

Policy statement

TES TRAINING is committed to operating its business with honesty and integrity and with the highest standards of openness, probity and accountability. Whistleblowing is relevant to all organisations and people. This is because every business faces the risk of things going wrong internally from time to time, or of there being illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

Our policy and procedure is intended to be in line with the Public Interest Disclosure Act 1998 (PIDA). PIDA provides protection for good faith whistleblowing on wrongdoing. It encourages you to raise concerns with us in the first instance. TES TRAINING would rather you raised your concerns when you have them.

The aims of this policy are:-

- to encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- to provide staff with guidance as to how to raise those concerns; and
- to reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

This policy does not form part of your Contract of Employment and it may be amended at any time.

1 WHO IS COVERED BY THE POLICY?

This policy applies to all individuals working at all levels of the organisation, including senior managers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term workers, casual and agency staff (collectively referred to as “staff” in this policy).

2 WHAT IS WHISTLEBLOWING?

“Whistleblowing” is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include (but not limited to):

- criminal activity; illegal/fraudulent activities or financial irregularity
- failure to comply with legal obligations or regulatory requirements including but not limited to health and safety of employees or the public laws
- danger to health and safety
- damage to the environment
- the deliberate concealment of any of the above

A “whistleblower” is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of TES TRAINING’s activities (a “whistleblowing concern”), you should report it under this policy.

If you have a complaint about how you have been treated personally by a colleague then please make a complaint under the TES TRAINING Grievance Policy. In the event that you have genuine concerns, at either the outset or the end of the procedure under the TES TRAINING Grievance Policy then this whistleblowing policy may be used.

The whistleblowing procedure is not an appeal mechanism for other procedures, unless, exceptionally, you think when you have been through another procedure, that process was compromised.

If you are uncertain whether something is within the scope of this policy you should seek advice from the TES TRAINING Whistleblowing Officer, whose contact details can be found in section 4 below.

3 HOW DO I RAISE A WHISTLEBLOWING CONCERN?

You should raise any concerns with your line manager in the first instance or, if the matter involves them, to their immediate manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively.

Where the matter is more serious or you feel that your line manager has not addressed your concern or you prefer not to raise it with them for any reason, you should provide details of your concern in confidence to the TES TRAINING Whistleblowing Officer (Head of HR/SHEQ Assurance Manager). You can do so in the following ways:

Address: TES TRAINING Ltd, TES House, Heath Business Park, Grange Way, Colchester, Essex, CO2 8GU

Email: whistleblowing@tes2000.co.uk

Phone: 01206 227924

We will arrange a meeting with you as soon as possible to discuss your concern. You are entitled to be accompanied by a colleague or Trade Union Representative at this meeting. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

During the meeting we will take down a written summary of your concern and provide you with a copy after the meeting. We will aim to give you an indication of how we propose to deal with the matter.

Whilst absolute proof of wrongdoing may not be possible, the basis of any concern needs to be raised in good faith. Deliberately raising a concern which you know to be

false, or doing so either maliciously or for personal gain will lead to disciplinary action under the TES TRAINING Disciplinary Policy.

4 INVESTIGATION AND OUTCOME

Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.

In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

5 CONFIDENTIALITY

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating to know your identity, we will discuss this with you.

We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible and have been made in good faith.

Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the TES TRAINING Whistleblowing Officer and appropriate measures can then be taken to preserve confidentiality.

Employees with a railway related concern, may contact CIRAS (Confidential Incident Reporting & Analysis System) who offer an independent and confidential service for the reporting of safety concerns. Further information regarding CIRAS can be found in the Refusal to Work on Grounds of Health and Safety document, a copy of which can be requested from the SHEQ Department.

6 REPORTING CONCERNS TO AN EXTERNAL BODY

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. TES TRAINING strongly encourages you to seek advice before reporting a concern to anyone external.

Whistleblowing concerns usually relate to the conduct of TES TRAINING staff, but they sometimes relate to the actions of a third party such as a customer, supplier or service provider. The law allows you to raise a concern in good faith with a third party, where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, TES TRAINING encourages you to report such concerns internally first. You should contact your line manager or the TES TRAINING Whistleblowing Officer for guidance.

7 IF YOU ARE NOT SATISFIED

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this. If you are not happy with the way in which your concern has been handled, you can raise it with the TES TRAINING Whistleblowing Officer.

8 PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

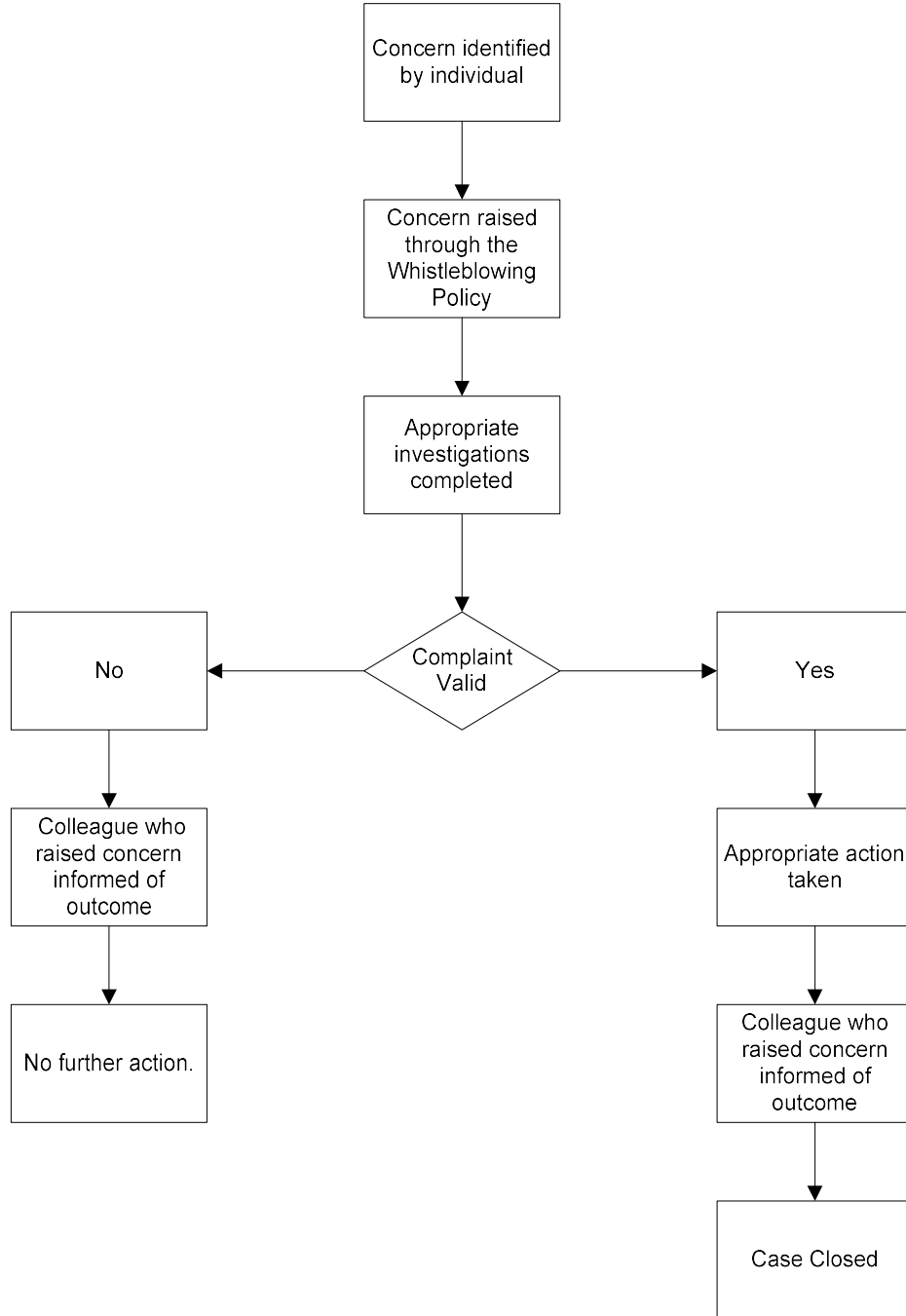
It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

No detriment will be suffered by any staff who raise a concern in good faith. For example, in the form of lost opportunities, training, demotion, disciplinary action, dismissal or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the TES TRAINING Whistleblowing Officer immediately. If the matter is not remedied you should raise it formally using the TES TRAINING Grievance Policy.

Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action under the TES TRAINING Disciplinary Policy.

9 WISTLEBLOWING POLICY FLOWCHART

The following indicates the process that will be followed should a concern be raised through the Whistleblowing Policy.



Signature: 

Name: Derek White
Title: Training Manager
Date: 01 March 2019
Review: April 2020