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# Churches Together in South Tyneside

**Whistleblowing Policy**

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Name:(record name)

Position: (record position)

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**CTST Whistleblowing Policy and Operating Procedure for**

**Staff and volunteers**

# Introduction

1.1.)Churches Together South Tyneside (CTST) is committed to the highest possible standards of working practice and to full accountability. To this end, employees and volunteers are fully encouraged to voice any concerns they may have about CTST work.

1.2.Whistleblowing is when a CTST employee or volunteer, that is an individual who is undertaking unpaid activities on behalf of CTST knows, or suspects, that there is some wrongdoing occurring within CTST and alerts CTST or the relevant authority accordingly.

1.3.An employee or volunteer may suspect that something is wrong but may not express their concerns because they believe speaking up would be disloyal to their colleagues or CTST They may also fear victimisation, harassment or other reprisals. In such situations, an employee or volunteer may be inclined to ignore the concern rather than report what could be a suspicion of malpractice.

1.4.An employee or a volunteer (who is undertaking activities on behalf of CTST) who raises a concern under this policy will be fully supported by CTST and should be aware that they can raise concerns without fear of reprisals. It is recognised that some cases will proceed on a confidential basis owing to their sensitive nature.

1. 5.The main purpose of this policy is to pro-actively encourage CTST employees and volunteers to raise concerns within CTST rather than ignoring the problem or ‘blowing the whistle’ outside CTST.
2. Public Interest Disclosure Act 1998

2.1Employees who ‘whistleblow’ are protected by the Public Disclosure Act 1998. This Act does not offer any protection for volunteers.

2.2. The Public Interest Disclosure Act protects workers who ‘blow the whistle’ about an alleged malpractice in the work place. The Act describes the sorts of disclosures that may be protected and the people who may be protected.

2.3. The provisions of the Act protect most workers from being subjected to any form of detriment by their employer. Detriment can take many forms including: denial of promotion, facilities, or training opportunities that the employer may otherwise have offered.

2.4. Employees may make a claim for unfair dismissal if they are dismissed for making a protected disclosure (whistleblowing).

# 3. Aim and Scope of Policy

1. 1.This policy aims to:

3.1.1. Provide routes for staff and volunteers to raise concerns and receive feedback on any action taken.

3.1.2. Allow staff and volunteers to take the matter further if they are dissatisfied with CTST’s response to the concerns that have been expressed.

3.1.3. Reassure staff and volunteers they will be protected from possible reprisals or victimisation.

3.2. CTST has in place procedures and processes for discipline and grievance matters. This policy does not replace these procedures or processes but provides a way to raise concerns that fall outside their scope.

3.3.It is intended that any concern arising regarding a suspicion of malpractice in any aspect of CTST’s operations and working practices, or the conduct of staff or volunteers within CTST or others acting on behalf of CTST can and should be reported under this policy.

3.4. Employees who knowingly or deliberately fail to report malpractice or wrongdoing may be liable to disciplinary proceedings if they knowingly and deliberately do not disclose information relating to malpractice in CTST or the conduct of staff or volunteers or others acting on behalf of CTST.

3.5. Contractors and/or suppliers of goods and services to CTST who, know or suspect, that there is some wrongdoing occurring within CTST should alert CTST through the person who contracted them in the first instance.

# 4. Possible Whistleblowing Situations

4.1.Although this list is not exhaustive, examples of situations in which it might be appropriate for an employee to report a wrongdoing include:

4.1.1.a breach, or potential breach, of health and safety legislation

4.1.2.financial irregularities

4.1.3. harassment of a colleague, pupil, visitor, volunteer or other individual

4.1.4. damage to the environment

4.1.5. failure to comply with any legal obligation

4.1.6 the committing of a criminal offence.

# 5. Safeguards

## 5.1. Harassment or Victimisation

5.1.1 CTST recognises that the decision to report a concern can be difficult, not least because of fear of reprisal from those responsible for the malpractice. CTST will not tolerate any such harassment or victimisation and will take appropriate action in order to protect staff or volunteers who raise a concern in good faith. In addition, employees are protected in law by the Public Interest Disclosure Act as described in Section 2.

5.1.2 Employees who are subject to disciplinary action or other procedure against them may not have the procedure halted as a result of raising a concern under this policy. Each case will be considered on its merits and the employee will be advised accordingly.

## 5.2 Confidentiality

Complaints or allegations are easier to follow up if the person making the allegation is willing to give their name. However, where possible CTST will protect those who do not wish their identity to be disclosed. It must be understood by all employees and volunteers that any investigation may reveal the source of information and a statement from complainants may be required as part of the evidence.

## 5.3 Anonymous Allegations

Concerns expressed anonymously will be treated with caution and will be considered at the discretion of CTST. In exercising this discretion the CTST will take into consideration:

5.3.1 the seriousness of the issues raised

5.3.2 the credibility of the concern

5.3.3 the likelihood of obtaining the necessary information and confirmation of the allegation.

## 5.4 Deliberately False or Malicious Allegations

5.4.1 Employees and volunteers who attempt to abuse this policy may face action in accordance with CTST’s appropriate policies and procedures. CTST takes deliberately false or malicious allegations very seriously which may result in further action taken through the relevant policy and/or procedure, such as the disciplinary procedure for employees. This will not include illfounded allegations that were made in good faith.

5.4.2 Provided that the person reasonably believed that that the alleged malpractice is or was going to occur, no action will be taken against the person making the allegation if the investigation fails to find a case to answer.

**6. How Should a Concern be Raised?**

## 6.1. Actions to be taken by the employee or volunteer

6.1.1 If an employee or volunteer knows, or suspects, that some wrongdoing is occurring within CTST, they should raise the matter immediately with their team leader, project Lead, or the Vice Chair of CTST, as appropriate.

6.1.2 Concerns can be raised orally but employees and volunteers are

strongly advised to put their concerns in writing setting out the background and history of the concern and providing relevant dates, names and the reason why the situation is a concern.

6.1.3 No employee or volunteer should approach or accuse individuals directly. Neither should the employee or volunteer attempt to undertake their own investigation. Under no circumstances should the employee or volunteer with suspicions convey those suspicions to anyone other than those with the proper authority to investigate the concern.

## 6.2 Action to be taken by the team leader, project lead or chair of CTST

6.2.1 The action to be taken will depend on the nature of the concern. Where appropriate, matters raised may:

1. be investigated the above
2. be referred to the Police
3. form the subject of an independent enquiry.

6.2.2 To protect individuals and CTST, initial enquiries will be made to decide whether an investigation is appropriate and, if so what form it should take. Concerns or allegations which fall within the scope of specific procedures will normally be referred for consideration under those procedures.

6.2.3 Some concerns may be resolved by agreed action without the need for a detailed investigation.

6.2.4 The Investigating Person will write to the complainant within 10 working days of an allegation being made under this procedure to :

1. Acknowledge receipt of the concern.
2. Indicate how it is proposed to deal with the matter.
3. Give an estimate of how long it may take to provide a final response. (This may not always be possible at the early stages of an investigation).
4. Advise whether any initial enquiries have already been made.
5. Advise whether further investigations will take place and if not, why not.

6.2.5 It may be necessary to seek further information from the complainant. If so, the Investigating Person will write to the complainant identifying the requirements or clarification required.

6.2.6 It may be necessary to meet with the complainant to discuss the investigation or other information being sought. If this is the case, the complainant may, if they wish, be accompanied by a trade union representative or work colleague who is not involved in the area of work to which the concern relates.

## 6.3 CTST Support

6.3.1 CTST will take appropriate steps to minimise any difficulties the complainant may experience as a result of raising a concern. For example, the complainant may be required to provide evidence in criminal or disciplinary proceedings

6.3.2 The individual who has raised the issue of a wrongdoing will be kept informed of any investigation that is taking place. The individual will also be informed of the outcome of the investigation. It might not always be appropriate to tell the individual the detail of any action that is taken, but the individual will be informed if action is taken.

## 6.4 Alerting outside bodies to potential wrongdoing

6.4.1 An individual should always, in the first instance, talk to a team leader, project leader or the vice -chair of CTST

about a potential wrongdoing. If the individual is not satisfied with the response from the person then the matter should be raised with the Chair. If the individual is dissatisfied with how CTST has dealt with the complaint or that the complaint was not taken seriously, or that the wrongdoing is still going on, then they are entitled to contact an external ‘prescribed person’ or ‘relevant body’ [www.gov.uk/government/publications/blowing-the-whistle-list-ofprescribed-people-and-bodies--2](http://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2) to express his or her concerns. In doing this the employee should:

• have a reasonable belief that the allegation is based on facts • not be making any personal gain from the revelations • make the disclosure to a relevant body.

6.4.2 A “relevant body” is likely to be a regulatory body (e.g. ACAS [www.acas.org.uk](http://www.acas.org.uk/); the Health and Safety Executive [www.hse.gov.uk](http://www.hse.gov.uk/), or the Charities Commission

[www.gov.uk/government/organisations/charity-commission](http://www.gov.uk/government/organisations/charity-commission)). 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 as follows: Helpline: 0203 117 2520; website: [www.protectadvice.org.uk](http://www.protect-advice.org.uk/).

6.4.3 If the matter is raised outside CTST, confidential information must not be disclosed. In addition, to secure the protections afforded by the Public Interest Disclosure Act, the Disclosure must be protected within the meaning of the Act and comply with a specific set of conditions that vary according to whom the disclosure is made.

# 7. Protection Against Detriment

7.1 If the employee does not follow the procedure set out, which encompasses the requirements of the Public Disclosure Act 1998, the protection against detriment will not apply. Disclosing information in an inappropriate way (e.g. contacting the media) could result in disciplinary action being taken against the employee, which could include dismissal. If a volunteer discloses information in an inappropriate way they may be asked to relinquish their volunteering role at CTST.

# 8. Review

8.1 CTST will review this policy and operating procedure in line with its Employment Policy Schedule and when there are any relevant changes in employment law that may affect the current content of this policy.