LEITHS EDUCATION

Whistleblowing Policy & Procedure

Document Control

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1. Introduction

Whistleblowing refers to the reporting of suspected wrongdoing by anyone working for or on behalf of the school. This includes concerns relating to fraud, malpractice, breaches of health and safety law, illegal activity, or safeguarding.

Under certain circumstances, employees are protected from suffering any detriment or termination of employment if they make disclosures about organisations for whom they work.

The school is required to provide a clear process for raising such concerns and to protect individuals who make disclosures in good faith. This policy sets out the statutory routes for reporting concerns and applies to all employees, workers, volunteers, agency workers and contractors.

The procedure is intended for serious concerns that cannot be addressed through normal management channels or existing internal procedures. It must not be used for personal grievances or issues relating to an individual's own employment contract, which should be raised under the grievance/complaints procedure. It is also not a mechanism for raising concerns about weak or ineffective management where no malpractice is suspected.

2. Qualifying Disclosures

a) Certain disclosures are prescribed by law as "qualifying disclosures". A "qualifying disclosure" means a disclosure of information that the employee genuinely and reasonably believes is in the public interest and shows that the Company has committed a "relevant failure" by:

   1) committing a criminal offence;
   2) failing to comply with a legal obligation;
   3) a miscarriage of justice;
   4) endangering the health and safety of an individual;
   5) sexual harassment (unwanted conduct of a sexual nature, as defined in the Equality Act 2010);
   6) environmental damage; or
   7) concealing any information relating to the above.

b) These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. The Company will take any concerns that you may raise relating to the above matters very seriously.

c) The Employment Rights Act 1996 provides protection for workers who 'blow the whistle' where they reasonably believe that some form of illegality, injustice or breach of health and safety has occurred or is likely to occur. The disclosure has to be "in the public interest". We encourage you to use the procedure to raise any such concerns.

3. The Procedure

a) In the first instance you should report any concerns you may have to the Culinary School Director who will treat the matter with complete confidence. If the allegations involve the Culinary School Director, you should raise the matter with the CEO. If you are not satisfied with the explanation or reason given to you, you should raise the matter with the appropriate official organisation or regulatory body.

b) If you do not report your concerns to the Culinary School Director or CEO, you should take them directly to the appropriate organisation or regulatory body.

4. Treatment by others

Bullying, harassment, including sexual harassment, or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. Anyone found to have acted in such a manner will be subject to disciplinary action.

5. Investigating Concerns

Preliminary enquiries will be made to determine whether a formal investigation is required. Immediate protective action may be taken if there are concerns for the safety or welfare of students or others.

If a formal investigation is not pursued, the reasons will be explained to the individual making the complaint. Where an investigation is required, it will normally be led by an appropriate senior staff member with no prior involvement. In some cases, advisors or an external independent investigator may be appointed. Investigations will follow relevant internal procedures and may involve the suspension of staff on full pay, without prejudice. Any matter involving safeguarding or child protection will not proceed until advice has been sought from the Local Authority Designated Officer (LADO).

Written records will be kept throughout. The employee will be updated on progress and expected timescales. The investigator will normally report their findings to the Culinary School Director and/or CEO within 28 days. They will determine any necessary action, which may include referral to external authorities or action under internal procedures such as disciplinary processes. At the conclusion of the investigation, the staff member will be informed of the outcome and any proposed actions, subject to confidentiality and legal constraints.

6. Malicious or vexatious complaints

If a member of staff makes an allegation in good faith but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action is likely to be taken in accordance with the school's disciplinary procedure.

7. Monitoring & Reporting

The CEO has overall responsibility for overseeing the operation of this policy and for ensuring that appropriate records are maintained of genuine concerns raised and the outcomes. The CEO will report as necessary to the Board of Directors, SLT and to other outside agencies as appropriate.