

Supply Chain Whistleblowing

Scope

This whistle-blowing procedure is intended to cover major concerns that fall outside the scope of other procedures. These include:

- the unauthorised or improper use of public funds
- possible fraud and corruption
- conduct which is an offence or a breach of law.
- concerns around workplace situations.
- health and safety risks, including risks to the public as well as other employees.
- damage to the environment
- sexual or physical abuse, neglect of clients, children, venerable adults
- other unethical conduct

Purpose

To prevent malpractice by the organisation, its employees, agents, and partners by advising staff and partners how to raise concerns with the organisation's management or, if necessary, with its auditors or sponsoring department and advising them of the protection offered by the Public Interest Disclosure Act 1998 ('PIDA')

1. All organisations face the risk of things going wrong or of unknowingly harbouring malpractice. We have a duty to identify and take measures to remedy all malpractice particularly with regard to issues of fraud and corruption.
2. By encouraging a culture of openness within our organisation we believe that we can prevent malpractice before it happens.
3. We want to encourage you to raise issues which concern you at work. We recognise, however, that you may be worried that by reporting such issues you will be opening yourself up to victimisation, detriment or risking your job security.
4. Such fears are understandable, this policy is therefore designed provide you with information about the protections offered by PIDA as well as the process by which you may raise your concerns.
5. By knowing about malpractice at an early stage we stand a good chance of taking the necessary steps to safeguard the interests of all staff, protect our organisation and stop fraud and corruption before it happens.
6. In short, do not hesitate to 'speak up' or 'blow the whistle' on malpractice.

Definitions

'Fraud': for the purpose of this policy refers to where an individual has undertaken, or intends to undertake, actions in order to obtain gain for him/herself or another, or cause loss to another, or expose another to risk of loss.

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The term 'fraud' encompasses:

- Fraud by false representation
- Fraud by failing to disclose information.
- Fraud by abuse of position.

Descriptions of the above can be found within the **Fraud Act 2006**.

'Corruption': for the purpose of this policy refers to an individual who has given or obtained advantage through means which are illegitimate, immoral, and/or inconsistent with their duty to PTS or the rights of others. Examples include accepting bribes or incentives during procurement processes, seeking to influence others.

'Malpractice': for the purpose of this policy refers to actions which may be:

- illegal, improper, or unethical.
- in breach of a professional code.
- possible maladministration, fraud, or misuse of public funds.
- acts which are otherwise inconsistent with the Staff Code of Conduct.

Procedure for whistleblowing to PTS about partnership practices or a partner organisation

1. Tell the Supply Chain manager

If you are concerned about any form of malpractice associated to partnership practices or a partner organisation, you should normally first raise the issue with the Supply Chain Manager. There is no special procedure for doing this - simply tell them about the problem or put it in writing if you prefer.

At whatever level you raise the issue, you should declare whether you have a personal interest in the issue at the outset. If your concern falls more properly within the grievance procedure the Supply Chain Manager will tell you.

2. If you feel unable to tell the Supply Chain Manager

For whatever reason, you should raise the issue with the next tier of management or, if the issue is related to financial issues, the Head of Operations (or, in their absence, the Associate Director). If you feel that the issue concerns issues of compliance the MIS Manager.

The Senior Management team are entrusted with the duty of investigating staff concerns about illegal, improper, or unethical behaviour.

You should also approach one of the Senior management team to draw attention to cases where there is evidence of irregular or improper behaviour elsewhere in the organisation or with the partner, but where you have not been personally involved, or if you are required to act in a way which, for you, raises a fundamental issue of conscience.

3. If you still have concerns

If you have reported a matter as described in the above paragraph and believe that

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the response does not represent a reasonable response to the issues you have raised, you may report the matter directly to PIDA.

Procedure for whistleblowing about PTS Supply Chain practices

1. Tell the Supply Chain manager

If you are concerned about any form of malpractice associated with PTS's practices, you should normally first raise the issue with the Supply Chain Manager. There is no special procedure for doing this - simply tell them about the problem or put it in writing if you prefer.

At whatever level you raise the issue, you should declare whether you have a personal interest in the issue at the outset. If your concern falls more properly within the grievance procedure the Supply Chain Manager will tell you.

2. If you feel unable to tell the Supply Chain Manager

For whatever reason, you should raise the issue with the next tier of management or, if the issue is related to financial issues, the Head of Operations (or, in their absence, the Associate Director). If you feel that the issue concerns issues of compliance the MIS Manager.

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4. If you still have concerns

If you have reported a matter as described in the above paragraph and believe that the response does not represent a reasonable response to the issues you have raised, you may report the matter directly to PIDA.

Responding to whistleblowing

After we have received your concern we will decide how to respond in a responsible and appropriate manner. Usually this will involve PTS making enquiries first, but it may be necessary to carry out an investigation at a later stage which may be formal or informal depending on the nature of the concern raised.

We may request information from partners concerned to support our enquiries and we may follow the Partner's whistleblowing policy to inform the appropriate person of the disclosed information. We may seek advice from our independent advisor or funding agency.

If we ask for additional information to support of enquiry, we will communicate this with you in person and formally in writing. It will have a clear deadline and it is expected that partners meet this, or we may need to review action and this may result in freezing of contract while continue investigation continue.

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If you have raised a concern we will, as far as possible, keep you informed of the decisions taken and the outcome of any enquiries and investigations carried out. However, we will not be able to inform you of any matters which would infringe our duty of confidentiality to others.

Raising your concern externally (exceptional cases)

In all but the most exceptional of circumstances concerns about malpractice should be raised with PTS or with the representatives of our organisation.

The purpose of this policy is to give you the opportunity and protection you need to raise your concerns internally without reporting the concern to external bodies. It is, therefore, expected that raising concerns internally will be the most appropriate action to be taken in almost all cases and so you must try to do so.

Limits to protection

It is important to note that a disclosure will not be protected under PIDA where you are committing an offence by making that disclosure, for example by breaching the Official Secrets Act or Section 132 of the Data Protection Act 2018.

Sources of advice

It is recommended that you obtain advice about whistleblowing and PIDA at an early stage if you intend to report malpractice. This is important so that you know the extent of the protection which will be provided to you under PIDA.

For more information on whistleblowing and related legislation visit:

<http://www.pcaw.co.uk>.

If you need independent advice about a whistleblowing issue you can telephone Public Concern at Work on 020 7404 6609.

PIDA

<https://protect-advice.org.uk/why-do-some-workers-have-more-rights-than-others/>

If an allegation is made against a member of staff, director, or another learner, it should be reported immediately to Pauline Jess.

Any resulting investigation should be carried out by a member of staff who has no involvement within the incident, or an outside agency (Social services / Police / Ofsted) should the allegation be made about a Director.

All information is confidential and is not given to any other PTS staff, except the director to ensure follow up of this allegation.

*All allegations of this nature will be reported directly to **Jackie Denyer** (j.denyer@protrain-solutions.co.uk) 01252 712 945) or **Pauline Jess** (p.jess@protrain-solutions.co.uk)*

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