



# Whistleblowing

**NOPS Policy**

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## SCOPE

1. The aim of this policy is to ensure that all persons, individuals and organisations can feel able to raise, without fear of reprisal, concerns they may have about suspected wrongdoing within Smart Awards Network Operative passport Scheme (NOPS), such as fraud, malpractice, serious risks to health and safety, criminal offences and miscarriages of justice.
2. 'Whistleblowing' is the term commonly used to describe public disclosure of suspected wrongdoing within an organisation. Smart Awards expects that individuals and organisations will act with good will and use the whistleblowing policy in good faith.

## RESPONSIBILITIES

3. This is policy is for use of the Network Operative Passport System (NOPS). This policy is for individuals and organisations recording and accessing individual information stored on NOPS. Smart Awards has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it. Smart Awards has the day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

## PRINCIPLES

- Smart Awards aims to create and sustain an ethos of openness and trust in its working environment
- An individual or organisation who has a concern has the right to raise this with an appropriate person within Smart Awards
- All investigations into any concern raised by an individual or organisation will be conducted impartially, fairly, and in good faith
- If an individual or organisation raises a concern in good faith but it is not confirmed by investigation, no action will be taken against him/her
- Smart Awards will ensure that an individual or organisation who raises a concern in good faith will be protected against any consequent harassment or victimisation
- Any concern raised by an individual or organisation which relates to suspected fraud will be reported to Smart Awards who will advise on whether or not there is a case for investigating fraudulent practice
- Concerns raised anonymously will be given proper consideration but can be more difficult to investigate than those brought forward by a named person

## PROCESS

4. All concerns must be raised with Smart Awards verbally or in writing to Smart Awards and will be treated confidentially, seriously and sensitively and in accordance with Smart Awards policies, Smart Awards has primary responsibility for the investigation of all suspected NOPS issues and financial irregularities. All concerns must be raised with Smart Awards if an individual or organisation has a concern about an action or practice which he/she believes is:
  - Illegal
  - In serious contravention of health and safety or environmental legislation

- Fraudulent
  - Forcing him/her to act in a way which is against his/her conscience
  - Adverse effect
5. Whistleblowing process
    - Step 1 - information received by Smart Awards
    - Step 2 - the information added to Smart Awards risk log
    - Step 3 – acknowledgment of receipt will be sent with 1 day
    - Step 4 – the issue will then be investigated following the investigation policy
    - Step 5 – outcome is communicated within 28 days of receiving an issue, confirming the outcome
  6. Whether the issue is justified or not, the reply to the whistle-blower will describe the action taken to investigate the issue, the conclusions from the investigation, and any action taken.

## DEALING WITH A CONCERN

7. It may be possible to deal satisfactorily with a concern raised without resorting to further investigation.
8. If urgent action is required to deal with a concern, this may be, in certain circumstances, be carried out before any investigation is completed.
9. Within 10 working days of being informed of a concern, Smart Awards will write to the person who has raised it and will inform him/her of what action will be taken and the timescale for this. If it becomes evident that the proposed action cannot be completed within the specified timescale, Smart Awards will determine a revised timescale and inform the person of this.
10. If an investigation into the person concern is authorised, the person responsible for carrying it out will inform the person of the investigation's progress and outcomes, subject to any legal constraints.
11. Should a person have a concern which relates specifically to the conduct and practice of smart Awards, the person should raise this directly Smart Awards.

## PUBLIC INTEREST DISCLOSURE ACT

12. The Act protects from detrimental treatment or victimisation if, in the public interest, an individual or organisation blow the whistle on a wrongdoing.
13. Whistleblowing – or 'making a disclosure in the public interest' to use its formal name – occurs when a person reports malpractice. By virtue of the Public Interest Disclosure Act 1998, whistleblowers enjoy significant legal protection, the rationale being that individuals should be encouraged to come forward without fear of reprisals.
14. A situation will be a 'whistleblowing' situation where information is disclosed which, in the reasonable belief of the person, tends to show that one or more of the following has taken place, is taking place or is likely to take place: a criminal offence, breach of any legal obligation, a miscarriage of justice, damage to the environment, danger to the health or safety of any individual or the deliberate

concealing of information about any of the above. The individual or organisation must also reasonably believe that the disclosure is 'in the public interest'.

15. Once a disclosure has been made, a set procedure should be followed. This will usually involve an internal investigation, the outcome of which should be communicated to the whistleblower.
16. All have the right to appeal following an investigation by following Smart Awards appeals process.

## REVIEW OF THIS POLICY

17. This policy is reviewed and revised annually in response to feedback, changes in legislation and guidance and from other appropriate organisations.

# PROCESS FOR RAISING A CONCERN

