

■ Leadership
■ Skills
■ Foundation

Whistleblowing Policy



Whistleblowing Policy

The scope of this policy

This policy defines how the Leadership Skills Foundation will support a whistleblower to feel comfortable and secure if they feel it necessary to report suspected or actual wrongdoing, bad practice, corruption, malpractice, maladministration and/or the possible covering up of these actions in relation to our programmes.

It relates to all programmes owned and/or offered by Leadership Skills Foundations, including regulated qualifications and accredited awards.

The Leadership Skills Foundation takes any disclosures from whistleblowers seriously and we are committed to our learners/delegates and centres in providing a transparent and honest working environment that is free from wrongdoing, bad practice, or corruption.

The steps that the Leadership Skills Foundation will take are outlined in this policy

What is whistleblowing?

Whistleblowing is a term used when an individual discloses information relating to wrongdoing, bad practice, corruption, malpractice, maladministration and/or the possible covering up of these actions. Definitions of malpractice and maladministration can be found in the Malpractice and Maladministration Policy.

In line with the Public Interest Disclosure Act 1998 an individual can raise disclosures under our policy. Provided these are made in good faith and are reasonable and believed to be true, the person reporting the concern should be protected against dismissal or victimisation.

Whistleblowers could be a:

- current or former member of the Leadership Skills Foundation staff (both permanent or contracted);
- current or former member of staff at a centre;
- third party suppliers of a centre or the Leadership Skills Foundation
- current or previous learner/delegate;
- members of the public;
- individuals from partner organisations or interested parties.

Examples of disclosures accepted via this Whistleblowing Policy may comprise of, but are not limited to the following scenarios linked to the delivery of our programmes:

- A failure to adhere to the requirements of qualification regulation and/or comply with the Leadership Skills Foundation Qualification Centre Terms and Conditions

- A failure to comply with the terms and conditions of another Leadership Skills Foundation programme.
- A person has committed, is committing or is likely to commit maladministration or malpractice.
- A member of Leadership Skills Foundation staff has committed, is committing or is likely to commit maladministration or malpractice.
- Any action to deceive an individual which has led to financial gain (e.g. not registering learners with us following payment).
- Safeguarding incidents that have not been satisfactorily disclosed and/or managed
- A failure to manage or address health and safety risks.
- Concealment of information relating to any of the above.

Whistleblowing does not apply to either making a complaint or an appeal. Please refer to the Complaints Policy and the Appeals Policy for more guidance if unsure about whether the scenario is a whistleblow disclosure.

The responsibilities of the centre

The centre should take all reasonable steps to ensure that:

- all centre staff involved in the management, administration, delivery, assessment and quality assurance of our qualifications or awards are made aware of this policy and its contents;
- all learners/delegates completing or taking part in a Leadership Skills Foundation programme are aware of this policy and its contents.

A centre carrying out an internal investigation prior to a whistleblow

If a centre has conducted an initial investigation prior to formally notifying us, the centre should ensure that staff involved in the initial investigation are competent and have no conflict of interest or personal interest in the outcome of the investigation.

However, it is important to note that in all instances the centre must immediately notify us if they suspect wrong doing, malpractice or maladministration has occurred as we have a responsibility to the regulatory authorities to ensure that all investigations are carried out rigorously and effectively.

The individual should follow the steps outlined below to disclose as a whistleblower.

Submitting a disclosure as a whistleblower

Where there is a concern that suspected or actual malpractice has taken place in relation to our programmes, normal practice is to raise it through the line management at the organisation concerned.

For a learner/delegate the first point of contact should be the tutor or another member of centre staff. If concerns are not addressed at this stage, or the individual does not feel it is possible to raise concerns with the centre, then make the disclosure directly to the Leadership Skills Foundation via the [Whistleblower Disclosure Form](#).

The information needed in a disclosure

We require as much information as possible to address and manage the concerns raised through the disclosure. Where possible, and where the individual feels comfortable and secure to do so, this should include the:

- centre's name, address and centre identification number;
- learner's/delegate's name and Leadership Skills Foundation learner/delegate number;
- details of any centre staff involved if they are involved in the case (e.g. name, position at the centre);
- details of any Leadership Skills Foundation staff involved in the case (e.g. name, position);
- details of the Leadership Skills Foundation programme or service affected;
- nature of the concern that has led to the disclosure. This could include:
 - The nature of the concern (e.g. suspected or actual malpractice).
 - Associated dates.
 - Details of the people involved.
 - Details about the number of other people this might have affected.
 - Any other information related to the concern.
- details of any evidence that supports the concerns raised;
- details and outcome of any initial investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances.

How the Leadership Skills Foundation will manage the whistleblow

Maintaining anonymity in anonymous disclosures

Sometimes an individual making an allegation in a disclosure wishes to remain anonymous if there are concerns about possible adverse consequences as a result of making the allegation. However, we encourage anyone making a disclosure to put their name to any disclosure they make, because concerns expressed anonymously can be seen as less credible.

The Leadership Skills Foundation will take the following criteria into account when deciding the steps to take to address an anonymous disclosure:

- The seriousness of the issues raised.
- The credibility of the concern.
- The sufficiency of information provided.
- The likelihood that we can confirm the allegation from attributable sources.

Providing we are confident the disclosure satisfies the above criteria, we will investigate the anonymous disclosure. In addition, we will always try to confirm an allegation by means of a separate investigation before taking up the matter with those the allegation relates to.

If we are not confident the disclosure satisfies the above criteria, we will log the allegation internally, and it may be used for future reference, decision making or setting corrective actions, if appropriate.

Confidentiality of the whistleblower

We will always endeavour to keep the identity of a whistleblower and investigation information confidential, although by law and/or regulation we may need to disclose it to:

- the police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud);
- the courts (in connection with any court proceedings);
- another person to whom we are required by law to disclose the identity of the whistleblower;
- the regulator(s) responsible for the standards of the qualification(s) concerned.

Whistleblowers should also be aware that they may be identifiable by others due to the nature and/or circumstances of the disclosure and its investigation.

Confidentiality of investigation information

In performing the investigation the Leadership Skills Foundation may need to access confidential information. We will ensure that such information is kept secure and only used for the purposes of an investigation and in line with relevant data protection legislation.

We will not normally disclose the information to third parties unless required to do so by law and/or regulation.

Responding to a whistleblower disclosure

The Leadership Skills Foundation will acknowledge receipt of disclosure within five working days, identifying who will be investigating into the whistleblow.

Further information or clarification may be requested during this period to ensure we have full details of the concerns raised. In some instances we may request a meeting with the whistleblower to get more information about the disclosure.

For all disclosures received from whistleblowers, the Leadership Skills Foundation will ensure that the person making the response will not have a conflict of interest in the reason the disclosure was raised. If there is a conflict of interest that cannot be mitigated against an independent review of the disclosure by the whistleblower may be initiated.

A summary of the outcome to the investigation into a whistleblowing concern should be expected within 20 working days. We will not share the details of the investigation given our need to protect confidentiality.

If the investigation into the cause of the whistleblow is more complex or involves people who are not available at the time, we may extend this. In such instances, the Leadership Skills Foundation will contact all parties concerned to inform them of what steps are going to be taken and provide a revised timescale.

Informing others of the investigation into a disclosure from a whistleblower

Following the initial steps of the investigation into the concerns raised in a disclosure, we may be obliged to inform relevant parties of the investigation. This would be done to support our regulatory obligation to address and set corrective actions to resolve any suspected or actual wrongdoing, bad practice, corruption, malpractice, maladministration and/or the possible covering up of these actions in relation to our programmes.

The relevant parties we could be obliged to inform of the investigation, the setting of corrective actions set, the outcome of any investigation and any sanctions imposed by us are:

- the party/parties identified in the Whistleblowing Disclosure Form, ensuring that whistleblower confidentiality is maintained;
- the qualification regulator(s) in line with regulatory requirements, updating them as necessary at key stages of the investigation;
- any learners/delegates directly affected by the reason for the disclosure;
- any other relevant third parties (e.g. the police, the courts, any relevant funding agencies);
- other awarding organisations offering the similar qualifications may also be informed, in line with regulatory requirements.

Closing an investigation into a whistleblow

Following completion of an investigation into a disclosure made by a whistleblower, the Leadership Skills Foundation will:

- compile and publish a report to relevant parties (as identified above);
- set actions to correct or address any areas of programme delivery where wrongdoing, bad practice, corruption, malpractice, maladministration and/or the possible covering up of these actions are found (where relevant and appropriate);
- provide a summary of the investigation to the whistleblower;
- impose sanctions on a centre (where relevant and appropriate; see the Sanctions Policy);
- take any other action that the Leadership Skills Foundation see as necessary to:
 - protect the interests of learners/delegates;
 - maintain the validity of our programmes.
- record and securely store all details relating to the whistleblow.

Policy review arrangements

The Leadership Skills Foundation will review the policy as part of our self-evaluation arrangements and revise it as and when necessary in response to centre, learner/delegate and third party feedback or requests from, or good practice guidance issued by the regulatory authorities

Contact us

If you would like to feedback any views, please contact the Leadership Skills Foundation via policies@leadershipskillsfoundation.org or in writing to the Leadership Skills Foundation, Loughton Lodge, Bradwell Road, Milton Keynes, MK8 9LA.



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