National Navigation Awards Scheme (NNAS)

Whistle Blower Policy (Public Interest Disclosure)

Version	Date	Author	Type
V1	06/01/2023	Mark Handford	First Draft
V1.1	18/03/2025	Jane Howie	Review and formatting
V2	11/04/2025	Mark Handford	Review: Removed 8.5. Added OCSR details and The Care Inspectorate in section 9 .
V2	29/05/2025	Jane Howie	Final Version signed off

1. Introduction

1.1 **The National Navigation Awards Scheme, NNAS**, aims to conduct its affairs in a responsible manner and attaches great importance to openness and the ability to address issues as they arise. If an employee, worker, volunteer or Trustee has any concern about the running of the scheme or suspects any malpractice they should feel able to raise the matter knowing their concerns will be taken seriously and dealt with confidentially without fear of detrimental treatment, reprisal or victimisation.

1.2 Employees and workers are protected by law against being victimised for raising concerns about what they believe to be criminal behaviour or other serious wrongdoing at work that are in the public interest (Public Interest Disclosures). There is no equivalent statutory protection for volunteers but the NNAS gives volunteers (including Trustees) the same assurances.

1.3 It is in all our interests to resolve concerns internally and to avoid involving outside bodies unless and until necessary. This policy provides a framework for anyone involved in the NNAS to raise concerns knowing they will be protected if the matter is likely to be in the public interest.

1.4 This policy concerns practices or concerns which affect the NNAS and applies to everyone involved in volunteers, Trustees, paid staff and workers.

1.5 If you are unhappy about a situation which primarily affects you personally or causes you personal detriment you should raise the issues under the Complaints Policy. Such issues will not be looked at under this whistle-blowing policy.

2. What this policy covers

2.1 The law provides protection for workers who raise legitimate concerns about specified matters. These are called “qualifying disclosures”. A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

1. a criminal offence;
2. a miscarriage of justice;
3. an act creating risk to health and safety;
4. an act causing damage to the environment;
5. a breach of any other legal obligation; or
6. concealment of any of the above;
7. is being, has been, or is likely to be, committed. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. The worker has no responsibility for investigating the matter – it is the NNAS responsibility to ensure that an investigation takes place.

8. A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.
9. NNAS encourages all those engaged for work with or for us, to raise their concerns under this procedure in the first instance. If a worker is not sure whether or not to raise a concern, they should discuss the issue with their immediate line manager or supervisor.

2.2 This statutory list is not exhaustive and you should feel free to raise other matters of serious concern that you believe are in the public interest, for example:

- Financial malpractice
- Improper conduct and unethical behaviour
- Activity that would bring the organisation into serious disrepute.

The NNAS is keen to hear of any concerns you may have about how the organisation is run. It is only by being made aware of potential issues that we can address them and so we welcome your feedback.

3. Principles

3.1 Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

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

3.3 No worker 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.

3.4 Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.

3.5 If misconduct is discovered as a result of any investigation under this procedure the company's disciplinary procedure will be used, in addition to any appropriate external measures.

3.6 Maliciously making a false allegation is a disciplinary offence.

3.7 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, workers should not agree to remain silent. They should report the matter to a director.

3.8 This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should use the company's grievance procedure.

4. How to report your concerns

4.1 If you are an employee you should first consider whether to raise the issue informally with your line manager. If you are a volunteer or worker you should consider raising any concern with the manager of the area you volunteer or provide your services. If you are a Trustee your concerns should be raised with the chair of the Trustees.

4.2 If you are an employee and feel it is inappropriate to speak to your line manager you should contact the overall manager for the area you work. If she or he is implicated in your concerns, you should write to the chair of the Trustee Board. If you are a volunteer or worker and you do not know with whom to raise concerns with or feel the person you should raise them with is inappropriate or somehow implicated, your concerns should be raised directly with the Chair of the Trustees. Further recourse is dealt with later in this policy.

4.3 Give as much information as possible to support your concerns, including the key issues and dates and the times and names of those you think may be involved. You are not expected to be able to prove that your suspicions are true, but you should be able to show that you have reasonable grounds for concern as the requirement is to disclose information, not mere suspicions and allegations.

4.4 You are strongly encouraged not to make anonymous reports as details and further concerns cannot then be checked with you. However, all reports, made anonymously or otherwise, will be taken seriously.

5. The investigation

5.1 You should receive a written response within 10 working days, acknowledging receipt of your communication and confirming it is being treated confidentially. The response will indicate how the matter will be dealt with and will give an estimate of the timescale for a final response. It is entirely at the discretion of the NNAS how it responds to public interest disclosures and, despite being the person to raise the concern, you may not be made aware of what action has been taken.

5.2 If the matter is investigated by the NNAS the nature of the investigation will depend on the circumstances and you may be asked for further information. If a meeting is to be held, this can take place off-site if you wish, or by telephone, and you can be accompanied by a union representative or work colleague.

5.3 All reasonable steps will be taken to maintain your confidentiality during the investigation, unless you specifically waive your rights to this and you will only be asked to do this where it may be entirely necessary. It may be necessary for your confidentiality to be waived for example if disciplinary action were to be taken as a result of your complaint or if the person investigating the matter feels that there is an overriding reason for disclosure. In this case, you will be informed that confidentiality cannot be maintained.

6. The outcome

6.1 The NNAS may, at its own discretion, decide to inform you of the outcome of your disclosure. If this happens, you will be informed in writing. If this is not going to happen you will be informed in writing that the matter is being dealt with but that you will not hear any further details.

6.2 If your allegations are not confirmed by subsequent investigation no action will be taken against you. The NNAS will take all reasonable steps to protect you if you make any disclosure under this policy (even

if ultimately it proves not to be borne out) from any detriment including victimisation, disciplinary action or criticism, from managers, employees and other people associated with the organisation.

6.3 If investigations show that you have made the allegations for malicious reasons or for your own personal gain, action may be taken against you.

7. Board of Trustees' role

7.1 You are strongly encouraged not to make anonymous reports to the Board of Trustees as details and further concerns cannot then be checked with you. It should be noted that protection of whistleblowers is difficult if their concerns are raised anonymously.

7.2 Reviewing process followed: If you feel that the issues you have raised have not been addressed, or have been ignored, the Board of Trustees will review the way your concerns were dealt with. The Board will check that an appropriate process has been followed and that the response was reasonable given the facts and the circumstances.

7.3 To request such a review, please contact the Chair of the Board of Trustees. You will get an acknowledgement within five working days. The Board will attempt to complete its review of the process within 30 working days of having received the relevant details of the original issue and how it was dealt with. This may take longer depending on the nature of the allegation but you will be kept informed.

7.4 Investigating allegations that cannot be dealt with locally: You may also wish to go to the Board if you feel that no one locally will be able to deal with the issues you are raising because they are all implicated or you feel unable to rely on them.

7.5 Initially you should write to the chair of the Trustees setting out your concerns as indicated earlier. The Board will ensure that an investigation is carried out by someone who is not involved or implicated and in some cases this may mean referring to an outside body or independent person. The process will be the same as that outlined in section 4 above and the same basis of confidentiality will apply.

8. External reporting (exceptional cases)

8.1 This policy is intended to give you the opportunity and protection you need to raise your concerns internally. The NNAS expects that, in almost all cases, raising concerns internally, or with the Board, would be the most appropriate action for you to take.

8.2 If you are a paid member of staff, or a worker, and have a significant reason why you feel you cannot raise your concerns internally, you should consider raising the matter with the appropriate prescribed person in terms of the Public Interest Disclosure Act 1998 (see Appendix). Before raising the matter externally you must still satisfy the same test for an internal disclosure, but with the additional requirement that you reasonably believe that the information and any allegations are substantially true and that the failure is one which the prescribed person or body is able to deal with.

8.3 The Government has prescribed a very detailed list of appropriate bodies for such external reports. A full list is available from an independent charity called Public Concern at Work (see Section 9 for contact details).

8.4 Public Concern at Work will also give confidential advice to you regarding the disclosure of wrongdoing in the workplace.

8.5 Intentionally blank.

8.6 If you choose to disclose information externally to a person who is not a prescribed person, you should be aware that your disclosure will not be covered under this policy.

9. Confidentiality

9.1 Although you have a duty of confidentiality to the NNAS, this duty does not apply in respect of any disclosure which is made under this policy, so long as that disclosure is made within certain legal guidelines as reflected in this policy.

10. Useful contacts

The identity of the appropriate regulator will depend on the nature of your concern. However, the regulator must be one of those prescribed by an order made by the Secretary of State for the purposes of the Public Interest Disclosure Act 2013. The Public Interest Disclosure (Prescribed Persons) Order 1999 lists the prescribed regulators. They include:

- Charity Commissioners for England and Wales
- Scottish Charity Regulator OSCR https://www.oscr.org.uk
- The Care Inspectorate https://www.careinspectorate.com/index.php/whistleblowing
- Commissioners of Her Majesty's Revenue and Customs
- Director of the Serious Fraud Office
- Environment Agency
- Health and Safety Executive
- Information Commissioner
- Local authorities which are responsible for the enforcement of health and safety legislation
- Occupational Pensions Regulatory Authority
- Office of Fair Trading

Public Interest Disclosure Act, PIDA

https://www.legislation.gov.uk/ukpga/1998/23/contents