



**National Survivor  
User Network**

<b>Policy name</b>	<b>Whistleblowing Policy</b>
<b>Operational from</b>	03/11/2020
<b>Next review date</b>	03/11/2021
<b>Responsible staff member(s)</b>	Akiko Hart (Chief Executive Officer) <a href="mailto:akiko.hart@nsun.org.uk">akiko.hart@nsun.org.uk</a> Angela Newton (Chair of the Board)
<b>Associated policies</b>	Complaints Policy Social Media Policy Disciplinary Policy
<b>Privacy</b>	External

## **Scope:**

It is important that any fraud, misconduct or wrongdoing by staff, associates, trustees or volunteers working on behalf of NSUN is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in the charity or the way in which the organisation is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with by NSUN.

## **1. Background**

**1.1** The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called "qualifying disclosures". A qualifying disclosure is one made by an employee who has a reasonable belief that

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. You have no responsibility for investigating the matter - it is the charity's responsibility to ensure that an investigation takes place.

**1.2** If you make a qualifying disclosure you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance (see Procedure below).

## **2. Principles**

**2.1** Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the charity should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

**2.2** Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.

**2.3** No employee or other person working on behalf of the charity will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.

**2.4** Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.

**2.5** If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.

**2.6** Maliciously making a false allegation is a disciplinary offence (see Disciplinary policy)

**2.7** An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the Chief Executive or the Chair of the Board of Trustees.

### **3. Procedure**

**3.1** This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via the Grievance Procedure.

#### **3.2** Stage 1:

In the first instance, any concerns should be raised with the CEO, who will arrange an investigation of the matter. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained. The CEO will take any necessary action, including reporting the matter to the Chair of the Board of Trustees and any appropriate government department or regulatory agency. The CEO will also invoke any disciplinary action required. On conclusion of any investigation, you will be told the outcome and what the charity has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained. If your concern involves the CEO, you should raise this concern with the Chair of Board of Trustees. If your concern involves the Chair, you should raise this concern with the CEO or a named Officer of the Board.

NSUN will acknowledge qualifying disclosures within 5 days of receiving them, and will aim to complete the investigation within 20 days of receiving them. It may be necessary on occasion to extend the time limit to ensure NSUN has all the information necessary to deal with it. If this is the case NSUN will keep the individual informed of progress with the investigation, the reasons for the delay, and inform them of next steps.

#### **3.3** Stage 2:

If after the investigation by the CEO you are concerned that the CEO is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the Chair of the Board of Trustees. The Chair will arrange for a review of the

investigation to be carried out, make any necessary enquiries and make their own report to the Board.

### 3.4 Stage 3:

If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. This includes:

- HM Revenue & Customs
- The Health and Safety Executive
- The Environment Agency
- The Serious Fraud Office
- The Charity Commission
- The Pensions Regulator
- The Information Commissioner
- The Financial Conduct Authority

You can find the full list in The Public Interest Disclosure (Prescribed Persons) Order 2014:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf)

## 4. Data protection

**4.1** When an individual makes a disclosure, we will process any personal data collected in accordance with the data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

## Contact details

CEO: Akiko Hart, [Akiko.hart@nsun.org.uk](mailto:akiko.hart@nsun.org.uk)

Chair: Angela Newton, [angela@livedexperiencematters.org.uk](mailto:angela@livedexperiencematters.org.uk)

Email: [info@nsun.org.uk](mailto:info@nsun.org.uk)

Post: **Kemp House, 152-160 City Road, London EC1V 2NX**

If you are unable to contact us in writing as above, please contact us over the phone:

**Telephone:** 020 7820 8982

You can contact us using your preferred method and format of communication. NSUN can signpost to appropriate support, translation or interpretation services to ensure equal access to this procedure for all. You may seek support from a relative, friend or advocate. NSUN staff should be aware and able to assist you to locate a local advocacy service should you need this assistance in order to contact us.