

Whistleblowing Policy



The Spark Group

Introduction

The Spark Group is committed to conducting its business with honesty, integrity and transparency. We believe everyone connected with our organisation should feel able to speak up if they become aware of wrongdoing, unsafe practice or behaviour that is not in line with our values.

We encourage concerns to be raised as early as possible so that they can be addressed quickly and appropriately. We are committed to creating an open culture where people feel safe to report concerns without fear of unfair treatment or retaliation.

This policy explains how concerns can be raised, how they will be handled and the support available to those who speak up.

Purpose

The purpose of this policy is to:

- Provide a clear process for reporting genuine concerns about wrongdoing or malpractice;
- Ensure concerns are investigated fairly, consistently and confidentially where possible;
- Protect individuals who raise concerns in good faith from victimisation or retaliation;
- Promote a culture of openness, integrity and continuous improvement

Scope

This policy applies to anyone connected with The Spark Group, including:

- Employees;
- Volunteers;
- Sub-contractors and consultants;
- Learners and apprentices enrolled on any programme delivered by The Spark Group;
- Work placement/experience participants

This policy does not replace the Complaints Procedure or employee Grievance Procedure, which should normally be used for concerns relating solely to an individual's own circumstances. However, where a concern involves serious wrongdoing or is in the public interest, this policy may be more appropriate.

What is Whistleblowing?

Whistleblowing is the reporting of concerns about serious wrongdoing that is in the public interest.

Examples include, but are not limited to:

- Criminal offences;
- Fraud, theft or financial irregularities;
- Bribery or corruption;
- Breaches of legal or regulatory requirements;
- Serious breaches of organisational policies;
- Safeguarding concerns involving children or vulnerable adults;
- Abuse, neglect or exploitation;
- Health and safety risks;
- Environmental damage;
- Discrimination, harassment or bullying affecting others;
- Deliberate misuse of public funds;
- Unauthorised disclosure of confidential information;
- Attempts to conceal any of the above

Matters Not Covered by this Policy

This policy is not intended to deal with personal complaints or disagreements that affect only the individual raising the concern.

For example:

- Employment grievances;
- Disagreement with colleagues;
- Dissatisfaction with training delivery;
- Assessment decisions;
- Complaints about customer service

These should normally be dealt with through the appropriate Grievance, Complaints and Appeals procedures.

Safeguarding and Whistleblowing

Any concern that relates to safeguarding, including concerns about the conduct of employees or safeguarding practice, must be raised immediately. Safeguarding concerns will always take priority and be managed in line with the Safeguarding and Prevent Policy.

Raising a Concern

Concerns should be raised as soon as possible after the issue becomes known. Where possible, concerns should include:

- What happened;
- When and where it happened;
- Who was involved;
- Any evidence available; and
- The names of any witnesses

Concerns may be raised with the most appropriate person, which may include:

- Their line manager;
- Their tutor/trainer;
- A member of the Senior Leadership Team;
- The Managing Director;
- The Designated Safeguarding Lead (where appropriate)

Alternative Reporting Routes

If an individual feels unable to raise a concern through the routes above, concerns may be raised with:

- An external regulatory or statutory body (such as the Local Authority, Department for Education or Ofsted, where appropriate);
- The NSPCC Whistleblowing Helpline (for safeguarding concerns): 0800 028 0285

Confidentiality

All concerns will be treated as confidential wherever possible.

The identity of the person raising the concern will only be shared where necessary to investigate the matter, where required by law or where there is a safeguarding or public protection reason for disclosure.

Individuals are encouraged to provide their name when raising concerns as anonymous reports can be more difficult to investigate. However, anonymous concerns will still be considered where sufficient information has been provided.

Protection for Whistleblowers

The Spark Group is committed to ensuring that individuals who raise concerns in good faith are supported and protected.

- *Good Faith and Reasonable Belief:* We encourage individuals to come forward if they have a "reasonable belief" that wrongdoing is occurring or is likely to occur. You do not need to have absolute proof of malpractice to raise a concern, provided your report is made in good faith
- *Protection Against Retaliation:* We will not tolerate any form of victimisation, harassment, or retaliation against anyone who raises a genuine concern. Anyone found to have treated a whistleblower unfairly may be subject to disciplinary action, up to and including termination of employment or contractual arrangements
- *Malicious Allegations:* Please note that this policy is intended to protect genuine whistleblowers. If it is found that an individual has knowingly made false or malicious allegations, they may be subject to disciplinary proceedings
- *Support and Advice:* We recognise that raising a concern can be a difficult decision. We encourage anyone considering speaking up to seek independent, external advice if needed. For example, from professional bodies or whistleblowing charities such as 'Protect' - to ensure they are fully informed of their rights and options before or during the process

How Concerns Will be Managed

Once a concern is received, The Spark Group will:

- Acknowledge receipt of the concern within 3-5 working days (where applicable);
- Make an initial assessment of the concern;
- Decide whether an investigation is required;
- Appoint an appropriate person to investigate;
- Take an immediate action necessary to protect people or the organisation; and
- Decide what action should be taken following the investigation

Investigations will be carried out fairly, objectively and without unnecessary delay.

Where appropriate and legally permissible, the individual raising the concern will be informed when the investigation has concluded and whether appropriate action has been taken.

Record Keeping

We will keep a confidential record of all whistleblowing concerns, investigations and outcomes.

Information will only be shared with those who have a legitimate need to know.

Monitoring and Review

This policy will be reviewed annually or sooner if required due to changes in legislation, statutory guidance or organisational need.

Approval

This policy has been approved by The Spark Group's Senior Leadership Team.

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