

## NCL Whistleblowing Policy

NCL is committed to being open, honest and accountable. It encourages a free and open culture in its dealings between the Trustees and those working in NCL as volunteers and library users.

This policy aims to help the Trustees, volunteers and library users to raise any serious concerns they may have about colleagues or NCL with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

It is written in the context of the Public Interest Disclosure Act 1998 which protects employees who 'blow the whistle' on malpractices within their organisation.

### What is Whistleblowing?

Whistleblowing, or public interest disclosure, is when a volunteer or service user reports a concern about the improper actions or omissions of their colleagues or trustee that may cause harm to others or to the organisation.

### What types of concerns?

This policy is intended to deal with **serious or sensitive concerns** about wrong doings such as the following:

- a criminal offence
- someone's health and safety is in danger
- a failure in the protection of children or vulnerable adults
- a miscarriage of justice
- damage to the environment
- financial irregularity
- or concealment of the above.

It is not necessary for individuals who raise the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur.

NCL encourages volunteers and library users to raise their concerns with Team Leaders and the Trustees at the earliest opportunities so that concerns can be addressed promptly. NCL's Complaints policy can be used to raise all issues of concern. Team Leaders can be consulted regarding issues that may arise so that informal resolutions can be achieved. Volunteers and library users should, in the first instance, consider using either an informal approach or the NCL Complaints policy.

### How to raise a concern

A trustee will be identified as the designated person to handle whistleblowing concerns and shall be known as the Whistleblowing Officer.

**Comment [AS1]:** Decide who this is and if it should be a Trustee or another person?

1. Dependent on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing, the individual can, if necessary, report directly to the Whistleblowing Officer. If the matter concerns the Whistleblowing Officer, it should be raised with the Trustees.
2. Individuals are encouraged to raise their concerns in writing where possible, setting out the background and history of their concerns (giving names, dates and places where possible) and indicating the reasons for their concerns.
3. If any individual is unsure whether to use this procedure or they want independent advice at any stage, they should contact:

**Public Concern at Work**, an independent charity, will be able to advise on how and with whom to raise a concern about malpractice.

- PCW legal helpline on **020 3117 2520** ,
- email: [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk) , website: [www.pcaw.org.uk](http://www.pcaw.org.uk)

**Charity Commission** NCL is a registered charity and concerns can be raised with the Charity Commission about wrongdoing relating to the administration of the charity and funds given or held for charitable purposes.

- Email: [whistleblowing@charitycommission.gov.uk](mailto:whistleblowing@charitycommission.gov.uk)
- <https://www.gov.uk/guidance/report-serious-wrongdoing-at-a-charity-as-a-worker-or-volunteer>

If the individual reasonably believes that the matter relates wholly or mainly to the conduct of a person or body other than NCL; or, any other matter for which a person or body other than NCL has legal responsibility, such as, an individual or organisation who has hired the library for an event, the disclosure should be made to that other person or body.

#### **How NCL will deal with the concern**

How the concern will be dealt with, will depend on what it involves. It is likely that further enquiries and/or investigation will be necessary. The concern may be investigated by NCL's Whistleblowing Officer, through the disciplinary process or it may be referred to the police, other agencies such as Social Services, an external auditor or an independent investigator.

It may be necessary for the individual to give evidence in criminal or disciplinary proceedings. NCL will give the individual feedback on the progress and outcome of any investigation wherever possible.

If the suspicions are not confirmed by an investigation, the matter will be closed. Volunteers or NCL users will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected.

#### **Protecting the individual raising the concern**

If an individual raises a concern which they believe to be true, NCL will take appropriate action to protect the individual from any harassment, victimisation or bullying. Volunteers or library users who raise a genuine concern under this policy will not be at risk of losing their role or use of the NCL facilities.

The matter will be treated confidentially if the individual requests it and their name or position will be not be revealed without their permission unless NCL has to do so by law.

If in other circumstances the concern cannot be resolved without revealing the individual's identity, the Whistleblowing Officer will discuss with the individual whether and how to proceed.

Concerns raised anonymously tend to be far less effective but the Whistleblowing Officer will decide whether or not to consider the matter taking into account:

- the seriousness of the matter;
- whether the concern is believable;
- whether an investigation can be carried out based on the information provided.

#### **Malicious Allegations**

If an individual knowingly or maliciously makes an untrue allegation (eg: in order to cause disruption with NCL), NCL will take appropriate action, which may result in the termination of both a volunteering opportunity and/or the use of the NCL facilities.

Individuals should note that they will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.