unless you consent to disclosure or it is required by law.
- **Protection from Detriment:** You will not suffer any form of detriment, including dismissal, disciplinary action, or discrimination, as a result of making a disclosure.
- **Support:** You will have access to appropriate support during and after the investigation process.

If you believe you have been subjected to retaliation, you should report this to the Whistleblowing Officer immediately.

8. Malicious accusations

Any deliberately false or malicious accusations will result in the complainant being dealt with under the Company's conduct management procedures.

9. External Whistleblowing Channels

While we encourage you to report concerns internally, you have the right to make a disclosure to an external body if you believe the issue cannot be resolved internally.

ESFA (Education and Skills Funding Agency):

You can report directly to the ESFA if your concern relates to government-funded education or training.

The Education and Skills Funding Agency (ESFA) has information on GOV.UK in relation to how it handles direct whistleblowing disclosures about post-16 training providers.

The link to this information is:

<https://www.gov.uk/guidance/how-esfa-handles-whistleblowing-disclosures>

To complain or make a disclosure about a post-16 education or training provider, please email ESFA's Customer Service Team (complaints.esfa@education.gov.uk) or send a letter to:

Customer Service Team
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

Protect (formerly 'Public Concern at Work'):

Protect is a charity that offers free and confidential advice on whistleblowing. For more information and support, visit their website at: <https://protect-advice.org.uk/>

10. Further Information

For more information on whistleblowing, you can visit the "Whistleblowing for Employees" page on the GOV.UK website at <https://www.gov.uk/whistleblowing>

11. Review and Update of Policy

This policy will be reviewed annually and updated as necessary to ensure compliance with current laws and best practices.