

Public Interest Disclosure – Whistleblowing Policy

we are
the network

Administrator: Admin

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1. **Purpose**

To provide employees and managers with appropriate guidance on the application of the Public Interest Disclosure Act, which is commonly known as the “Whistleblower’s Act”. The object of the legislation is to provide a policy for workers who disclose information covered by the Act (“qualifying disclosure”) outside the Company in cases where they have raised the matter internally and have not had the situation resolved as a result. Individuals are encouraged to use the internal channels established in this procedure in preference to an external disclosure.

The policy informs you about the procedure to be followed when making a qualifying disclosure. The Act came into force 2 July 1999 and protects “Whistleblowers” (employees and workers) from unfair dismissal or victimisation where they make a disclosure in the public interest. “Whistleblowers” must follow a lawful procedure.

Implementing and publicising this procedure will reduce the number of circumstances in which it would be considered reasonable for someone to raise concerns outside the Company. It will also provide an early warning system for issues of malpractice requiring investigation and it is important that employees concerns are quickly resolved within the law.

2. **Scope**

The scope of this policy is applicable to all Company employees, agency staff, contractors and consultants. This policy should be read in conjunction with all other company policies.

3. **Policy Statement**

The Company aims to conduct our business activities not only within the law but also with fairness and integrity. The Company acknowledges the legislation and provides

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a whistle blowing policy to raise issues of concern either inside or outside the Company.

More importantly, it encourages you to raise any concerns internally without fear of any negative reaction or if appropriate, to the independent NGN call line **0800 915 1571**, via email to ngn@safecall.co.uk or online at **www.safecall.co.uk**. Disclosure of concerns to persons outside the Company might well have a damaging effect on our credibility with shareholders, customers and suppliers.

4. Application of the Legislation

Legislation was introduced which protects employees and workers from unfair dismissal or victimisation where they make a disclosure in the public interest and follow a lawful procedure.

The Act applies to any permanent employee, temporary employee, agency, casual or contractor worker.

Any of the following “wrongdoings” which you know or believe has happened or is currently happening or which you believe is likely to happen will be covered by the Disclosure Policy; but this is not an exhaustive list:

- Financial or accounting fraud, corruption, bribery or other financial impropriety;
- Criminal Facilitation of Tax Evasion
- Significant deficiencies or material weaknesses in the systems of internal controls or any other significant weakness related to auditing or accounting matters which have a material effect on the financial statements;
- Improper use of confidential or commercially sensitive information;
- A conflict of interest or unethical behaviour or malpractice;
- Failure to disclose information or the destruction of documents which should be disclosed to others in the Company or to regulatory or appropriate authorities;
- A criminal offence or failure to comply with legal obligations;
- A breach of the terms of the regulatory licence;
- The health or safety of anyone being endangered or harmed;
- The environment being damaged;
- Failure to comply with policies, procedures or internal controls;
- The deliberate concealment of information relating to any of the above.
- Any of the foregoing actions committed by an employee of another company, but whose actions impact on NGN or its employees.

4.1 Exclusions

You should be protected under the Act if you:

- have not made the disclosure principally for the purpose of obtaining payment or personal gain (e.g. disclosures to tabloids)

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- have reasonable grounds for suspicion, and have taken all reasonable steps to raise the matter through the designated internal channels before making the disclosure to external parties.

Any attempt by any member of the Company to deter an individual from making a disclosure, victimising them or making life difficult for them because of a disclosure, perceived or actual, will be a serious disciplinary offence and may lead to dismissal.

5. Employee Guidance

The disclosure procedure has been put in place to enable you to raise issues of concern regarding malpractice or inappropriate behaviour by individuals.

The Company strongly recommends using the internal disclosure procedure which is set out below. However, where you believe an external disclosure would be more appropriate you should or you may wish to obtain legal advice to check your own legal position regarding your contractual confidentiality obligations and to ensure that any disclosure meets the criteria of a qualifying disclosure under the Act.

Protection provided by the Act may be lost where concerns are not raised internally prior to making an external disclosure.

5.1 Procedure for making a disclosure

- If you wish to raise a concern, the earlier you do so the better. Every matter will be treated seriously and sensitively and will be fully investigated in accordance with the Incident Response Plan which is activated by the Human Resources Director.
- In the first instance, you should speak to your Line Manager, then the Human Resources Director.
- Whoever you approach will take suitable action and give you appropriate feedback. If you have reported the matter to your Line Manager or named senior persons and remain concerned that the issue has not been responded to appropriately, you are encouraged to report the matter via the NGN call line or online using the methods above.

The Disclosure Procedure is not designed to replace the Grievance Procedure which remains a part of your contract of employment. If you have a personal grievance, or any other complaint which is employee specific, you should proceed under the Grievance Policy.

5.2 Protection from reprisals because of making a disclosure

We recognise the sensitivity of raising issues and we undertake to treat details of individuals who report matters with the utmost confidence. This means that your identity will not be disclosed unless it is absolutely necessary to do so in connection with the investigation of your disclosure.

Provided your disclosure is a genuine cause for concern, no action will be taken against you, nor will there be any threat to your career prospects.

Retaliation or victimisation from any member of the Company because of your disclosure will not be tolerated.

There will also be no tolerance of any attempt by any manager or employee in the Company to deter an individual from making a disclosure, victimising or making life difficult for an employee because of a disclosure.

Please be aware that contractual confidentiality clauses still apply so legal advice should be taken before disclosures are made externally.

6. Manager Guidance

Legislation was introduced in 1999 which protects employees and workers from unfair dismissal or victimisation where they make a disclosure in the public interest and follow a lawful procedure.

6.1 Disclosure Procedure: Managers Implementation Guide

- Please ensure that everyone is aware that an internal procedure exists for them to raise issues of concern within the business.
- The identity of anyone who makes an internal disclosure direct to you should be held in the strictest of confidence, (except where they may have to be identified in order to thoroughly investigate the issue raised).
- Managers should ensure that individuals who make a disclosure are not victimised or their career prospects damaged by making the disclosure.
- Line Managers must take as much information as possible at the time and inform the Human Resources Director ensuring they pass on all information obtained. In accordance with the Incident Response Plan the Human Resources Director will ensure that ALL reported incidents/concerns will be fully investigated.
- Appropriate feedback on the outcome of the investigation will be provided to the individual, this may require assistance from the Line Managers alongside the Human Resources Director.

The following records will be produced and retained for a period of 6 years:

- This policy statement and amendments thereto;
- Procedures under this policy and amendments thereto;

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- Details of all disclosures, together with the information provided, the investigation, its results and any subsequent actions undertaken; and
- Details of the steps taken to ensure employee awareness including the timing and method of delivery, what was addressed and the audience.

7. Benefits of the Disclosure Procedure

The disclosure procedure is being implemented in order to:

- Reduce the circumstances in which it would be considered reasonable for someone to raise concerns outside of the Company
- Minimise the risk of adverse external attention from Regulators, Media, Stakeholders etc.
- Provide an early warning system for any issues of malpractice which require investigation
- Reinforce to employees that the Company operates its businesses in a fair, open manner and will not tolerate malpractice of any description
- Prevent a damaging effect on our credibility with shareholders, customers and suppliers and could potentially impact on job security.
- Avoid compensation payments for unfair dismissal in relation to whistleblowing, which are uncapped.

8. Responsibility

Everyone referred to within the Scope of this policy is required to adhere to its terms and conditions.

Line Managers are responsible for ensuring that this policy is applied within their own area, and that staff are made fully aware of their right to make a disclosure.

Any queries on the application or interpretation of this policy may be discussed with Human Resources Director prior to any action being taken.

The Human Resources Director will approve amendments to the policy.

NGN call line **0800 915 1571**

Email [**ngn@safecall.co.uk**](mailto:ngn@safecall.co.uk)

Web [**www.safecall.co.uk**](http://www.safecall.co.uk)

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9. Version Control

Version	Date	Comment
2	20/06/2013	Reformatted and Rebranded to maintain consistency across all policies
3	12/12/2013	Policy Revised as part of HR Audit Report Oct 13
4	01/04/2016	Change of number for new provider SafeCall
5	01/05/2019	Updated Branding
6	28/01/2020	Facilitation of Tax Evasion