

Whistleblowing Policy

1.0 Introduction

In this policy, the abbreviation of EDA will be used to cover all aspects of the Emil Dale Academy business that is affiliated with the full-time courses in any capacity.



1.1 Policy aims

This policy and the procedure that will follow enables staff, freelancers, and students to raise concerns internally, under strict confidentiality, about malpractice, fraud, health and safety, criminal offences, miscarriages of justice, inappropriate behaviour, unethical conduct or a failure to comply with legal obligations.

This policy aims to:

- a. Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated and that their confidentiality will be respected;
- b. Let all staff and freelancers at EDA know how to raise concerns about potential wrongdoing in or by EDA;
- c. Set clear procedures for how EDA will respond to such concerns;
- d. Let all staff and freelancers know the protection available to them if they raise a whistleblowing concern;
- e. Assure staff and freelancers that they will not be victimised for raising a legitimate concern through the steps set out in the policy even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue).

This policy does not form part of any employee's contract of employment and may be amended at any time. The same applies for any freelancers and their respective agreements. The policy applies to all employees or freelancers who provide services to EDA in any capacity.

1.2 Location of Policy

This policy is available to access on EDA's website.

1.3 To whom and where this policy applies

This policy applies to all employees or freelancers who provide services to EDA in any capacity. For purposes of this policy, these persons will all fall under the bracket term of "staff".

1.4 The context of this policy and its relationship to other policies

This policy has been written in line with the [government's whistleblowing framework](#), as well as the [Whistleblowing Policy](#) of EDA's partnered institution for the delivery of the Level 3 National Extended Diploma in Performing Arts Practice (Musical Theatre); The Knights Templar School and the [Whistleblowing Policy](#) for EDA's awarding body for the BA (Hons) Musical Theatre course; the University of Bedfordshire.

2.0 Definition of whistleblowing

Whistleblowing is the act of disclosing information that relates to suspected wrongdoing or danger within the workplace. Whistleblowing covers concerns made that report wrongdoing that is “in the public interest”. Examples of whistleblowing include, but are not limited to:

- a. Criminal offences, such as fraud or corruption;
- b. Students’ or staffs’ health and safety being put in danger;
- c. Failure to comply with a legal obligation or statutory requirement;
- d. Breaches of financial management procedures;
- e. Academic or professional malpractice or witnessing unsafe practice;
- f. Improper conduct or unethical conduct;
- g. Attempts to cover up the above, or any other wrongdoing in the interest of the public; and
- h. Damage to the environment.

A whistleblower is a person who raises a genuine concern relating to the above.

Not all concerns count as whistleblowing. For example, personal grievances such as bullying or harassment do not usually count as whistleblowing. If something affects you as an individual, or relates to an individual contract or agreement, this is likely a grievance.

When an individual has a concern, they should consider whether it would be better to follow EDA’s grievance or complaint procedures, or this whistleblowing policy.

Further guidance on what is considered whistleblowing and what is considered a grievance can be found [here](#).

3.0 Procedure

3.1 When to raise a concern

Individuals should consider the examples in 2.0 when deciding whether their concern is of a whistleblowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

3.2 Who to report to

Staff should report their concern to their line manager, a Head of Department, or Principal. If reported to a line manager or Head of Department, the line manager or Head of Department should immediately report this to the Principal. If the concern is about the Principal, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Chair of Trustees*. If the Principal is the whistleblower, they will also report their concern to the Chair of Trustees. If a concern needs to be reported to the Chair of Trustees but does not involve students, the most appropriate Chair of Trustees will be contacted according to what EDA course the staff member is most affiliated with.

**Chair of Trustees for concerns involving BTEC students – John Swift: jswift@kts.school*

Chair of Trustees for concerns involving Degree students – Kathryn Pugh: Kathryn.Pugh@beds.ac.uk

Chair of Trustees for concerns involving Gap Year students – Emil Dale: emil@emildale.co.uk

The Chair of Trustees should only be contacted if the whistleblower feels that they cannot speak to the Principal or other nominated persons.

3.3 How to raise the concern

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

3.4 Investigating the concern

When a concern is received by the Principal, or Chair of Trustees referred to from here as the 'recipient' - they will:

- a. Meet with the person raising the concern within a reasonable time.
- b. Get as much detail as possible about the concern at this meeting and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure.
- c. Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. As Section 2 states, if the concern is found to be malicious or vexatious, disciplinary action or sanctions may be taken.
- d. Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
 - i. The recipient should then arrange a further investigation into the matter, involving the Principal / Chair of Trustees, if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In other cases, they may need to report the matter to the police.
 - ii. The individual who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps.

3.5 Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the individual who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality. Beyond the immediate actions, the principal, trustees and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing. EDA will always aim to deal with concerns fairly and in an appropriate way.

3.6 External disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and rectifying any safety concerns. In most cases, there is no need for an individual to alert anyone externally. It will very rarely, if ever, be appropriate to alert the media. EDA strongly encourages individuals to seek advice before reporting a concern to any external body. The independent whistleblowing

charity, Public Concern at Work operates a confidential helpline. Where possible, individuals are encouraged to report all issues internally first.

4.0 Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern. If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation.

5.0 Anonymity

Where whistleblowers wish to remain anonymous throughout an investigation, this may affect how far the concern can be investigated. If the whistleblower wants to remain anonymous, EDA will log the concern and investigate it as far as possible but may not be able to complete the investigation without anonymity being consensually revoked by the whistleblower.

Version Number	Date of Issue	Review Date	Author	Changes made/detail
1	25.11.2020	July 2021	Sarah Hooper	First issue
2	12 th August 2022	July 2023	Eden Tinsey	Policy rewrite; annual policy review
3	20 th September 2023	July 2024	Eden Tinsey	Complete policy rewrite and reformat