

Whistleblowing Policy

Individual employees and all relevant stakeholders have a right to raise matters of concern they may have about the services offered by the agency or any serious malpractice associated with them. For clarity, 'all relevant stakeholders' includes, but is not limited to:

- Clients
- Contractors
- Suppliers
- Our community and
- The general public.

Any concerns raised will be given serious consideration, and this policy is in place to ensure mechanisms exist to address concerns quickly and effectively.

It also sets out the legitimate course of action to raise issues with parties outside of the organisation if the whistleblower feels an issue has not been addressed, or it is felt that raising it internally may lead to evidence of malpractice being concealed.

The Public Interest Disclosure Act 1998 makes it unlawful to dismiss, discipline or victimise someone who has made a 'protected disclosure' in the public interest. It aims to encourage stakeholders to disclose certain types of information to the person responsible for the relevant matter. In limited circumstances, it will protect a qualifying disclosure made to persons other than those responsible for the relevant matter. Whistleblower protections for employees in the UK also cover disclosures related to DEI-related discrimination or sexual harassment.

From 6 April 2026, in accordance with section 43B of the Employment Rights Act 1996 (as amended by the Employment Rights Act 2025), disclosures relating to sexual harassment qualify as protected disclosures in their own right. Whistleblowers who raise concerns about sexual harassment are protected from detriment and, in the case of employees, dismissal.

The purpose of this procedure is to outline how whistleblowers may deal with concerns about employees, SMRS and/or SMRS' service provision which may have an impact or threaten the wider public interest.

Advice should be sought from the Campus & Community and Business Operations teams with regard to the implementation of this policy and procedure.

Qualification for Protection

To qualify for protection, a potential whistle-blower must first show that they have "reasonable belief" that SMRS:

- has committed, is committing, or is likely to commit, a criminal offence; or
- has failed, is failing, or is likely to fail, to comply with a legal obligation; or
- that a miscarriage of justice has occurred, is occurring, or is likely to occur; or

- that the health and safety of any individual has been, is being, or is likely to be endangered; or
- that the environment has been, is being, or is likely to be damaged; or
- that information relating to any of the above has been, is being, or is likely to be, deliberately concealed.
- that sexual harassment, within the meaning of section 26 (2) of the Equality Act 2010, has occurred, is occurring, or is likely to occur, and that the disclosure is made in the public interest.

Concerns may also include breaches of ethical standards or human rights violations, whether within the organisation or in its supply chain.

General Principles

SMRS recognises the importance of encouraging a climate of openness and dialogue in which employees and stakeholders can freely express their concerns. This can contribute constructively to the development and continuous improvement of its services.

The purpose of this procedure is to provide guidance to those who wish to voice their concerns and enables them to do. Managers are expected to deal with the matter positively and reasonably with due regard to confidentiality.

The procedure does not affect existing procedures (i.e. complaints or grievance procedures) for the handling of formal complaints or grievances, nor does it replace any other relevant policy or term of employment.

Concerns relating to sexual harassment may be raised under this whistleblowing policy where the individual reasonably believes the matter is in the public interest, including where there is a risk to others, repeated behaviour, or organisational failure. Alternatively, individuals may choose to raise sexual harassment concerns under the Grievance or Bullying and Harassment procedures. The choice of reporting route will not disadvantage the individual.

Employees and stakeholders may report concerns anonymously through the designated whistleblowing channel. While anonymity may limit follow-up, all reports will be investigated to the fullest extent possible.

Protection of Employees and Stakeholders

Employees and external stakeholders are encouraged to use the procedure to voice their concerns and managers are expected to facilitate discussion on the matters raised.

Unless there is a proven case of malicious intent or deliberate attempt to bring the agency into disrepute, there will be no adverse consequences for an employee raising their concerns through this procedure. This protection applies equally to disclosures relating to sexual harassment. Any retaliation, victimisation, exclusion,

intimidation or adverse treatment connected to raising a whistleblowing concern will be treated as a serious disciplinary matter.

Confidentiality

All employees have a duty of confidentiality to the agency.

Where an employee is considering making a disclosure of confidential information, they are advised to seek guidance from the People Operations Manager, their Trade Union or a relevant professional body.

Employees are encouraged to communicate their concerns to their manager using the procedure outlined below.

Where occasions arise that make it difficult or inappropriate for an employee to raise concerns which fall within the scope of this procedure with their manager, further advice should be sought from the Campus & Community team.

Internal and external stakeholders who raise concerns under this policy are assured that their identity and any information provided will be treated with the highest level of confidentiality. Disclosure of their details will only occur where legally required or with their explicit consent. This commitment ensures that external parties can report issues without fear of exposure or retaliation.

We are committed to protecting all whistleblowers from retaliation, which includes dismissal, demotion, harassment, or any adverse treatment. Retaliation is strictly prohibited and may result in disciplinary action, contract termination, or legal remedies. Reports are handled confidentially through secure channels, with anonymous options where legally allowed, and investigated impartially. We provide timely acknowledgment, monitor for retaliation, and may implement interim protective measures when needed.

Procedure for both internal & external stakeholders

Stage 1

The whistleblower should, in the first instance, raise their concern with the People Operations Manager via rebecca.bentley@smrs.co.uk who should undertake a formal investigation and give a verbal response within five working days.

A written response will be provided within ten working days. The employee will be advised if these timelines need to be extended.

If the concern is found to be justified, the People Operations Manager will confirm the action to be taken, the time scale and the person responsible.

If the concern is not found to be justified, the employee will be informed in writing of the reasons.

Stage 2

Where the employee has continuing concerns following the response given at Stage 1, they should prepare a written statement detailing their concerns. This should be forwarded, with the People Operations Manager's response, to the Lead Partner: Agency Operations.

The Lead Partner: Agency Operations will acknowledge receipt of the concerns raised and give them further consideration, meeting with the employee if necessary. Their decision will be communicated to the whistleblower in writing, usually within ten working days.

If the concern is found to be justified, they will confirm the action to be taken, the time scale and the person responsible.

If the concern is not found to be justified, the stakeholder or employee will be informed in writing of the reasons.

Stage 3

Where the employee or stakeholder has a continuing concern following the response given at Stage 2, the matter should be referred to the Board.

The employee or stakeholder should put their concern in writing and submit it to a Director within five working days of receipt of the Stage 2 response.

They will be given the opportunity of meeting with the Director, usually within ten working days from the receipt of their written concerns.

The Director will provide the employee/stakeholder who raised the concern with a written statement of the findings and proposed actions usually within ten working days of the meeting.

If the concerns are found to be justified, the employee/stakeholder will be informed of the action to be taken, the time scale and the person responsible.

If the concern is not found to be justified the employee/stakeholder will be informed in writing, of the reasons.

The Director's decision will be final.

If an individual believes that the procedure set out above is not suited to their particular circumstances, they should contact the People Operations Manager for advice.

Contact with Outside Bodies and Organisations

Employees/stakeholders may choose to report their concerns to an external body. This should only occur if they remain dissatisfied after the above procedure has been exhausted. In order to maintain protection, disclosure other than to the agency must be made to specific bodies or persons. For example, the employee/stakeholder's legal adviser where the disclosure is made in the course of obtaining legal advice, the agency's auditors or an MP. Whistleblowers can report breaches of UK sanctions to:

- HM Treasure
- Secretary of State for Business and Trade (for trade sanctions)
- Secretary of State for Transport.

Where the employee/stakeholder believes the matter to be sufficiently serious, i.e. an immediate/urgent threat to health and safety and does not wish to use the procedure outlined above, they are strongly advised to contact their Trade Union/Professional Association representative and/or the Campus & Community team before taking any action. In this instance, the employee/stakeholder must show that:

- The disclosure is made in good faith;
- They reasonably believe that the information disclosed, and any allegations contained in it, are substantially true;
- They did not make the disclosure for personal gain;
- The matter disclosed is of an exceptional, serious nature; and
- In all the circumstances, it is reasonable for them to make the disclosure.

In relation to disclosures made in other cases, the employee/stakeholder must satisfy the conditions set out below:

- At the time of making the disclosure, the employee/stakeholder reasonably believes that they will be subject to a detriment by SMRS by making the disclosure to the agency or to a prescribed person;
- The employee/stakeholder reasonably believes that it is likely that evidence relating to the relevant failure will be concealed or destroyed if they make the disclosure to the SMRS; or
- The employee/stakeholder has previously made a disclosure of substantially the same information to SMRS or to a prescribed person.

Representation

Employees/stakeholders will be entitled to be accompanied by a representative of their trade union/professional association or a work colleague at any meeting to discuss their concerns at all stages of the procedure.

Written statements

In taking the matter forward beyond Stage 1, the employee/stakeholder must put their concerns in writing and should make every effort to ensure the details are accurate, factual and relevant.

Time Limits

Time limits are given for each stage of the procedure to ensure that matters are resolved as quickly as possible. These are expressed in working days, being Monday to Friday but excluding statutory and Bank Holidays.

Disciplinary Action

If it should become clear that the procedure has not been invoked in good faith, for example, for malicious reasons or to pursue a personal grudge against another employee, this will constitute misconduct and will be dealt with in accordance with the terms of the SMRS's Disciplinary Procedure if the whistleblower is classed as an SMRS employee.

Referral

It is recognised that there may be matters that cannot be dealt with internally and external authorities will need to become involved. Where this is necessary, the agency reserves the right to make such referral without your consent.

The whistleblowing system will be reviewed and audited annually to ensure effectiveness, compliance, and continuous improvement. Findings will be reported to the Board.