

Whistleblowing Policy

TGSF_100_039h

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1. What is Whistleblowing?

- 1.1. In this ([TGSF_100_039] Whistleblowing Policy) policy ‘whistleblowing’ means the reporting by employees of suspected misconduct, illegal acts or failure to act within Tyler Grange.



- 1.2. The aim of ([TGSF_100_039] Whistleblowing Policy) is to encourage employees and others who have serious concerns about any aspect of Tyler Grange's work to come forward and voice those concerns.
- 1.3. Employees are often the first to realise that there may be something seriously wrong within Tyler Grange.
- 1.4. 'Whistleblowing' is viewed by Tyler Grange as a positive act that can make a valuable contribution to Tyler Grange's efficiency and long-term success. It is not disloyal to colleagues or Tyler Grange to speak up. Tyler Grange is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices. To help achieve these standards it encourages freedom of speech.
- 1.5. If you are considering raising a concern you should read this Policy first. It explains:
 - the type of issues that can be raised;
 - how the person raising a concern will be protected from victimisation and harassment;
 - how to raise a concern; and
 - what Tyler Grange will do.
- 1.6. If you are unsure whether to use ([TGSF_100_039] Whistleblowing Policy) or want independent advice at any stage, you may contact the independent charity Protect on 020 3117 2520 or complete the online contact form at <https://protect-advice.org.uk/contact-protect-advice-line/>. Their advisers can give you free confidential advice on how to raise a concern about serious malpractice at work.

2. Aims of the Policy

- 2.1. ([TGSF_100_039] Whistleblowing Policy) is designed to ensure that you can raise your concerns about wrongdoing or malpractice within Tyler Grange without fear of victimisation, subsequent discrimination, disadvantage or dismissal. It is also intended to encourage and enable you to raise serious concerns within Tyler Grange rather than ignoring a problem or 'blowing the whistle' outside.
- 2.2. ([TGSF_100_039] Whistleblowing Policy) aims to:
 - encourage you to feel confident in raising serious concerns at the earliest opportunity and to question and act upon concerns about practice;



- provide avenues for you to raise those concerns and receive feedback on any action taken;
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied; and
- reassure you that you will be protected from possible reprisals or victimisation if you have made any disclosure in good faith.

3. Scope of this Policy

3.1. ([TGSF_100_039] Whistleblowing Policy) is intended to enable those who become aware of wrongdoing in Tyler Grange affecting some other person or service, to report their concerns at the earliest opportunity so that they can be properly investigated.

3.2. ([TGSF_100_039] Whistleblowing Policy) is not intended to replace existing procedures:

- If your concern relates to your own treatment as an employee, you should raise it under the existing grievance or harassment procedures; and
- If a client has a concern about services provided to him/her, it should be raised as a complaint to Tyler Grange.

4. Who can raise a concern under this Policy?

4.1. ([TGSF_100_039] Whistleblowing Policy) applies to all:

- employees of Tyler Grange;
- employees of contractors working for Tyler Grange, for example, sub consultants, builders and drivers;
- employees of suppliers; and
- voluntary workers working with Tyler Grange.

5. What should be reported?

5.1. Any serious concerns that you have about service provision or the conduct of officers or members of Tyler Grange or others acting on behalf of Tyler Grange that:

- make you feel uncomfortable in terms of known standards;



- are not in keeping with the County Tyler Grange's Constitution and policies;
- fall below established standards of practice; or
- are improper behaviour.

5.2. These might relate to:

- conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation);
- disclosures related to miscarriages of justice;
- racial, sexual, disability or other discrimination;
- health and safety of the public and/or other employees;
- damage to the environment;
- unauthorised use of public funds or other assets;
- possible fraud and corruption;
- neglect or abuse of clients; or
- other unethical conduct.

5.3. This list is not exhaustive.

6. Your legal rights

6.1. This ([TGSF_100_039] Whistleblowing Policy) has been written to take account of the Public Interest Disclosure Act 1998¹ which protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in the public interest.

6.2. The Act makes it unlawful for Tyler Grange to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

¹ [Public Interest Disclosure Act 1998](#)



- 6.3. Rarely, a case might arise where it is the employee that has participated in the action causing concern. In such a case it is in the employee's interest to come into the open as soon as possible. Tyler Grange cannot promise not to act against such an employee, but the fact that they came forward may be taken into account.

7. Harassment or Victimisation

- 7.1. Tyler Grange is committed to good practice and high standards and to being supportive of you as an employee.
- 7.2. Tyler Grange recognises that the decision to report a concern can be a difficult one to make. If you honestly and reasonably believe what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer, your colleagues and those for whom you are providing a service.
- 7.3. Tyler Grange will not tolerate any harassment or victimisation of a whistle blower (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith and will treat this as a serious disciplinary offence which will be dealt with under the disciplinary rules and procedure.

8. Support to you throughout this process

- you will be given full support from the Board of Directors;
 - your concerns will be taken seriously; and
 - Tyler Grange will do all it can to help you throughout the investigation.
- 8.1. If appropriate, Tyler Grange will consider temporarily re-deploying you for the period of the investigation. For those who are not Tyler Grange employees, Tyler Grange will endeavour to provide appropriate advice and support wherever possible.

9. Confidentiality

- 9.1. 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.



10. Anonymous Allegations

- 10.1. ([TGSF_100_039] Whistleblowing Policy) encourages you to put your name to your allegation whenever possible. If you do not tell us who you are it will be much more difficult for us to protect your position or to give you feedback. It is not ideally suited to concerns raised anonymously.
- 10.2. Concerns expressed anonymously are much less powerful, but they may be considered at the discretion of Tyler Grange. In exercising this discretion, the factors to be taken into account would include:
- the seriousness of the issue raised;
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from other sources.

11. Untrue Allegations

- 11.1. If you make an allegation in good faith and reasonably believing it to be true, but it is not confirmed by the investigation, Tyler Grange will recognise your concern and you have nothing to fear. If, however, you make an allegation frivolously, maliciously or for personal gain, appropriate action that could include disciplinary action, may be taken.

12. Raising a Concern

- 12.1. This will depend on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. You should normally raise concerns with:
- Your Line Manager;
 - Your Discipline Head (Director); and
 - The Managing Director on 0121 828 4043.
- 12.2. The address for correspondence is Tyler Grange, 97 Icknield Street, Hockley, Birmingham, B18 6RU.
- 12.3. If, exceptionally, the concern is about the Managing Director of Tyler Grange your concern should be raised with another Director of Tyler Grange who will decide how the investigation will proceed. This may include external investigation.
- 12.4. If you prefer not to raise a concern internally, you can seek confidential advice from Protect, 020 3117 2520 or complete the online contact form at <https://protect-advice.org.uk/contact-protect-advice-line> for advice. Or, you can raise the issue with



an appropriate regulator or obtain independent legal or trade union support. In emergencies or where there is an immediate risk, contact the emergency services.

12.5. A full list of prescribed persons is available on the UK Government website.

[Whistleblowing: list of prescribed people and bodies - GOV.UK](#)

13. How to raise a concern

13.1. You may raise your concern by telephone, in person 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; and
- the background and history of the concern (giving relevant dates).

13.2. Although you are not expected to prove beyond doubt the truth of your suspicion, you will need to demonstrate to the person contacted that you have a genuine concern relating to suspected wrongdoing or malpractice within Tyler Grange and there are reasonable grounds for your concern.

13.3. You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

13.4. You may invite your trade union, professional association representative or a friend to be present for support during any meetings or interviews in connection with the concerns you have raised.

14. What Tyler Grange will do

14.1. Tyler Grange will respond to your concerns as quickly as possible. Do not forget that testing your concerns is not the same as either accepting or rejecting them.

14.2. The overriding principle for Tyler Grange will be the public interest. 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.

14.3. The investigation may need to be carried out under terms of strict confidentiality, i.e., by 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.

14.4. Protection of others is paramount in all cases. Where appropriate, the matters raised may:

- be investigated by management, or through the disciplinary / grievance process;
- be referred to the police;
- be referred to the external auditor; and
- form the subject of an independent inquiry.

14.5. Within ten working days of a concern being raised, the person investigating your concern will write to you:

- acknowledging that the concern has been received;
- indicating how Tyler Grange proposes to deal with the matter;
- supplying you with information on staff support mechanisms; and
- telling you whether further investigations will take place and if not, why not.

14.6. The amount of contact between you and the officers considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of your information. It is likely that you will be interviewed to ensure that your disclosure is fully understood.

14.7. Any meeting can be arranged away from your workplace, if you wish, and a union or professional association representative or a friend may accompany you in support.

14.8. Tyler Grange will do what it can to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are asked to give evidence in criminal or disciplinary proceedings, Tyler Grange will arrange for you to receive appropriate advice and support.

14.9. You need to be assured that your disclosure has been properly addressed. Unless there are any legal reasons why this cannot be done, you will be kept informed of the progress and outcome of any investigation.



15. The Responsible Officer

15.1. The Managing Director Officer has overall responsibility for the maintenance and operation of this Policy; however he can delegate the practical parts of the policy to the HR Lead of Tyler Grange.

16. How the Matter can be Taken Further

16.1. ([TGSF_100_039] Whistleblowing Policy) is intended to provide you with an avenue within Tyler Grange to raise concerns. Tyler Grange hopes you will be satisfied with any action taken. If you are not, and you feel it is right to take the matter outside Tyler Grange, the following are Tyler Grange's prescribed contacts:

- your trade union;
- the police; and
- other relevant bodies prescribed by legislation - Tyler Grange's Managing Director or HR Lead will be able to advise you who you can contact.

16.2. If you raise concerns outside Tyler Grange you should ensure that it is to one of these prescribed contacts. A public disclosure to anyone else could take you outside the protection of the Public Interest Disclosure Act and of this Policy.

16.3. You should not disclose information that is confidential to Tyler Grange or to anyone else, such as a client or contractor of Tyler Grange, except to those included in the list of prescribed contacts.

16.4. ([TGSF_100_039] Whistleblowing Policy) does not prevent you from taking your own legal advice.

16.5. The HR Lead will review this Policy annually.

Updated by:

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