
NSPCC Speak Up Policy (Whistleblowing Policy)

Synopsis

We welcome speaking up and we will listen. In line with NSPCC's organisational values particularly in relation to 'taking a stand', 'making an impact' and 'striving for excellence', we are committed to the highest standards of honesty, openness and integrity, and we expect the same high standards from all of our people – employees, sessional workers, contractors, agency workers and volunteers.

However, we do recognise that there may be occasions when we – or our people - do not get this right. We want to promote and foster a culture of openness and we therefore encourage everyone to raise all genuine and serious issues which are of concern through this Speak Up policy.

We want you to feel safe to Speak Up. Your speaking up to us is welcome because it helps us identify opportunities for improvement that we might not otherwise know about. We will not tolerate anyone being prevented or deterred from speaking up or being mistreated because they have spoken up.

Applicable

This policy is applicable to all employees, volunteers, students, interns, agency workers, sessional workers, contractors, job applicants and trustees. We will collectively refer to all of the above groups as colleagues throughout this policy.

Effective Date: April 2023

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1. Why the policy is important

The aims of this Speak Up policy are to:

- ensure everyone is aware of what to do and the appropriate person to notify in the event of concerns around serious malpractice, breaches of regulations or criminal offences;
- provide a simple but 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 a serious concern;
- 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 we feel an internal investigation is not appropriate;
- allow us as an organisation to take action against anyone who makes allegations in bad faith and/or publicly discloses information when it is unreasonable for them to do so.

2. What the policy involves – what can I Speak Up About?

Defining Whistleblowing: Speaking Up is the reporting of a concern in the public interest that something is happening within the NSPCC that should not be, or something that is not happening that should be. It can include examples of malpractice as well as illegal acts, or omissions at work.

Examples of the types of qualifying disclosures/concerns covered by this policy include:

- malpractice which puts at risk the safety of children and/or young people;
- malpractice that seriously affects the quality of service provision or puts our organisational reputation at risk;
- inappropriate/sexual relationships between a member of staff or volunteer and a person who accesses our services;
- fundraising practices or a fundraiser's unreasonable behaviour. This may include using undue pressure, misleading or excessive requests, and not taking into account the needs of any potential donor who may be in a vulnerable circumstance or require additional care and support to make an informed decision;
- fraud/financial irregularity;
- a serious breach of health and safety;
- a criminal offence; or
- concealment of any of the above.

3. How to comply

3.1 How to Speak Up to raise a concern

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 concern.

If you are unsure about raising a concern because you don't know if it is relevant, or whether it falls within this policy, you are encouraged to come forward so that the matter can be discussed and advice given.

You must say that you are raising your concern using the Speak Up 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.

You should raise your Speak Up concern as soon as possible. This will make it easier to act and to enable any problems to be resolved or reported quickly. We will consider anonymous disclosures, but we do not encourage them as anonymity often makes it difficult to properly investigate concerns, protect others or give feedback on outcomes.

3.2 Who should I Speak Up to?

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, you should 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 an Executive Board Director outside of your Directorate, or the Head of Governance, Risk and Compliance whose details are below. Alternatively, you may raise your concerns with the NSPCC's Chief Executive Officer (CEO).

Where a concern is about the CEO or a trustee, you should contact the Head of Governance, Risk and Compliance:

Email	governance@nspcc.org.uk
In writing	Head of Governance, Risk and Compliance NSPCC Weston House 42 Curtain Road London EC2A 3NH
Telephone	020 7825 2500

If appropriate, the Head of Governance, Risk and Compliance may arrange for the concern to be investigated externally and independent of the NSPCC, and for appropriate follow-up action to be taken.

3.3 What will happen after I Speak Up to raise a concern?

Your disclosure will always be acknowledged within three working days.

When the NSPCC manager or Executive Board Director receives your potential Speak Up concern, they will notify the Head of Governance immediately that a concern has been raised and inform them of progress in resolving the concern. The Head of Governance can then ensure that NSPCC Trustees are properly informed about the nature and volume of concerns being raised.

An NSPCC manager/director or Head of Governance will be appointed to investigate the concern. They will arrange to meet you as soon as possible, away from the workplace, if necessary, to find out all the facts and check any details. If you wish, you may be accompanied at this meeting by a Trade Union representative or a colleague.

At the meeting, you will have the opportunity to detail the reasons for the disclosure and you can use the meeting to share concerns; and also share any supporting information with the appropriate person chairing the meeting.

You may be asked to give a written statement. 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. The investigator will keep you informed as to the likely duration of the investigation. 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 another NSPCC policy or procedure;
- An internal investigation under this policy;
- A referral to the police or relevant statutory body;
- A referral to NSPCC's external auditors;
- A referral to the Charity Commission;
- An independent enquiry.

3.4 Speaking Up raising a concern externally

In most cases we believe that you should not find it necessary to alert anyone externally and 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 and 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 England & Wales;
- Office of the Scottish Charity Regulator;
- HM Revenue & Customs;
- The Information Commissioner;
- The Scottish Information Commissioner;

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- The Health and Safety Executive;
 - The Financial Conduct Authority;
 - The Environment Agency.

If you are using this policy, you should seek advice internally via your line manager about speaking up and the extent of the protection available before reporting a concern to anyone externally.

You might also seek independent advice by contacting the charity Protect (formerly Public Concern at Work) on 020 3117 2520.

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 Protect whistle@protect-advice.org.uk or phone them on their advice line: 020 3117 2520.

<https://protect-advice.org.uk/contact-protect-advice-line/>

Protect can also advise as to whether, in their opinion, the disclosure to an outside body is advisable, would be appropriate, and under what circumstances you should consider contacting an outside body and how.

It is important to note that similar to the rights and obligations of an employee, the NSPCC reserves the right to make a referral to any of the above agencies without your consent.

3.5 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 Policy or Volunteer Issue Resolution Policy.

3.6 Protecting individuals using this policy

It is understandable that you may be worried about possible repercussions if you raise a concern. The law provides protection for 'whistle-blowers', who report genuine concerns, to ensure you are not treated unfairly by raising a concern. We encourage openness and will support you if you raise a genuine concern under this policy, even if it turns out to be mistaken.

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 there has been:

- 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 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. At the NSPCC, we want to promote and encourage an open and honest environment in which concerns can be freely raised. We will, in so far as is possible aim to treat all individuals making a disclosure in the spirit of the Public Interest Disclosure Act 1998.

3.7 Non-Speak Up concerns

This policy is only to be used in the exceptional circumstances as outlined in section 2. There are a number of NSPCC policies that will be relevant in other circumstances. This list includes but is not limited to:

- [Safeguarding and Child Protection Policy](#)
- [Procedure for Managing Safeguarding Allegations against staff and volunteers](#)
- [Dignity at Work Policy](#)
- [Disciplinary Policy](#)
- [Grievance policy](#)
- [Compliments, Comments and Complaints policy](#)

3.8 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 appropriate NSPCC policy. This could mean formal disciplinary action, up to and including dismissal / end of volunteering or other connection with the NSPCC.

4. NSPCC employees - further help, support and assistance

Our [Employee Assistance Programme](#) (EAP) service is also able to offer free and confidential legal and practical advice. They can be contacted on:

<http://www.well-online.co.uk/>

Username: nspcc

Password: wellbeing

The helpline number is 0800 085 1376.

You can also get in touch with Community, our recognised Trade Union [Community \(our trade union\)](#).

5. Effective date

Effective date: April 2023

Review date: April 2025

Whilst this policy is reviewed every two years, please do contact the People Operations Team if you have any suggestions for changes or feedback you would like to share at any point.

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6. Links to related NSCC policies and procedures including but not limited to the following:

- **Anti-Fraud, Anti-Bribery and Corruption policy**

https://thegreen.nspcc.org.uk/Interact/Pages/Content/Document.aspx?id=12310&utm_source=interact&utm_medium=quick_search&utm_term=Anti

- **Health & Safety policy**

https://thegreen.nspcc.org.uk/Interact/Pages/Content/Document.aspx?id=2158&utm_source=interact&utm_medium=quick_search&utm_term=Health+a

- **Reporting Serious Incidents to the Charity Commission**

https://thegreen.nspcc.org.uk/Interact/Pages/Content/Document.aspx?id=2075&utm_source=interact&utm_medium=quick_search&utm_term=Reporting+

- **NSPCC values based behavioural framework**

https://thegreen.nspcc.org.uk/Interact/Pages/Content/Document.aspx?id=6063&utm_source=interact&utm_medium=quick_search&utm_term=values