

NEW OPPORTUNITIES FOR COMMUNITY AND SUPPORT (NOCS)

Whistleblowing Policy

Introduction

Whistleblowing legislation was introduced to support and protect employees or workers who report certain types of wrongdoing. Although the legislation relates to employees only, the NOCS policy is equally for volunteers who need to blow the whistle. Both workers and volunteers are encouraged to report wrongdoing if they become aware of it, just as we encourage our visitors to.

You're a whistleblower if you report certain types of wrongdoing. This will usually be something you've seen in the charity.

The wrongdoing you disclose must be in the public interest. This means it must affect others, for example visitors or other workers in the charity, or the general public.

This procedure applies to, but is not limited to, allegations about any of the following:

- Conduct which is an offence or breach of the law
- Alleged miscarriage of justice
- Serious Health and Safety risks
- The unauthorised use of public funds
- Possible fraud or corruption
- Sexual, physical or verbal abuse, or bullying or intimidation of employees, volunteers, customers or service users
- Abuse of authority
- Other unethical conduct

You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.

1. Employees

As a whistleblower you have specific substantial protection in law, if you were to be [treated unfairly or lose your job](#), because you 'blow the whistle'.

Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest. You should report these under your employer's Grievance Policy or Harassment and Bullying Policy.

2. Volunteers

Whistleblowing allegations by volunteers will be treated equally seriously to those which might be brought by an employee and NOCS will follow the same procedures outlined in the policy below.

3. Advice and Information

As an employee or volunteer, you can report serious wrongdoing at a charity to the [Charity Commission](#), further information can be found by following the link.

You can email the Charity Commission at whistleblowing@charitycommission.gsi.gov.uk.

The Government produces advice for employees who are whistleblowers, which you can read [here](#).

If you aren't sure what to do, or are too scared to report your concern, Protect is a charity that supports whistleblowers by providing advice on their [website](#). You can contact them by phone, email or by writing to them.

4. Reporting Your Concern

The responsible trustee is:

Name	Position	Contact Details
Angela Potter	Trustee and Secretary	angie.potter@btinternet.com 07866 173254

NOCS will take appropriate action to protect a whistleblower who makes a serious allegation in the reasonable belief that it is in the public interest to do so from any reprisals, harassment or victimisation.

5. Confidentiality

All allegations will be treated in confidence and every effort will be made not to reveal your identity unless you wish this to be done.

However, if the matter is subsequently dealt with through other procedures such as the Disciplinary Procedure, or if the allegation results in court proceedings, then you may have to give evidence in open court if the case is to be successful.

NOCS will not, without the whistleblower's consent, disclose the identity of a whistleblower to anyone other than a person involved in the investigation/allegation.

6. Anonymous Allegations

We encourage whistle blowers to put their name to an allegation wherever possible, as anonymous allegations may often be difficult to substantiate/prove. Allegations made anonymously are much less powerful but anonymous allegations may be considered, taking into account the following:

- The seriousness of the issue raised.
- The credibility of the allegation; and
- Whether the allegation can realistically be investigated from factors or sources other than the complainant.

7. Untrue Allegations

No disciplinary or other action will be taken against a whistleblower who makes an allegation in the reasonable belief that it is in the public interest to do so, even if the allegation is not substantiated by an investigation.

However, disciplinary action may be taken against an employee who makes an allegation without reasonable belief that it is in the public interest to do so. That is making an allegation frivolously, maliciously or for personal gain, where there is no element of public interest.

8. Procedure for Making an Allegation

It is preferable for allegations to be made to an employee's or volunteer's immediate manager. However, this may depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved it would be inappropriate to raise it directly with them. The whistleblower may then make an allegation direct to any of the following:

- The Chairman of Trustees
- The Secretary Trustee (contact details in section 4).

If either of the above receive an allegation he/she will consider the allegation and may discuss with either the charity Manager or other Trustees. The person to whom the disclosure is made, after consideration, will discuss with the whistleblower and if they wish to proceed with the allegation it will be investigated.

9. Allegation

Whether a written or oral report is made it is important that relevant information is provided including:

- The name of the person making the allegation and a contact point.
- The background and history of the allegation (giving relevant dates and names and positions of those who may be in a position to have contributed to the allegation);
- The specific reason for the allegation. Although someone making an allegation will not be expected to prove the truth of any allegations, they will need to provide information

to the person they have reported to, to establish that there are reasonable grounds for the allegation.

Someone making an allegation may be accompanied by another person of their choosing during any meetings or interviews in connection with the allegation. However, if the matter is subsequently dealt with through another procedure the right to be accompanied will at that stage be in accordance with the relevant procedure.

10. Action on receipt of an Allegation

The person to whom the disclosure is made will record details of the allegation gathering as much information as possible, (within 5 working days of receipt of the allegation) including:

- The record of the allegation:
- The acknowledgement of the allegation;
- Any documents supplied by the whistleblower

The investigator will ask the whistleblower for his/her preferred means of communication and contact details and use these for all communications with the whistleblower in order to preserve confidentiality.

If the allegation relates to fraud, potential fraud or other financial irregularity the Treasurer will be informed within 5 working days of receipt of the allegation. The Treasurer will determine whether the allegation should be investigated and the method of investigation.

If the allegation discloses evidence of a criminal offence it will immediately be reported to the Board of Trustees and a decision will be made as to whether to inform the Police. If the allegation concerns suspected harm to children the appropriate authorities will be informed immediately.

If the issue is around suspected harm to vulnerable adults, the Safeguarding Policies should be referred to.

11. Timetable

The allegation will be acknowledged in writing within 10 working days with:

- An indication of how NOCS proposes to deal with the matter
- An estimate of how long it will take to provide a final response
- An indication of whether any initial enquiries have been made
- Information on whistleblower support mechanisms
- Indication whether further investigations will take place and if not, why not.

Where the allegation has been made internally and anonymously, obviously NOCS will be unable to communicate what action has been taken.

12. Support

NOCS will take steps to minimise any difficulties which may be experienced as a result of making an allegation. For instance, if a whistleblower is required to give evidence in criminal or disciplinary proceedings NOCS will arrange for them to receive advice about the procedure and advise on the support mechanisms that are available.

NOCS accepts that whistleblowers need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform those making allegations of the outcome of any investigation.

13. Responsibility for the Procedure

The Chairman and the Secretary of Trustees have overall responsibility for the operation of this Procedure and for determining the administrative processes to be followed and the format of the records to be kept.

14. Monitoring

A Register will record the following details:

- The name and status (e.g. employee, volunteer) of the whistleblower
- The date on which the allegation was received
- The nature of the allegation
- Details of the person who received the allegation
- Whether the allegation is to be investigated and, if so, by whom
- The outcome of the investigation
- Any other relevant details

The Register will be confidential and only available for inspection by the Board of Trustees. The Chairman will report annually to the Board of Trustees on the operation of the Procedure and on the whistleblowing allegations made during the period covered by the report. The report will be in a form which does not identify whistleblowers.

15. Approval and Review

Policy agreed 27th April 2023

Next review April 2025

This policy will be reviewed every two years by the Board of Trustees, or sooner if required by changes in NOCS circumstances or by changes in law.

New Opportunities for Community and Support in partnership with Noc's Box

