

# LAINE

THEATRE ARTS

## **Policies**

Whistleblowing Policy

# WHISTLEBLOWING POLICY

Laine Theatre Arts Limited (the College), is committed to conducting its business in a manner that is open, honest and accountable. The College always aims to:

- act with integrity for the greater good.
- insist on upholding the highest teaching, learning and professional standards.
- be trustworthy and do what it says it will do.

It is the responsibility of all members of the college to uphold these values, the purpose of this policy, therefore, is to allow all individuals within the College to raise concerns if they believe others are not upholding them. The College encourages and helps individuals raise concerns if they believe that wrongdoing or malpractice is taking place within it and the College wishes to reassure them that it is safe and acceptable for them to raise such concerns.

## WHAT IS WHISTLEBLOWING?

Raising a concern about wrongdoing or malpractice within the workplace is often called 'whistleblowing' or a 'public interest disclosure'. This policy applies equally to students, staff and governors and to everyone who works for the College; whether full-time or part-time, or as a contractor or agency worker, or as a volunteer.

## WHAT DOES THIS POLICY COVER?

This policy is intended to enable everyone within the College to raise concerns they think will impact upon the College community or its stakeholders. There are additional College policies that should be used if there are personal grievances or personal complaints or if you are a student or member of the public.

It is not possible to give an exhaustive list of all the activities that might constitute wrongdoing or malpractice but they include:

- Criminal offences
- Non-compliance with statutory or regulatory obligations
- Non-compliance or departure from college policies and regulations
- Malpractice, impropriety or fraud
- Improper conduct or unethical behaviour
- Academic or professional malpractice
- Risks to health and safety
- Environmental damage
- Concealment or suppression of malpractice or wrongdoing

We encourage you to raise concerns if you believe or suspect that these, or similar, activities are happening at the College.

## **OUR ASSURANCE TO YOU**

### **PROTECTION**

If you raise a concern that you believe to be true then we will protect you from punishment or reprisal, even if your concern subsequently proves to have been mistaken. Anyone who discriminates against someone who has raised a genuine concern under this policy or subjects them to bullying, harassment or other detrimental treatment or disfavour will be liable for disciplinary action.

### **CONFIDENTIALITY**

We hope that, given our assurances to you in this policy, you will feel able to raise any concerns with us. We will keep your identity confidential unless you consent otherwise or we are required to disclose it by law. If we cannot keep your identity confidential because this would hinder an investigation or because your identity might be deduced by others then we will talk with you about this and the approach that we should take.

We may have a duty to tell other organisations about the concern that has been raised. We shall inform you if we have this duty.

## **RAISING YOUR CONCERN**

We hope that in many cases you will be able to raise any concerns with your immediate manager or teacher. However, where you prefer not to raise it with that person for any reason, you should contact the HR Manager or Executive Director. This can be done either orally or in writing. You do not need to have conclusive evidence of wrongdoing or malpractice before you raise a concern. We shall, however, need you to tell us why you have a concern and to give us as much information as possible.

If you meet with HR Manager or Executive Director, you are able to bring a work colleague or a recognised trade union representative to the meeting if you wish. This individual must, however, agree to respect the confidentiality of the meeting.

## **RAISING ANONYMOUS CONCERNS**

You can raise your concern anonymously but if you do not tell us who you are then we will not be able to ask you if we need further information or ensure that you receive the protection described in this policy. This may make it harder for us to investigate your concerns and we will not be able to tell you about any action that we take. We therefore encourage you not to raise concerns anonymously.

If you decide to raise your concerns anonymously then please provide as much information as you can about the malpractice or wrongdoing that you believe is happening and the people who you believe to be involved.

The HR Manager or Executive Director will decide whether a concern that has been raised anonymously should be investigated. Their decision will take into

account: the seriousness of the issues raised, the credibility of the allegation, the evidence received, and the likelihood of confirming the allegation.

## **HANDLING YOUR CONCERN**

The HR Manager or the Executive Director of the college will acknowledge receipt of your concern within two working days. The HR Manager or Executive Director will consider the concern you have raised and the information that you have provided and will decide on the action that should be taken. If the HR Manager or Executive Director decides that action should be taken they may decide that

- another college policy or process is more appropriate and should be used to address the matters raised
- an independent person or expert from within or outside the College should conduct an investigation; or
- that the matter be reported to the police.

The HR Manager or Executive Director will inform you of the likely timescale for any investigation and will agree with you how and when they will communicate with you to keep you informed of progress.

Any investigation will be conducted fairly, sensitively and as quickly as possible and the findings will be reported in writing by the investigator to the HR Manager or Executive Director. A copy of the report will be sent to the Chair of the Board of Governors.

Whenever possible, the HR Manager or Executive Director will tell you about the outcome of any investigation and will inform you in writing of the conclusions drawn. This will not be possible, however, if this would break the College's duty of confidentiality to another person.

If the HR Manager or Executive Director decides that no action should be taken then they will inform you in writing of their decision and their reasons for reaching this decision.

Whistleblowers must not suffer any detrimental treatment as a result of raising a genuine concern. If you believe that you have suffered any such treatment, you should inform Head of HR or Executive Director immediately. If the matter is not remedied, you should raise it formally using our Grievance Procedure.

You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct, you may be subject to disciplinary action. In some cases, the whistleblower could have a right to sue you personally for compensation in an employment tribunal.

However, if we conclude that a whistleblower has made false allegations maliciously, the whistleblower may be subject to disciplinary action.

## **OUTCOMES**

The College cannot guarantee that it will respond to all matters in the way you might wish but it will strive to handle things fairly and properly. If you are dissatisfied with the way that your concern has been addressed, you can ask for the matter to be reviewed by the Chair of the Board of Governors. The decision of the Chair represents the last stage of the college's internal consideration of your concern.

## **RAISING CONCERNS EXTERNALLY**

Whilst the primary purpose of this policy is to provide protection for those who raise concerns and the College hopes you will feel comfortable raising any issue internally first, you are free to raise your concerns with external bodies, such as a regulator.

The Council for Dance, Drama and Musical Theatre (CDMT) is the college's regulator and operates a notification scheme. This enables students, staff or

members of the public to raise concerns if they believe that a college is not meeting its conditions of accreditation. Details of the conditions of registration can be found at: <https://cdmt.org.uk/about-us/membership-quality-assurance>

CDMT will only consider matters relevant to its regulatory remit and advises that, where possible, you should first seek to raise and resolve your concern using the College's procedure.

## **PROTECTING THE COLLEGE COMMUNITY**

This policy is designed to protect those who raise concerns that they believe to be true. It does not protect those who maliciously raise matters that they know to be untrue. Disciplinary action may be taken where deliberate misuse of this policy is proven.

## **INDEPENDENT ADVICE**

If you are unsure whether to raise a concern or you want confidential advice at any stage, you may contact the independent charity Protect on 020 3117 2520 or by email at [Info@protect-advice.org.uk](mailto:Info@protect-advice.org.uk). They can provide advice on your options and can help you raise a concern. For advice line enquiries they encourage use of a contact form which can be found on their website at: <https://protect-advice.org.uk/advice-line>

If you are a member of a trade union then they may also be able to provide you with advice and help you to raise your concerns.

## **THE WHISTLEBLOWING PROCESS**

- An employee or governor (the Whistleblower) has a concern that they think impacts upon the College community
- The Whistleblower reports their concern and supporting evidence to the Head of HR or Executive Director.

- The HR Manager or Executive Director of Corporate Governance or the College Solicitor arranges a discussion with the Whistleblower
- The HR Manager or Executive Director determines the action to be taken and informs the Whistleblower.

#### **THERE ARE FIVE POTENTIAL COURSES OF ACTION:**

- No action: The Whistleblower will receive a written explanation to explain why no action will be taken.
- Not deemed to be a whistleblowing matter: The Whistleblower will be redirected to the appropriate policy and process and, if desired, contact with the relevant College officer will be facilitated.
- Investigation using an existing College policy or process: The concern will be addressed via an existing policy or process.
- Independent investigation: If there is no appropriate existing policy or process then the investigation process shall be determined by the Head of HR or Executive Director.
- Immediate referral to the police or other relevant enforcement body: Referrals will only be made in serious circumstances.

If an investigation is undertaken then anticipated timescales will be outlined and mechanisms for communicating progress to the Whistleblower will be agreed.

The HR Manager or Executive Director will inform the Whistleblower of the outcome and conclusions of the investigation in writing, explaining if information cannot be shared due to duties of confidentiality.

If the Whistleblower is dissatisfied with the outcome and conclusions of the investigation or the handling of their concern, they can refer their concerns to the Chair of the Board of Governors.

If the Whistleblower is dissatisfied with the Chair of the Board of Governors' consideration of their concern, they can refer their concern to an appropriate regulator or external body.

## CONTACTS

Executive Director	Harry Hughes 01372 724648 <a href="mailto:harryhughes@laine-theatre-arts.co.uk">harryhughes@laine-theatre-arts.co.uk</a>
Protect (Independent Whistleblowing Charity)	Helpline: 020 3117 2520 Website: <a href="https://protect-advice.org.uk">https://protect-advice.org.uk</a>

### RELATED POLICIES:

Code of Conduct  
Complaints Policy  
Disciplinary Policy  
Equality, Diversity and Inclusion Policy  
Grievance Policy  
Harassment and Bullying Policy  
Staff Email Policy

## DOCUMENT CONTROL

Version:	1
Approved by:	Senior Management Committee
Review Interval:	3 Years
Last Review Date:	September 2023
Next Review Date:	August 2026