

Owner	Head of HR	Version	1.5
Policies	Employment Procedures	Issue Date	1 May 2020
Policy	Whistleblowing		



## 1. Introduction

- 1.1. nmcn is committed to the highest standards of quality, honesty, openness and accountability and as an employee, you have an important part to play in ensuring we deliver on this commitment.
- 1.2. Employees are often the first to notice when someone in a company is doing something illegal or improper but they may feel worried about voicing their concerns.
- 1.3. The purpose of this policy is to make clear that you can raise any concerns you may have about illegal or improper behaviour without fear of victimisation, discrimination or disadvantage.
- 1.4. It is intended to encourage and enable employees to raise serious concerns within nmcn rather than overlooking a problem or seeking assistance externally.
- 1.5. The policy is intended to conform to the Public Interest Disclosure Act 1998 (PIDA) in the UK.
- 1.6. This policy applies to all nmcn employees, temporary or permanent. It also applies to consultants, agency workers and contractors of nmcn.
- 1.7. This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Procedure or Anti-harassment and Bullying Policy as appropriate.
- 1.8. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.
- 1.9. The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. You should seek advice from your line manager or a Director before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

## 2. What does the policy apply to?

- 2.1. The whistle blowing policy applies to the disclosure of a concern which, in the individual's honest reasonable belief, suggests that wrongdoing has been committed, is being committed, or is likely to be committed.
- 2.2. Wrongdoing includes, but is not limited to;
  - Financial malpractice or impropriety or fraud
  - Failure to comply with a legal obligation or statute
  - Dangers to health and safety or the environment
  - Criminal activity
  - Improper conduct or unethical behaviour
  - Attempts to conceal any of these

## 3. Our commitment if you raise a concern

- 3.1. It will be taken seriously and will be investigated.
- 3.2. We will endeavour to protect any individual who makes a good faith disclosure under the policy, from discrimination, victimisation and / or dismissal based on their disclosure.
- 3.3. If you make an allegation in good faith but it is confirmed by the investigation, no action will be taken against you.
- 3.4. However, if you make malicious or vindictive allegations you know to be untrue, disciplinary action may be taken.

## 4. Raising the concern

- 4.1. We hope that, in the first instance, you would feel able to raise a concern with your line manager or director.
- 4.2. If, for whatever reason, you feel you cannot talk to your manager or director or, if you feel your concerns have not been addressed appropriately you should contact HR initially via [whistleblowing@nmcn.com](mailto:whistleblowing@nmcn.com).
- 4.3. If for any reason you would wish to explore an alternative route to HR, the listed contacts below are also someone you can raise your concern with.

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- 4.4. The matter will then be investigated promptly by independent employees under the supervision of the Head of HR or Chairman.
- 4.5. It is likely that the person undertaking the investigation will want to talk to or meet with the individual who has raised the concern.
- 4.6. At any stage the individual raising a concern under the whistle blowing procedure may be accompanied to any meetings to discuss his concern by either a fellow employee of his choice; or a Trade Union Representative. The individual may confer with his companion during the meeting, who may also address the meeting but not answer questions on the individual's behalf.
- 4.7. The period over which any investigation will take place will depend on the nature of the concern raised but if appropriate, the Head of HR/Chairman will advise the individual who has raised the concern of the progress of any investigation (usually within three months).

## 5. Confidentiality

- 5.1. All concerns will be treated in confidence. You may choose to raise your concern anonymously but nmcn would encourage you to identify yourself to ensure that a full investigation is possible.
- 5.2. In raising a concern about wrongdoing, you can assume that only nmcn representatives who are investigating the concern raised will be aware of your identity and of the facts relating to the concern.
- 5.3. Your identity and other confidential information relating to the concern will only be revealed to others to the extent that:
  - nmcn is under a legal obligation to do so;
  - Where the individual's identity or the matters relating to the concern are already in the public domain;
  - On a strictly confidential basis to nmcn's professional advisers for the purpose of obtaining advice;
  - To the police or as otherwise required under anti-money-laundering or other legislation.

## 6. Outcome of investigations

- 6.1. At the conclusion of any investigation, the person who has investigated the matter will, if appropriate (and allowable by law);
  - Inform the individual who raised the concern of the outcome of the investigation; and
  - Inform the individual(s) who were the subject of the concern; and
  - Inform nmcn's management or other external authorities who may need to consider whether any action should be taken as a result of the investigation.
- 6.2. The investigator will also register the concern, and make a record of the outcome of the investigation.
- 6.3. The purpose of this is to ensure that any common patterns of concern are monitored.
- 6.4. The Chief Financial Officer and/or Chairman will also be responsible for reporting to nmcn plc's Audit & Risk Committee on the nature and outcome of any investigations.
- 6.5. While we cannot always guarantee the outcome you are seeking, we will deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.
- 6.6. You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action. In some cases, the whistleblower could have a right to sue you personally for compensation in an employment tribunal.

## 7. Contacts & Links

<b>Whistleblowing Contacts</b>	<p><b>John Homer – Chief Executive</b> john.homer@nmcn.com 07702878908</p> <p><b>Dan Taylor – Chief Financial Officer</b> dan.taylor@nmcn.com 07809310936</p>
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	<p><b>Tony Bryant</b> – Head of HR  tony.bryant@nmcn.com  07969539335</p> <p><b>Mark Mason</b> – Group QESH Director  mark.mason@nmcn.com  07968766624</p>
<p><b>Protect</b>  (Independent Whistleblowing Charity)</p>	<p><b>Helpline:</b> 0203 117 2520  <b>Email:</b> whistle@pcaw.co.uk  <b>Website:</b> www.pcaw.co.uk</p>