

Apprenticeship Policy

Whistleblowing Policy

MTD Training



mtd

INTRODUCTION

MTD seeks to achieve the highest possible standards of probity and honesty in all of its activities.

MTD is committed to the delivery of its vision and mission and in doing so must demonstrate full accountability. The organisation has a number of regulations, quality standards and procedures to ensure that the highest standards of conduct and commitment are followed, irregularities, however, wrongdoing or serious failures in standards may occur.

Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to the organisation's activities. This includes bribery, fraud or other criminal activity, miscarriages of justice, health and safety risks, damage to the environment and any breach of legal or professional obligations. MTD is committed to identifying and removing such malpractice in the delivery of its responsibilities. The greatest deterrent to malpractice or wrongdoing is the probability that it will be reported and investigated vigorously, that those who are responsible for it will be punished and that the matter will be promptly remedied. Any suspected wrongdoing should be reported as soon as possible.

This policy sets out a clear statement that any malpractice or wrongdoing by members of the Board, employees or third parties (including subcontractors) reported to the organisation will be rapidly and thoroughly investigated. The organisation will also look at ways to ensure that such malpractice or wrongdoing can be prevented for the future.

SCOPE OF THE POLICY

This policy provides all employees, agency workers, and members of the board with:

- A framework within which to raise concerns and receive feedback on any actions taken in relation to allegations under this policy
- Assurances that they will be protected from reprisals or victimisation for whistleblowing

This whistleblowing policy is intended to supplement rather than to replace the existing grievance procedures, as set out within MTD policies and procedures, whereby employees of the organisation may already raise complaints or matters of genuine concern.

This policy does not form part of any employee's contract of employment and MTD may amend it at any time.

SUPPORTING STATEMENTS

This policy is made in accordance with Part IVA of the Employment Rights Act 1996. It has been adapted to reflect the Enterprise and Regulatory Reform Act 2013. It provides legal protection for employees who make any disclosure of information, which they believe to be in the public interest, about illegal practices in the workplace

If any member of the board or staff or a learner has a genuine and legitimate concern about a potentially fraudulent, corrupt or irregular activities within the organisation, this should be raised within an open and supportive environment.

Once a concern or allegation has been formally raised with MTD, a prompt and impartial investigation will be conducted by one or more individuals not directly involved in or compromised by the allegation.

MTD hopes that individuals will feel able to voice whistleblowing concerns openly under this policy. Completely anonymous disclosures are difficult to investigate. If an individual wants to raise a concern confidentially, MTD will make every effort to keep their identity secret and only reveal it where necessary to those involved in investigating the individual's concern.

MTD aims to encourage openness and will support whistleblowers who raise genuine concerns under this policy, even if they turn out to be mistaken.

Whistleblowers must not suffer any detriment whatsoever as a result of raising a genuine concern. If an individual believes that they have suffered any such detriment, they should inform MTD immediately.

Individuals must not threaten or retaliate against whistleblowers or subject them to detriment in any way. Any individual involved in such conduct may be subject to disciplinary action (and in some cases the whistleblower could have a right to sue that individual personally in an employment tribunal).

If MTD concludes that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower may be subject to disciplinary action. The police or other authorities will be informed if there are grounds for suspecting criminal activity.

In most cases, MTD anticipates that individuals should not find it necessary to alert anyone externally. However, the law recognises that in some circumstances it may be appropriate for an individual to report their concerns to an external body such as a regulator. MTD strongly encourages individuals to seek advice before reporting a concern to anyone external. Public Concern at Work is a charity that operates a confidential helpline. The Public Concern at Work whistleblowing advice line is 020 7404 6609; alternatively they can be contacted via email: whistle@pcaw.org.uk. For further information, please visit their website: <http://www.pcaw.co.uk/>.

IMPLEMENTATION PROCEDURES

Raising a concern or making an allegation

The procedure allows for referral to a number of specified post holders so that if necessary an allegation can be made against any member of staff or the board.

Allegation against:

Individual Member of the board
Managing Director
Member of the senior management team
Any other member of staff

Allegation should be communicated to: (designated person)

Chair of the board via the Clerk
Chair of the board via the Clerk
Managing Director
Senior management team line manager

FORM OF ALLEGATION

An allegation may be made in writing or orally to the person designated above. If the allegation is made orally, the designated person should record full details of the statements and allegation made. He or she should send a written acknowledgement to the person making the allegation. All correspondence will be sent to the home of the person making the allegation unless the use of internal mail is requested.

INVESTIGATION OF THE ALLEGATION

Having received an allegation and satisfied themselves that it is a whistleblowing allegation in accordance with this policy, the designated person will inform the clerk of the board and the Managing Director, (unless the allegation is against the Managing Director- in which the Chair of the Board will be informed).

The designated person is responsible for the investigation of the allegation and will have access to the Managing Director and the board as appropriate. The designated person will determine the most appropriate method of investigation, which may include delegation to an employee with appropriate professional or technical qualifications or referral to an outside body.

The person making the allegation may be accompanied by a work colleague or trade union representative at any interviews that are arranged in relation to the allegation. Any such companion must respect the confidentiality of the disclosure and any subsequent investigation.

REPORTING TO THE BOARD

The outcome of any investigation undertaken will be reported to the board.