



NAPAC Whistleblowing Policy

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1. Our commitment

NAPAC aims to conduct ourselves ethically, and with honesty and integrity. We expect the same high standards from all of our people – employees, workers, contractors, agency workers, and volunteers.

We do, however, recognise that there may be occasions when we – or our people – do not get this right. In these instances, you may feel that you need to raise your genuine and serious concerns through this whistleblowing policy.

2. Aim of the policy

The aims of this policy are to:

- provide an effective way for you to raise serious concerns
- ensure that you receive feedback on any action undertaken by us as a result of you raising serious concerns
- ensure that you will be protected from reprisals or victimisation for having raised your concern in good faith
- signpost you to further options available to you if you are dissatisfied with our response, or if internal investigation is not appropriate
- allow NAPAC to take action against any employee who makes allegations in bad faith and/or publicly discloses information when it is unreasonable for them to do so.

3. Who this policy applies to

This policy applies to everyone who works for and volunteers with NAPAC. This means NAPAC employees, volunteers, agency workers, interns, and contractors.

This policy does not apply to the general public outside of the categories listed above. If you are a member of the public and wish to provide feedback to NAPAC, please use our 'compliments and complaints' procedure which can be found on the NAPAC website.

4. Defining whistleblowing

'Whistleblowing' is a term used to refer to the internal or external disclosure of malpractice as well as illegal acts, or omissions, at work. It covers, for example, how we raise funds, how we commission work or make payments.

5. Protecting individuals using this policy

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996, and it provides protection for individuals who raise legitimate concerns about specified matters,



outlined below. These are called qualifying disclosures. A qualifying disclosure is one made in good faith by an individual who has a reasonable belief that:

- a criminal offence (including fraudulent and corrupt behaviour, e.g., theft, fraud, or malpractice)
- 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.

It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed. You do, however, need to hold a reasonable belief of such an action having been, being or likely to be carried out.

If you make such a protected disclosure, you have the right not to be dismissed, subjected to any other detriment, or victimised. This is the case even were it to materialise that you were genuinely mistaken. We will not tolerate any individual being subjected to a detriment as a result of their making a disclosure in good faith.

Under the law, interns, contractors, or volunteers, are not afforded the same legal protection that is afforded to employees. As NAPAC, however, we want to promote and encourage an open and honest environment in which concerns can be freely raised. We will therefore, in so far as is possible, aim to treat all individuals making a disclosure in the spirit of the Public Interest Disclosure Act 1998.

6. Malicious disclosures

If it is found that you have maliciously raised a matter which you know to be untrue or you are involved in any way in the malpractice, wrongdoing or illegal acts or omissions, your behaviour may be addressed through the NAPAC disciplinary policy.

7. Non-whistleblowing concerns

This policy is only to be used in the exceptional circumstances as outlined in section 5, above. There are a number of NAPAC policies that will be relevant in other circumstances, which can be found in the Employee Handbook. This list includes but is not limited to:

- safeguarding and child protection
- bullying and harassment
- disciplinary
- grievance.

8. Raising a concern

You should raise your whistleblowing concern as soon as possible. This will make it easier to act and to enable any problems to be resolved or reported quickly. You can make your disclosure



verbally, but written disclosures are preferable as these will make the process more efficient and effective. In your disclosure, you should:

- provide any relevant context and background, including relevant dates, venues, names etc
- state clearly the reason why the situation causes for concern.

You must say that you are raising your concern using the whistleblowing policy and whether you wish your identity to be kept confidential. While we will make every effort to deal with your case confidentially, depending on the circumstances of the case this may not always be possible. Where this is the case, you will be informed of this and the reasons why it was not possible.

We will consider anonymous disclosures, but we do not encourage them as anonymity often makes it difficult to properly investigate concerns, protect employees or give feedback on outcomes.

9. Who should I raise it with?

You should always look to raise the matter with your line manager in the first instance. Where this is not appropriate because they may be involved in the alleged malpractice, wrongdoing or illegal acts or omissions in some way, raise your concern with their manager.

In some circumstances where it would be inappropriate for you to approach your manager or their manager you should raise the matter directly with the Chief Operating Officer.

Where a concern is about the Chief Executive Officer or a trustee, you should contact the Chair of the Board of Trustees.

10. What happens after I raise a concern?

Your disclosure will always be acknowledged within three working days. It will be investigated by the NAPAC manager or senior officer that you raise your concern to. They will arrange to meet you as soon as possible, away from the workplace if necessary, to enable you to explain your concern, as outlined in section 8, above.

As per section 8 above, we may not always be able to keep your details confidential but we will always let you know if it is not possible to do so. You will be told either at the meeting or as soon as possible afterwards, what action will be taken to address the concern you have raised. Where action is not taken, you will be informed and given an explanation.

The action taken in response to a disclosure will depend on the nature of the concern. Typically, the matters raised may result in one or more of the following:

- no action required
- action being taken under other NAPAC policy or procedure
- an internal investigation under this policy
- a referral to the police or relevant statutory body
- a referral to the Charity Commission
- an independent enquiry.



Any NAPAC manager or senior officer receiving a potential whistleblowing concern must notify the Chief Operating Officer immediately that a concern has been raised and inform them of progress in resolving the concern.

11. Raising a concern externally

We strongly encourage you to exhaust the internal processes set out above in the first instances. In exceptional or urgent circumstances, however, or where, having made a disclosure, you are unhappy with the outcome, you have a legal right to make a disclosure to prescribed bodies. These include but are not limited to:

- the Charity Commission;
- HM Revenue & Customs;
- the Health and Safety Executive;
- the Financial Services Authority;
- the Office of Fair Trading;
- the Environment Agency
- the Office of the Scottish Charity Regulator
- fundraising regulator.

Similar to the rights and obligations of an employee, NAPAC reserves the right to make a referral to any of the above agencies without your consent.

12. Making a disclosure to the press

Disclosures to the press will not be considered reasonable and may constitute misconduct. As such, the matter might be treated as a disciplinary matter in accordance with our disciplinary and grievance policy and procedure.

13. Further help and assistance

If, at any stage in the procedure, you are unsure about what to do and would like independent advice, you can discuss your concern with someone at Public Concern at Work. This body is an independent charity staffed by lawyers, which offers confidential free legal and practical advice on how people can raise concerns about malpractice at work. They can also provide advice about what legal protection may be available to you. You can email Public Concern at Work at whistle@pcaw.org.uk or phone them on their advice line: 020 3117 2520.

