

## WHISTLEBLOWING POLICY

### **PURPOSE**

This policy describes how staff can raise concerns they have about suspected malpractice, unethical or illegal behaviour at UoNSU which are normally of an exceptionally serious nature and may be in the public interest. It highlights our commitment to a culture of transparency and openness in which suspected wrongdoing can be raised and addressed quickly and fairly.

### **POLICY**

#### **Introduction**

UoNSU is committed to running the organisation and serving our members with honesty and integrity. Our reputation as an organisation is very important to us and we expect staff to maintain high standards in how they go about their various roles. However, there could be times when things aren't as they should be and people may want to raise a concern or complaint about something which they believe to be illegal, unethical or dangerous. Often the issue doesn't personally affect the person raising the concern, although it may do. This is known as making a protected disclosure in the public interest or 'whistleblowing'. The policy describes how staff can raise these concerns, how they will be investigated and the legal protection offered to staff who make a disclosure.

Additionally, living our Values emphasises openness, inclusivity and personal accountability. We want our workplace to be one where people can contribute and thrive in a safe environment. This policy supports that vision.

#### **Whistleblowing**

Whistleblowing is the disclosure of information which relates to actual or suspected wrongdoing or dangerous practice at work. You can follow this policy to report serious concerns which may include:

- Conduct that is an offence or breach of law
- Health and safety risks, including risks to the public as well as other employees
- Environmental damage
- Failure to comply with regulatory or statutory obligations
- Financial mismanagement fraud, bribery or corruption
- Negligence
- Miscarriage of justice
- Deliberate concealment of information tending to show any of the above matters

A 'whistleblower' is someone who raises a genuine concern about any of these points. If you have any such concerns, you should raise it under this policy.

This policy shouldn't be used for any personal concerns about your work, how you've been treated, disagreements with managers or colleagues, or to raise concerns about discrimination or bullying. If these are concerns for you, you should raise them under the Grievance Policy or the Dignity at Work Policy. Similarly, it should not be used to revisit internal grievance issues which have been to appeal.

If you aren't sure what to do or are uncertain about which policy applies, you should speak to the HR team or other post holder named in the Raising a Concern section, below.

### **Protection**

The Union is committed to good practice and high standards and wants to be supportive to its employees. It recognises that the decision to report a concern under this procedure can be difficult. But if you raise your concern in good faith, you are doing your duty to your employer and to our customers and you should have confidence in doing so and have nothing to fear. The Union will not tolerate any kind of harassment or victimisation and will take appropriate action to protect you when you raise a concern in good faith.

If you make an allegation in good faith, but it is not confirmed by any investigation, no action will be taken against you. If, however, you make it frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

Any investigations into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

### **Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. However, you may eventually be needed as a witness in disciplinary or criminal proceedings if necessary (if you are, the Union will arrange for you to be given advice about the procedure).

### **Stage 1 - Raising a concern**

If possible, we encourage matters to be addressed through your line manager first and as soon as possible. However, if the matter is particularly sensitive or serious, or you suspect your line manager or SLG member of being involved, you can either approach the CEO, an external Trustee, or the Director of Finance and Resources.

You might wish to discuss your concern in confidence with a colleague first, and you may find it easier to raise the matter if there are two or more of you with the same concern.

You can talk to them in person or put your concerns in writing if you prefer. If you make a written report, please use the Whistleblowing pro-forma. Reports should be sent to your immediate manager or their superior and a copy sent to the Director of Finance and Resources.

You are not expected to prove the truth of your allegation, but you will need to demonstrate, to the person you contact, that there are reasonable grounds for your concern.

You may invite a colleague or other representative to be with you during any meetings or interviews in connection with the concerns that you have raised. Such meetings can also be held away from your place of employment if you wish.

The Director of Finance and Resources will act as the Investigating Manager unless there is a conflict of interest. They will write to you as soon as possible to acknowledge your letter of concern and to explain how they plan to proceed. They will carry out a full investigation of the issue within a reasonable timescale. This may include the involvement of specialists or other external investigators such as auditors. In the case of alleged criminal activities, they will refer the matter to the police.

### **Anonymous Allegations**

You are encouraged to put your name to your concern; as if you do it will have more powerful effect than if you raise a concern anonymously.

The Union will use its discretion in deciding whether to consider an anonymous allegation, taking into account the seriousness and credibility of the allegation, and the likelihood of confirming it with attributable sources. If we can pursue the matter anonymously we will take every step to try to ensure that your identity is not revealed without your consent, although it may be the nature of the allegation or evidence we hold would indicate the source.

### **Stage 2 - How will the Union respond**

The Union will not ignore your concerns. Initial enquiries will be carried out to decide whether an investigation is needed. Any investigation may involve:

- Management, Auditors, and/or the disciplinary process
- Referral to the Police
- Referral to the external auditor
- An independent inquiry

The initial enquiries may find that an investigation is not necessary, or some concerns may be resolved by agreed action without the need for an investigation. Any necessary urgent action would be taken before an investigation is conducted.

Where an allegation falls within the scope of a specific procedure (e.g. discrimination) it will be considered under that procedure.

The person dealing with the matter will write to you within ten days of receiving your concern to:

- Acknowledge that the concern has been received
- Indicate how the Union intends to deal with the matter
- Give an estimate of how long it will take to provide a final response
- Tell you whether any initial enquiries have been made
- Supply you with information on staff support mechanisms, and
- Tell you whether further investigations will take place and if not, why not.

You may be asked to supply more information or to clarify, if necessary.

### **Stage 3 - How you can take the matter further**

The policy is intended to help you raise concerns within the Union. The Union hopes you will be satisfied with any action taken. If you are not, and you feel it is right to raise this matter outside the Union, the following are possible contacts:

- The Charity Commission - <https://www.gov.uk/government/organisations/charity-commission>
- Your Trade Union
- Your local Citizens Advice Bureau
- Relevant profession bodies or regulatory organisations
- A relevant voluntary organization
- Public Concern at Work Tel: 020 7404 6609 - <http://www.pcaw.org.uk/>
- The Police

### **The Responsible Member of Staff**

The Chief Executive has overall responsibility for the maintenance and operation of this policy, and will maintain a confidential record of concerns raised and report as necessary to the Board of Trustees.

**END**