

# NOCN Whistle-blowing Policy and Procedure

## 1. Aims of the policy

NOCN are committed to maintaining the highest standards of honesty, openness and accountability and recognise that trustees, employees, delivery partners, Centres, learners, suppliers and contractors, have an important role to play in achieving this goal.

It is important that any criminal behaviour or wrongdoing by an employee, or any individual undertaking work with, or on behalf of, NOCN, is reported and properly dealt with. Workers are protected, in certain circumstances, under the Public Interest Disclosure Act 2013 if information about a wrongdoing is brought to the attention of NOCN, or a relevant organisation. This is commonly referred to as 'blowing the whistle'. The law that protects whistle-blowers is for the public interest - so people can speak out if they find malpractice in an organisation. Whistle-blowing is more formally known as 'making a disclosure in the public interest'.

This Whistle-blowing policy is underpinned by the Public Interest Disclosure Act 2013. This gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. NOCN is committed to ensuring that no member of staff should feel at a disadvantage in raising legitimate concerns.

## 2. Scope

This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to other procedures.

Qualifying disclosures are disclosures of information where the person reasonably believes (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future.

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- Deliberate attempt to conceal any of the above.

If any disclosure is bad in bad faith (for instance, to cause disruption within or to the organisation), or concerns information which the person does not substantially believe is true, or indeed if the disclosure is made for personal gain, then such a disclosure will constitute a disciplinary offence for any NOCN employees, which under the purposes of NOCN's Disciplinary Policy and Procedures, may constitute gross misconduct for which summary dismissal is the sanction. For Trustees, this may result in them being removed from the Board of Trustees.

### 3. Confidentiality

NOCN will treat all such disclosures in a confidential and sensitive manner. The identity of the person making the allegation may be kept confidential so long as it does not hinder any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

NOCN have identified a designated person and an alternative to whom disclosures should be made and will keep the whistle-blower informed, confidentially, about the steps being taken to address the disclosure.

### 4. Procedure

If a person has a concern and wishes to make a disclosure or discuss an issue which may fall into the categories listed, the first point of contact may depend on whom they believe is involved in the misconduct or malpractice.

Normally the first point of contact is the Chair of Audit Committee.

Where it is inappropriate to raise the matter with the Chair of Audit Committee, a member of the NOCN Senior Management Team or the Chair of Trustees should be contacted.

At the point of raising the concern, the person should state that they wish the matter to be dealt with in confidence under the Whistleblowing Policy and Procedure.

Once a concern has been raised, an acknowledgement of receipt of this will be issued within **5 working days**.

NOCN will then need to make preliminary enquiries to decide whether a full investigation is necessary. If such an investigation is necessary, then depending on the nature of the disclosure it will be either:

- Investigated internally (by NOCN Group Management or Trustees); or
- Referred to the appropriate external person/body (e.g. police, external auditors, Charity Commission etc.)

Subject to any legal constraints NOCN will keep you informed of the outcome of preliminary enquiries, full investigation and any further action. It may be necessary for attendance at a disciplinary or investigative hearing as a witness.

#### Independent Advice

Independent advice may be sought at any stage.

## External Disclosure

NOCN recognises that there may be circumstances where it may be appropriate for concerns to be reported directly to an external body. Public Concern at Work will be able to advise on such options and the circumstances where it may be appropriate to make an external disclosure.

## 5. Contact Details

### Chair of Audit Committee

Kay Dickinson

[kdickinson1708@live.co.uk](mailto:kdickinson1708@live.co.uk)

### Chair of Trustees

Gareth Jones

[gareth.jones@mandg.co.uk](mailto:gareth.jones@mandg.co.uk)

### NOCN Senior Management Team

#### Group Managing Director

Graham Hasting-Evans

[managing.director@nocn.org.uk](mailto:managing.director@nocn.org.uk)

0114 227 0524

#### Group Deputy Managing Director

Jane Jones

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0114 227 0517

## 6. Quality Assurance and Review

This policy will be reviewed on an annual basis. Next review date: April 2019

Version	Approved by	Date	Next Review Date
5.2	GHE	March 2018	April 2019