

# Whistleblowing Policy and Procedure

## Policy

Whistleblowing is the name given to the act of the disclosure of information to the employer or the relevant authority by an individual who knows, or suspects, that the Company is responsible for or taken part in some wrongdoing.

Those making qualifying disclosures are protected against dismissal or detriment by The Public Interest Disclosure Act 1998.

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:

- committing a criminal offence
- failing to comply with a legal obligation
- a miscarriage of justice
- endangering the health and safety of an individual
- environmental damage or
- concealing any information relating to the above.

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. Elite Training European Limited (Elite) will take any concerns that you may raise relating to the above matters very seriously.

Employees must reasonably believe that the disclosure is “in the public interest”. We encourage you to use the procedure to raise any such concerns.

Should the concern not meet the requirement to be a qualifying disclosure, you should raise this under Elite’s grievance procedure. Where a concern is raised under the whistleblowing policy where it is not appropriate to do so, i.e. It relates to a personal grievance, the receiving manager will confirm that the matter will be addressed under the grievance procedure.

If you are unsure whether the Public Interest Disclosure Act will protect you, you can [contact Protect \(formerly Public Concern at Work\)](#) (020 3117 2520).

## Procedure

In the first instance you should report any concerns you may have to your line manager, or where the concern relates to your line manager or it is not appropriate to make the report to your line manager, to Karen Sticher, Elite's CEO. All concerns reported will be treated in the utmost confidence. You may submit your concerns in any format. You may be asked to confirm any verbal concerns in writing or to confirm a written record of a verbal report.

If you do not report your concerns to Elite, you should take them direct to the Education and Skills Funding Agency (ESFA), by emailing [ESFA's Customer Service Team](#) or sending a letter to:

Customer Service Team  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry CV1 2WT

See guidance on [How ESFA Handles Whistleblowing Disclosures](#).

Where none of the above routes are suitable or acceptable to the complainant, then the complainant may seek advice from [the Government's Whistleblowing Guidance](#).

Following receipt of a disclosure made under this policy, an investigation meeting will be held with the employee. The purpose of this meeting is to gather as much information as possible from the employee regarding their concerns, including whether they have any supporting evidence or can identify any witnesses.

After this meeting, the investigating manager will commence a full investigation into the concerns raised. The investigation will aim to gather all relevant information including relevant documentary evidence or witness statements.

Once the investigation is complete, the investigating manager will write to the employee confirming the outcome.

If the employee is not satisfied with the explanation or outcome, they may raise the matter with the appropriate official organisation or regulatory body. Alternatively, employees may raise a formal complaint under the Company's grievance policy.

## Formal Action

Should formal action be required as a result of any disclosure made under this policy, this action will be carried out in accordance with the applicable internal policy. Any potential sanctions imposed will be fair and reasonable in line with the relevant policy.

## Protection Against Detrimental Treatment

All employees who raise matters of concern under this policy are protected against detrimental treatment, up to and including dismissal, because they have made a disclosure.

Bullying, 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.

### Purpose

The purpose of this procedure is to provide employees with a readily accessible procedure for reporting qualifying disclosures. This procedure should not replace normal staff-manager dialogue or the grievance procedure. However, where such informal dialogue or procedure has failed to resolve an issue of concern and it's regarding a qualifying disclosure, then employees may utilise this procedure in an effort to make disclosures in the public interest.

### Policy Communication and Review

Elite will:

- publish this whistleblowing policy and procedure [on our website](#)
- inform all employees and training sub-contractors that a whistleblowing policy and procedure is in operation and that they are obligated to comply with its requirements
- monitor and review this policy and procedure annually to assess its implementation and effectiveness.

### Links to Other Policies

If a whistleblowing disclosure:

- leads to employee disciplinary action, Elite will follow its disciplinary procedures.
- involves sub-contractors, Elite will follow its managing and monitoring subcontractors process.
- includes a customer complaint, Elite will follow its complaints procedure.

Elite shall take into account its duty to:

- promote equality, diversity, inclusion and belonging throughout this procedure, applying its equality, diversity, inclusion and belonging policy.
- prevent terrorism, extremism and radicalisation, applying its prevent policy.
- safeguard the welfare of all delegates, applying its safeguarding processes and procedures.

Elite's whistleblowing procedure will be carried out in accordance with Elite's Health and Safety Policy.

Elite is committed to working within the requirements of the DPA and FOI Act, as set out in its Data Protection Policy. All individuals are required to contribute to maintaining up-to-date and accurate records of training evaluations within these requirements.

### Procedure Notes

<b>Procedure</b>	Whistleblowing Policy and Procedure
<b>Scope:</b>	Elite employees, directors and training associates (sub-contractors)
<b>Version:</b>	1-01
<b>Last Updated:</b>	22 September 2020
<b>Next Review Due:</b>	14 September 2021
<b>Policy Owner:</b>	CEO, Karen Sticher
<b>Appendices:</b>	None