WHISTLEBLOWING POLICY

A) INTRODUCTION

Whistleblowing means the reporting of suspected misconduct, illegal acts or failure to act and it is often employees who are the first to realise that there is or may be something seriously wrong.

At Nisai, whistleblowing is viewed as a positive act that can make a valuable contribution to our efficiency and long-term success. It is not disloyal to colleagues or to Nisai to speak up. We are committed to achieving the highest possible standards in all we do.

B) AIMS AND OBJECTIVES

The aim of this policy is to encourage and enable employees to raise serious concerns about any aspect at Nisai and to come forward and voice those concerns within the organisation, rather than ignoring the problem or "blowing the whistle" externally.

The policy has been put in place to ensure any concerns raised regarding any misconduct or wrongdoing in relation to company business are dealt with effectively, securely and appropriately.

The policy is to encourage employees to feel confident in raising serious concerns at the earliest opportunity. Also, it is to ensure you will receive a response to concerns raised and that you are aware of how to pursue them if you are not satisfied.

It is to reassure you that you will be protected from possible reprisals or victimisation if you have made a disclosure in good faith.

C) QUALIFYING DISCLOSURES

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:

- Dishonest, fraudulent or corrupt acts;
- Conduct which is potentially damaging to the Company, its employees or a third party: Misconduct or an improper state of affairs;
- Conduct which is an offence or a breach of law (a criminal offence that has been omitted or failing to comply with any other legal obligation);
- Racial, sexual, disability or any other discrimination;
- Sexual harassment (unwanted conduct of a sexual nature, as defined in the Equality Act 2010);
- Neglect or abuse of clients (Learners);
- Any other unethical conduct;
- 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. The company will take any concerns that you may raise relating to the above matters very seriously.

Nisai Group also takes the issue of modern slavery, as defined in the Modern Slavery Act 2015, seriously. We consider that the likelihood of an incidence of modern slavery in our business, as distinct from its supply chain is extremely low in view of our existing policies and procedures in relation to recruitment and safeguarding.

We have not identified any significant risks of modern slavery, forced labour, or human trafficking in our supply chain. However, we continue to be alert to the potential for problems and our staff are encouraged to bring any concerns they have to the attention of management.

The Employment Rights Act 1996 provides protection for workers who 'blow the whistle' where they reasonably believe that some form of illegality, injustice or breach of health and safety has occurred or is likely to occur. The disclosure must be "in the public interest" and we encourage you to use the procedure to raise any such concerns.

The Company will respond to your concerns as quickly as possible. In order to be fair to all employees, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

The investigation may need to be carried out under terms of strict confidentiality (i.e. not informing the subject of the complaint until or if it becomes necessary to do so). In certain cases, however, such as allegations of ill treatment of others, suspension from work may have to be considered immediately. Protection of others is paramount in all cases.

D) THE PROCEDURE

You may make your disclosure in person, by telephone or in writing. The earlier you express your concern, the easier it is to take action. You will need to provide the following information.

- The nature of your concern and why you believe it to be true.
- The background and history of the concern (with relevant dates).
- Any evidence you may have.

You are not expected to prove the truth of your suspicion, but you will need to show to the person you raise your concern with that you have a genuine concern related to suspected wrongdoing or malpractice and that there are reasonable grounds for your concern.

1. In the first instance you should report any concerns you may have to your Line Manager who will treat the matter with complete confidence.

2. If you consider it not to be appropriate to raise your concerns directly with your Line Manager, because you consider the matter to be sensitive and serious or you believe your Line Manager is involved, you should raise the concern with an SLT member.

3. If the SLT member is implicated in the concern, you should raise the concern with the Chief Executive Officer.

4. If the Chief Executive Officer is implicated in the concern, you should raise the concern with the Chair of the Governors.

5. Employees are encouraged to raise concerns internally where possible. However, protected disclosures may be made to prescribed regulators or other appropriate bodies where permitted by law.

6. Within 20 working days of a concern being raised, the Designated Assessor (Line Manager, SLT Manager or CEO) will recommend to you what further steps should be taken and will keep you informed of progress. Such recommendations may include one or more of the following:-

    - that no further action should be taken;
    - that the matter should be reported to the police;
    - that the matter should be reported to an appropriate official organisation or regulatory body;
    - that the matter should be investigated internally;

7. If you are not happy with the way in which your concern has been handled, you can contact the Group HR Director.

E) TREATMENT BY OTHERS

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.

No worker will suffer dismissal, disciplinary action, victimisation, discrimination, loss of opportunity or any other detriment for raising a genuine whistleblowing concern.

F) YOUR LEGAL RIGHTS

This policy has been written to take account of the Public Interest Disclosure Act 1998 which protects employees making disclosures.

The Act makes it unlawful for Nisai to dismiss anyone or allow them to be victimised as a result of making an appropriate lawful disclosure in accordance with the Act.

G) CONFIDENTIALITY

All concerns will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of your disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.

Information received through the whistleblowing process will be handled sensitively and processed in accordance with applicable data protection legislation and Nisai's Privacy Policy. Information will only be shared where there is a legitimate need to do so as part of the investigation or where required by law.

H) ANONYMOUS DISCLOSURES

This policy encourages you to provide your name when making a disclosure whenever possible. Named disclosures allow us to investigate the matter more effectively and protect your position, providing constructive follow up.

Concerns made anonymously may be considered at the discretion of Nisai, considering:

- The seriousness of the issue raised
- The credibility of the concern and
- The likelihood of confirming the disclosure from other sources.

I) UNTRUE DISCLOSURES

If you make a disclosure and reasonably believe the information disclosed is true and in the public interest, but it is not confirmed by an investigation, Nisai will recognise your concern, and you have nothing to fear. If, however, you make an allegation frivolously, maliciously or for personal gain, an appropriate action (that could include disciplinary action) may be taken.

J) EXTERNAL ADVICE AND SUPPORT

The Company recognises that raising a whistleblowing concern can be difficult. Whistleblowers are entitled and encouraged to seek independent advice and support at any stage of the process, before, during or after raising a concern internally.

You may contact external organisations for confidential guidance, legal advice, or emotional support. Contacting these organisations does not prevent an employee from raising a concern internally or externally, where appropriate.

The following organisations can provide independent advice and support to whistleblowers:

1. Independent Whistleblowing Advice

Protect (UK) – provides free, confidential advice on whistleblowing rights and options
Website: https://protect-advice.org.uk
Helpline: 020 3117 2520

2. Legal Advice and Employment Rights

Citizens Advice – guidance on employment rights and legal protections
Website: https://www.citizensadvice.org.uk

3. Emotional and Wellbeing Support

Employee Assistance Programme (EAP) – provides free, confidential support 24/7

Helpline: 0800 047 4097

Key person responsible for policy:	Group HR Director
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