



Whistleblowing Policy

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1. PURPOSE

This policy is designed to provide guidance to all those who work with or within the organisation who may from time to time feel that they need to raise certain issues relating to the organisation with someone in confidence.

Whistleblowing is the term used when a worker passes on information concerning wrongdoing. In this guidance, we call that “making a disclosure” or “blowing the whistle”.

The wrongdoing will typically (although not necessarily) be something that an individual has witnessed at work. To be covered by whistleblowing law, an employee who makes a disclosure must reasonably believe two things.

The first is that they are acting in the public interest. This means in particular that personal grievances and complaints are not usually covered by whistleblowing law.

The second thing that a worker must reasonably believe is that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

2. SCOPE

All established and temporary employees, all job applicants, agency staff, contractors and consultants.

3. POLICY STATEMENT

Logistica Training & Consultancy Ltd encourages a free and open culture in its dealings between its employees and all people with whom it engages in business and legal relations. In particular, KS Training recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and the organisation’s success ensured.

4. PROCEDURE

1. This policy will apply in cases where employees genuinely and in good faith believe that one of the following sets of circumstances is occurring, has occurred or may occur within the organisation that:

- a) a criminal offence has been committed, is being committed or is likely to be committed
- b) a person has failed, is failing or is likely to fail to comply with any legal obligation to which he/she/they/them are subject
- c) a miscarriage of justice has occurred, is occurring or is likely to occur

- d) the health and safety of any individual has been, is being or is likely to be endangered
- e) the environment has been, is being or is likely to be damaged
- f) information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

It is not necessary that employees prove the breach or failure that they are alleging has occurred or is likely to occur but may simply raise a reasonable suspicion. However, they should note that they will not be protected from the consequences of making such a disclosure if, by doing so, they commit a criminal offence or if they make the disclosure motivated by a reason which is not in good faith.

Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for an employee to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

2. If employees wish to raise or discuss any issues which might fall into the above category they should contact the Human Resources Manager or, in their absence or in any other circumstances the Managing Director, who will treat the matter in confidence. In such cases it is likely that further investigation will be necessary and employees may be required to attend a disciplinary or investigative hearing as a witness. Appropriate steps will be taken to ensure that their working environment and/or working relationship is/are not prejudiced by the fact of the disclosure.

Any concerns that are raised to the Human Resource Manager, will be acknowledged within 48 hours, with confirmation of the next steps that will be taken. It is important that all concerns are kept confidential by the person raising the concern so that relevant investigation can take place.

The Quality Director, is the Whistleblowing Champion, this role is to drive the commitment to valuing whistleblowing and protecting whistleblowers within the organisation. This role is also a key emotional support in what can be a difficult and anxious time for the employee, with access to mentoring, advice and counselling.

All concerns are:

3. If employees reasonably believe that the relevant failure (ie one of the set of circumstances listed above under clause [1]) relates wholly or mainly to the conduct of a person other than their employer or any other matter for which a person other than the organisation has legal responsibility, then they should make that disclosure to that other person.

Also, employees may make such a disclosure to Public Concern at Work, the leading authority on public interest whistleblowing, if they consider that it has an interest in the matter and, despite the best efforts of the organisation, employees believe that disclosure within the organisation is inappropriate or has been unsuccessful. Disclosures made to employees' legal advisors in the course of obtaining legal advice will be protected.

4. Employees should be aware that the policy will apply where a disclosure is made in good faith and where they reasonably believe that the information disclosed and any allegation contained in it are substantially true. If any disclosure is made in bad faith (for instance, in order to cause disruption within the organisation), or concerns information which employees do not substantially believe is true, or indeed if the disclosure is made for personal gain, then such a disclosure will constitute a disciplinary offence for the purposes of the organisation's Disciplinary Policy and Procedures and may constitute gross misconduct for which summary dismissal can be the sanction.
5. While Logistica Training & Consultancy Ltd hopes that such disclosures will never be necessary within its organisation, it also recognises that it may find itself in circumstances which are new to it. Each case will be treated on its own facts.

5. RESPONSIBILITY

Individual managers are responsible for ensuring that this policy is applied within their own area. Any queries on the application or interpretation of this policy must be discussed with the Human Resource Manager prior to any action being taken.

The Human Resource Manager has the responsibility for ensuring the maintenance, regular review and updating of this policy. Revisions, amendments or alterations to the policy can only be implemented following consideration and approval by the Managing Director.

6. TRAINING

This policy is regularly reviewed as part of staff training activities, it is included as part of all new staff induction training and readily available both in the company policies CRM and the staff Padlet which all staff have access to.