



Whistleblowing Policy & Procedure

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N.B. Any reference in red italics refers to Ofqual General Conditions of Recognition (GCOR)

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1. Purpose

The purpose of this policy is to ensure that all NEBDN employees, associates, trustees, committee members, customers, centres, suppliers and learners:

- Support a culture of openness, integrity and transparency, in which concerns relating to NEBDN qualifications, services, governance or regulatory compliance can be raised without fear of detriment.
- Understand how to raise concerns appropriately and feel empowered and supported to do so.
- Are able to escalate serious concerns internally and externally where they reasonably believe that appropriate action has not been taken.

This policy sets out the arrangements for raising concerns relating to, but not limited to:

- Risks to learners, centres, employees, patients, or the public
- Professional misconduct or unethical behaviour
- Financial, educational or regulatory malpractice or maladministration

Its purpose is to ensure that such matters are identified at an early stage and addressed promptly, proportionately and in accordance with legal and regulatory requirements.

This policy reflects NEBDN's obligations under the Public Interest Disclosure Act 1998 (PIDA) and the Employment Rights Act 1996, as amended, including legislative updates in force from 2025, which strengthen protections for individuals who raise concerns in the public interest.

2. Scope

This policy applies to:

- All individuals who work for or on behalf of NEBDN, whether on a paid or unpaid basis, including employees, temporary staff, contractors, consultants, associates, trustees and committee members
- Approved centres and their staff
- Learners undertaking NEBDN qualifications
- Suppliers and service providers to NEBDN

Individuals may raise a concern under this policy where they have a reasonable belief that malpractice, wrongdoing or a breach of regulatory or legal obligations is occurring, has occurred, or is likely to occur.

Concerns may relate to any of the categories set out in the Public Interest Disclosure Act 1998, as amended, and the Employment Rights Act 1996, including relevant 2025 updates which extend and clarify protections for workers and other individuals who raise concerns in the public interest.

3. Legal Framework

Public Interest Disclosure Act 1998 (PIDA)

The Public Interest Disclosure Act 1998 (often referred to as the Whistleblowing Act) amended the Employment Rights Act 1996 to provide statutory protection for individuals who raise legitimate concerns about specified matters, known as qualifying disclosures.



Employment Rights Act 2025

The Employment Rights Act 2025 makes a number of significant amendments to the Employment Rights Act 1996, several of which directly affect whistleblowing protections. The following provisions are relevant to this policy and take effect from 6 April 2026 unless otherwise stated:

Sexual harassment as a qualifying disclosure. The 2025 Act amends section 43B of the Employment Rights Act 1996 to add sexual harassment to the list of wrongdoing categories that can form the subject matter of a protected whistleblowing disclosure. From 6 April 2026, a worker reporting sexual harassment will not need to identify a separate criminal offence, legal obligation or health and safety issue in order to be protected, provided their disclosure is made in the public interest and they hold a reasonable belief that it is substantially true.

Non-disclosure agreements. Confidentiality clauses and NDAs are rendered void and unenforceable to the extent that they would prevent a protected disclosure being made in relation to harassment or discrimination. NEBDN will not seek to enforce any such clause in those circumstances.

Extended worker protections. The 2025 Act reinforces and, in certain respects, extends protections against detriment and unfair dismissal for workers who make qualifying disclosures, clarifying the definition of "worker" and the range of working relationships that attract statutory protection.

NEBDN will keep this policy under review as further provisions of the Employment Rights Act 2025 are commenced, with additional changes expected later in 2026 and into 2027. In particular, NEBDN will monitor and respond to developments relating to third-party harassment obligations, which are expected to come into force in October 2026 and will be relevant to NEBDN's relationships with centre staff, contractors, associates and suppliers.

4. Qualifying Disclosure

A qualifying disclosure is a disclosure of information made in the public interest where the individual has a reasonable belief that one or more of the following is occurring, has occurred, or is likely to occur:

- A criminal offence
- A miscarriage of justice
- An act or omission creating a risk to health or safety
- Damage to the environment
- A breach of any legal or regulatory obligation
- The deliberate concealment of any of the above
- Professional misconduct, malpractice or unethical behaviour
- Financial or educational malpractice or maladministration
- Conduct that may present a safeguarding concern, risk of radicalisation, or threat to national security
- Sexual harassment of any worker, employee, associate, committee member or other individual working for or with NEBDN, including harassment by third parties such as centre staff, contractors or suppliers

The inclusion of sexual harassment as a qualifying disclosure reflects the Employment Rights Act 2025, which amends section 43B of the Employment Rights Act 1996 to expressly add sexual harassment to the categories of wrongdoing that can form the subject



matter of a protected whistleblowing disclosure. With effect from 6 April 2026, an individual raising a concern about sexual harassment does not need to identify a separate criminal offence, legal obligation or health and safety breach in order for their disclosure to qualify for protection, provided they hold a reasonable belief that the matter is in the public interest.

It is not necessary for the individual raising the concern to prove that wrongdoing has occurred; a reasonable belief is sufficient.

Disclosures must:

- Be believed to be substantially true
- Not be made maliciously or for personal gain

Alternative policies exist for other issues, and the appropriate policy should be applied in each case.

Grievance Policy & Procedure	For staff with concerns relating to issues between their employer and themselves
Complaints Policy	For raising concerns as to NEBDN staff or organisational decisions and or actions. Complaints about Centres may only be referred to NEBDN once the local complaint process has been exhausted; evidence of outcomes should be shared with NEBDN
Raising a Concern Process	This specifically relates to patient safety under the 'Standards for the Dental team' (section 8). GDC guidance and support may be appropriate before making a disclosure
Malpractice & Maladministration	This relates to alleged Learner/centre malpractice/maladministration, i.e. non-compliance with NEBDN/regulator rules either through oversight or active disregard.

Please note that this policy does not exempt individuals from their obligation to report any treatment or behaviour that may pose a risk to patients or colleagues, in accordance with the GDC's Raising Concerns Policy.

5. Policy Statement

NEBDN is committed to maintaining the highest standards of integrity, accountability and regulatory compliance. We welcome the raising of genuine concerns and will handle them responsibly, promptly, professionally and, where possible, confidentially.

NEBDN's whistleblowing arrangements are aligned with the Public Interest Disclosure Act 1998 and the Employment Rights Act 1996, as amended by the Employment Rights Act 2025. The key protections introduced or confirmed by the 2025 Act, taking effect in phases from 6 April 2026, include:

Workers who raise concerns about sexual harassment are expressly protected as whistleblowers under section 43B of the Employment Rights Act 1996, as amended, and do not need to establish a separate legal breach in order to qualify for protection

Non-disclosure agreements (NDAs) and confidentiality clauses are void and unenforceable to the extent that they purport to prevent an individual from making a protected disclosure



about harassment or discrimination; NEBDN will not seek to rely on any such clause in those circumstances

Protections against dismissal, detriment and victimisation for making a protected disclosure are reinforced and extended under the 2025 Act

NEBDN recognises that individuals may feel reluctant to raise concerns due to fear of reprisal, loyalty to colleagues, or uncertainty about whether their concern is well-founded. This policy exists to provide a clear, safe and supportive route for raising concerns appropriately. NEBDN will take appropriate action against any individual who subjects a whistleblower to detriment, victimisation or retaliation.

Nothing in this policy prevents an individual from raising a concern directly with a relevant regulator where they reasonably believe this is necessary.

6. Definitions

Employees: are people who work for NEBDN under a contract of employment.

Grievance: A work-related concern raised by an employee about their employment.

Whistleblowing: The raising of concerns about wrongdoing, malpractice or risk in the public interest.

A Whistleblower: Any individual who raises such a concern under this policy.

A Qualifying Disclosure: is 'any disclosure of information which, in the reasonable belief of the person making the disclosure tends to show one or more of the following:

- a criminal offence has been committed, is being committed or is likely to be committed
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject
- a miscarriage of justice has occurred, is occurring or is likely to occur
- the health and safety of an individual have been endangered, is being endangered or is likely to be endangered
- the environment has been damaged, is being damaged or is likely to be damaged
- there has been improper conduct or unethical behaviour in the setting, conduct or marking of examinations
- there has been professional malpractice
- information tending to show any matter falling within any one of the above has been, is being or is likely to be deliberately concealed.'

Complaints: tend to be an expression of personal dissatisfaction and should be taken forward with the arrangements outlined in the NEBDN Complaints Policy.

Employment Disputes: should be managed through appropriate Human Resources policies and procedures, including the Grievance Policy.

Ofqual is a regulator for:

- matters relating to the development, delivery, and award of regulated qualifications



- other matters likely to be of relevance or interest to their role as the regulator of qualifications, examinations, and assessments in England and of vocational qualifications in Northern Ireland.

A whistleblower providing a relevant disclosure to Ofqual is protected under PIDA 1998 where matters fall within its scope.

Ofqual has a public Whistleblowing policy. This states that if an individual works for a Centre, which is delivering regulated qualifications, and they wish to make a whistleblowing disclosure to someone outside of their organisation, they should normally consider making the disclosure to the relevant awarding organisation that has approved their centre to deliver the qualification(s) in question (i.e. NEBDN).

The General Dental Council (GDC): provide Raising Concerns Guidance which aims to provide an effective, clear, safe, and where appropriate, confidential process for dealing with reported professional behaviour breaches. Everyone has a right and responsibility to report concerns about conduct or professional behaviour, especially where there is a risk to patient safety. Issues relating to a GDC registrant may also be reported to the GDC Fitness to Practise team.

The GDC can also investigate concerns about the quality of a dental or DCP education or training programme, especially if there might be risks to patients' safety or graduates' fitness to practise. This could include, for example, concerns about the quality of practice placements, or education or training providers not providing their students with sufficient practical experience of treating patients – please see GDC guidance: 'Making a complaint or raising a concern about an education or training provider' and the 'NEBDN Raising a Concern Policy'.

7. Responsibilities

7.1 Everyone who works for or with NEBDN

It is important that anyone who is employed by or engages with NEBDN is fully aware of this policy and its contents as well as any other relevant NEBDN policies for their role in the organisation. That is, all members of staff, associates, trustees, providers, learners, contractors, consultants, and suppliers.

7.2 Whistleblowers

Individuals are recommended to take advice before making a whistleblowing allegation to ascertain their rights under the Public Interest Disclosure Act 1998. If an individual wants independent advice at any stage about rights and protection, NEBDN recommends that they contact Protect (formerly Public Concern at Work) as it is a registered charity and is the independent authority on public interest whistleblowing.

Protect:

- advises individuals with whistleblowing dilemmas at work
- supports organisations with their whistleblowing arrangements, and
- seeks to inform public policy and legislative change.

Contact details are given in the procedure (Appendix 1) attached to this policy.



If an individual is considering making a disclosure of confidential nature, they are advised to seek advice from the Chief Executive or the Chair of the Board (whichever is most appropriate) or any other appropriate person.

A whistleblower should be aware that they may be identifiable by others due to the nature or circumstances of the disclosure (e.g. the party which the allegation is made against may manage to identify possible sources of disclosure without such details being disclosed to them).

Once a concern has been raised NEBDN has a duty to pursue the matter. It will not be possible to prevent the matter being investigated by subsequently withdrawing their concern as we are obliged by the regulators to follow-up and investigate allegations of malpractice or maladministration. (*Ofqual GCoR A8.2*)

Depending upon the nature of the allegation NEBDN will appoint someone to investigate the allegation who has the appropriate level of training and competence and who has not had any previous involvement or personal interest in the matter. (*Ofqual GCoR A8.3b and G4.6*)

Details of all issues raised, and the subsequent investigation will be retained for the relevant period of time (See information management policy), unless the investigation proved the issue to be groundless.

If members of the public have genuine issues or concerns about NEBDN or someone within the organisation, then they should raise such concerns with the relevant regulatory authority.

7.3 NEBDN Responsible Officer (RO)

The RO will investigate any issues raised under this policy and will appoint an Investigator to review and plan how it will be managed (see appendices 1 and 2). NEBDN will protect a whistleblower's identity where possible although NEBDN cannot guarantee this and may need to disclose an identity to:

- the police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud)
- the courts (in connection with court proceedings)
- another person to whom we are required by law to disclose your identity
- other third parties where we consider it necessary to do so (e.g. the regulator Ofqual).

The investigator(s) assigned to explore the allegation will not reveal an identity unless the whistleblower agrees or it is absolutely necessary for the purposes of the investigation (as noted above). The investigator will advise the individual if it becomes necessary to reveal an identity.



8. Protection for Whistleblowers

If you raise a genuine concern in the public interest:

- You will not be penalised even if the concern turns out to be unfounded
- You are protected by the Public Interest Disclosure Act 1998
- Protection is provided under the Public Interest Disclosure Act 1998 and Employment Rights Act 1996, as amended
- NEBDN will take appropriate action against any colleague who harasses, victimises or retaliates against a whistleblower

Malicious, false, or knowingly untrue allegations may result in disciplinary action.

9. Reference Materials

NEBDN Bullying and Harassment Policy
NEBDN Complaints Policy
NEBDN Conflict of Interest Policy
NEBDN Disciplinary Policy
NEBDN Equality and Diversity Policy
NEBDN Information Management Policy
NEBDN Grievance Policy
NEBDN Malpractice and Maladministration Policy
NEBDN Recruitment, Selection and Induction Policy
NEBDN Probation Policy
NEBDN Trustee Board Policy
NEBDN Trustee Recruitment Handbook
NEBDN Social Media Policy
NEBDN Recruitment and Management of Examiners
NEBDN Recruitment and Management of Committee Members
The Public Interest Disclosure Act 1998.
GDC website 'Advice for dental professionals on raising concerns'
Ofqual – the Awarding Organisation regulator in England
Ofqual General Conditions of Recognition (<http://ofqual.gov.uk/>)
Employment Right Act 2025

10. Questions

If you have any questions about this policy, please email NEBDN at people@nebdn.org and your enquiry will be directed to an appropriate member of staff or committee.



Appendix 1

Procedure for handling issues under the Whistleblowing Policy.

NEBDN Confidential Whistleblowing Contact Number: 07483 521437

To ensure that there is no confusion about the nature of the issue or concern being raised, you should refer to the Whistleblowing Policy and related procedure in all correspondence. Appendix 3 contains a template letter that individuals may wish to use.

Examples of matters which may give cause to an issue under this policy include:

- fraud
- financial irregularities
- corruption
- bribery
- dishonesty
- acting contrary to NEBDN's codes of conduct
- criminal activities
- creating or ignoring a risk to health and safety or the environment
- failure to adhere to recognised professional standards
- failure to adhere to recognised academic standards
- unethical behaviour or improper conduct.

Guidance for individuals tasked with handling investigations is set out in Appendix 2.

It is recognised that there may be matters that cannot be dealt with internally and external authorities may need to become involved. Where this is necessary, NEBDN reserves the right to make this referral themselves without the individual's consent. The police will be informed in all instances where a criminal offence may have occurred.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue an issue or concern, even by a line manager or other individual in a more senior position, individuals should not agree to remain silent. They should report the matter to the most appropriate senior person in the organisation.

If it becomes clear that the procedure set out in this policy has not been invoked in good faith (for example, for malicious reasons or to pursue a personal grudge against another individual), this will constitute misconduct and will be dealt with accordingly.

Individuals must raise the matter as soon as possible, rather than wait for proof or investigate the matter themselves.

Individuals should seek advice from an appropriate person in cases where they are unsure of whether this policy is the correct one to pursue in the circumstances (see Appendix 2).

Where an individual considers that the normal procedure cannot be used (i.e. through their normal management chain), they should report the issue or concern to someone who is not within this direct line of management control – see Appendix 2.

Individuals are entitled to be accompanied by a current work colleague at any meeting to discuss the issue or concern at any stage of the procedure.



How issues will be handled

Once an individual has formally raised an issue, NEBDN will log the information into the CRM/The Hub or other systems as required. The issue will be assigned to an appropriate person such as a manager or Trustee to look into it through an informal investigation process to assess what action should be taken. A responsible person – a manager or trustee tasked with taking this forward - will respond to the individual to let them know:

- who is handling the matter
- how the employee can contact them
- whether further assistance may be needed.

When an individual has raised an issue or concern, they may be asked how they think the matter might be best resolved. If they do not have any personal interest in the matter, they will be asked to make that clear at the outset. If the issue falls more properly within the Grievance policy, Complaints policy or Raising concerns policy, they will be advised of this.

While the purpose of this Whistleblowing Policy is to enable NEBDN to investigate possible malpractice and take appropriate steps to deal with it, it may not be possible to give the person raising the issue details of the action that will be taken where this may infringe a duty of confidentiality that is owed to someone else.



Appendix 2

Step 1: How to raise an issue internally

If an individual has an issue, it is hoped that they will feel able to raise it in the first instance with their line manager or a member of the leadership team for that part of the organisation (e.g. a committee chair). Appendix 2 sets out who should be contacted in different parts of the organisation. If the issue is justified under the policy, this person will:

- recognise that this may be a difficult step for an individual and treat the matter as confidentially as possible
- clarify the issue
- seek advice from an appropriate person (including, if necessary, an external HR advisor) and assess what action should be taken
- refer the matter on to Step 2 if they feel it more appropriate
- keep a written record of details of the investigation securely with restricted access on the CRM/The Hub or other systems as needed, including the outcome and reasons for the outcome; ensuring due care is taken in respect of confidentiality.

Under normal circumstances, an investigation should be commenced within 5 working days of the complaint being formally notified and completed within an appropriate time frame. The person with whom the issue has been raised will provide as much feedback to the individual who raised the issue as they reasonably can under the circumstances. A verbal response will be given to the individual within 5 working days and a written response within one calendar month, outlining the action underway, where possible. If following investigation, the issue is found not to be justified, the individual who raised it will be informed in writing of the reasons for this.

If an individual is aware that others have the same issue or concern, they are advised to raise them individually and not to discuss the issue with the other person(s), in order to prevent any conflict of interest or contamination of evidence during an investigation.

Step 2 - How to raise an issue internally with someone who is not the line manager or lead

There may be instances where it is not appropriate to raise the issue with the line manager or lead because:

- the issue is very serious
- it involves the line manager or lead.

There may also be instances where the individual has continuing concerns following the response given at Step 1. In either case, they should prepare a written statement outlining the details. This should be forwarded, together with the line manager's / leadership team members response if Step 1 was pursued, to the Chief Operating Officer or Chief Executive Officer or Chair of the Board. A copy of the statement should be securely retained.

Similarly, if the line manager / leadership team member with whom the issue has been raised believes that the issue is serious enough to move directly to Step 2, they should ensure that a detailed written statement of their concerns is prepared by the individual and it is forwarded to the Chief Operating Officer or Chief Executive or Chair of the Board,



following advice from head of Hr & People, as necessary. Again, a copy of the statement should be securely retained.

The person receiving the report will acknowledge receipt of the issues raised and give further consideration, meeting with the individual if necessary. A verbal response will be given to the individual raising the issue within 5 working days and a written response within one calendar month, outlining the action underway, where possible. If the issue is found not to be justified, the individual will be informed in writing of the reasons for this.

Step 3 - How to raise an issue at a higher level

There may be occasions where it is appropriate to raise the matter at a higher level because:

- the individual considers that the response at Step 2 was inadequate
- the matter involves a senior manager, member of the leadership team, the Chief Operating Officer, the Chief Executive, or a Board Member.

In this case, the matter should be raised as appropriate with both:

- the Chair of the Board.
- the Chair of the Governance Committee

The individual should put their issue in writing (including copies of all previous correspondence) and write to the Chair of the Governance Committee / Board in the first instance if the issue involves a Member of the leadership team, the Chief Operating Officer, the Chief Executive, or a Board Member, within 5 days of receiving the response from Step 2 if that step was pursued.

The individual will have their written issue acknowledged and an opportunity to discuss their issues with the Head of HR & People within 5 working days from receipt of the written statement.

The Head of HR & People will provide the employee/worker with a written statement of the Board's intended actions, the likely timescales for any further investigations and the person leading these, normally within 10 working days of this meeting.

The decision following this step will be the final stage of any internal process.



Step 4 – Raising an issue with external agencies – wider disclosures

Wider disclosures are protected if the disclosure is made in good faith, the individual reasonably believes that the information and any allegation in it are substantially true, the disclosure was reasonable in all the circumstances, and they meet one or more of the following conditions:

- at the time of making the disclosure, the individual reasonably believes that they will be subject to a detriment by the Board by making the disclosure to the Board
- the individual reasonably believes that it is likely that evidence relating to the relevant failure will be concealed or destroyed if they make the disclosure to the Board
- the individual has previously made a disclosure of substantially the same information to the Board and the action that has been taken has not, in their reasonable belief, been adequate.

In order to remain protected under law, disclosure other than to individuals within the Board must be made to selected bodies or persons. These include:

- The General Dental Council
- Ofqual
- The Charity Commission
- The Department of Health
- HM Revenue and Customs
- The National Fraud Authority
- The Health and Safety Executive
- The Equalities and Human Rights Commission
- The Police

If an individual is concerned about undertaking the steps within this procedure or wishes to receive advice on whistleblowing, they are advised to contact the independent charity, protect (formerly known as Public Concern at Work), for advice:

Protect
The Green House
244-254 Cambridge Heath Road
London E2 9DA
Tel: 020 3117 2520
Email: whistle@protect-advice.org.uk

Website: Protect - Speak up stop harm The Whistleblowing Charity (protect-advice.org.uk)
or ACAS - <http://www.acas.org.uk/index.aspx?articleid=1461> - before taking further action.

Individuals are advised not to resort to the press or media (including social media) as such a route may lead to defamation proceedings if allegations are unfounded. Individuals may take their own legal advice if desired.



Appendix 3

Whistleblowing Letter Template

To: (to whom letter is addressed)	
From: Name & contact details of whistleblower)	
Date:	
<p>Nature of issue or concern:</p> <ul style="list-style-type: none"> • an outline of the known or suspected wrongdoing • details to the best of your knowledge about when, where, and how it occurred • a list of the names of those suspected of being involved (both within NEBDN and externally) • a list of the names of anyone who may have relevant information • details of how you came to know about the suspected activities • what, if any, do you estimate to be the value of the loss to NEBDN or other parties • what, if any, breaches of internal controls, policy, procedure, or other requirements you believe took place • the names of anyone who you have discussed the incident with or reported it to • your name and contact details - these will be kept confidential as far as is reasonably practical • the date and time of making the report. 	
Details of any earlier attempts to raise issue/concern: (what, who with – if this applies)	
Outcome of any earlier investigations: (if this applies)	
Comments/suggestions for remedial action: (if appropriate)	