

Trinity St Andrew's Church Meeting Whistleblowing Policy

1. Policy Statement and Definition

It is the policy of Trinity St Andrew's to ensure that all employees have access to a procedure to help resolve any whistleblowing concerns relating to their employment quickly and fairly.

For the purposes of this policy, Whistleblowing is the name given to the act of disclosing information in the public interest to the employer or the relevant authority by an individual who knows, or suspects, that Trinity St Andrew's is responsible for, or has taken part in, some wrongdoing.

Those employees making "qualifying disclosures" (see section 4. below) are protected against dismissal or detriment by The Public Interest Disclosure Act 1998.

2. Context

Trinity St Andrew's believes that whistleblowing is one of the most effective ways of preventing and eliminating wrongdoing at work.

We recognise that raising a whistleblowing concern can be daunting. However, we encourage employees to report concerns internally as soon as possible where they suspect wrongdoing. We are here to listen and will take all concerns that are raised seriously.

This policy sets out Trinity St Andrew's procedure for raising a whistleblowing concern and the support and protection that is available to employees when they do so.

If the concern relates to a personal grievance that is not in the public interest (for example, an allegation of bullying or harassment, or an allegation that the contract of employment has been breached) the employee should raise it under Trinity St Andrew's separate Grievance Procedure. Where a concern is raised under the Whistleblowing Policy where it is not appropriate to do so, i.e. it relates to a personal grievance, the receiving Manager or Trinity St Andrew's Officer will confirm that the matter will be addressed under the Grievance Procedure.

If an employee is unsure about whether the concern is best dealt with under the Whistleblowing Policy or the Grievance Procedure, they should speak to their Line Manager or an appropriate Trinity St Andrew's Officer for further advice.

This policy does not form part of an employee's contract of employment and Trinity St Andrew's reserves the right to amend or withdraw it at any time.

3. Scope

This policy applies to all employees and workers employed by Trinity St Andrew's, referred to as "employee" or "employees" in this policy. Other individuals, including any contractors, subcontractors, suppliers and volunteers are also encouraged to follow the procedure set out in this policy.

4. Whistleblowing concerns to which this policy relates

Whistleblowing is the act of reporting suspected wrongdoing, or risk of wrongdoing, known as “qualifying disclosures”. A “qualifying disclosure” means a disclosure of information that an employee genuinely or reasonably believes is in the public interest and shows that Trinity St Andrew’s has committed a relevant failure by:

- committing a criminal offence;
- failing to comply with a legal obligation;
- a miscarriage of justice;
- endangering the health and safety of an individual;
- environmental damage; or
- concealing any information relating to the above.

It is not necessary for an employee to prove the wrongdoing. The Employment Rights Act 1996 provides protection for workers who ‘blow the whistle’ where they reasonably believe that some form of illegality, injustice or breach of health and safety has occurred or is likely to occur. However, to be protected by whistleblowing laws against detrimental treatment or dismissal, the employee must reasonably believe that wrongdoing (related to one of the categories listed above) is being, has been, or is likely to be committed and that the disclosure is in the public interest.

Qualifying disclosures relate to the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. The District will take any concerns raised by employees relating to the above matters very seriously.

5. The Procedure

Stage 1 - Raising a whistleblowing concern

If an employee has a genuine concern relating to any type of wrongdoing that is covered under this policy, they should raise it with their Line Manager. If the concern relates to the Line Manager, or for any reason the employee does not wish to approach their Line Manager, they should raise the concern instead with the Line Manager’s manager or an appropriate Trinity St Andrew’s Officer.

In the case of a concern relating to a Minister, the Superintendent Minister should be contacted. In the case of a concern relating to the Superintendent Minister, the Chair of District should be contacted. In some cases, consideration may be given to involving a third party as an external counsellor/mediator or a pastoral advisor.

Employees may raise their concerns orally, or in writing. We recommend that the Trinity St Andrew’s ‘Form to raise a whistleblowing concern’ is used though concerns may be submitted in any format. It is important that the employee sets out clearly:

- the details of the suspected wrongdoing;
- the names of any individuals involved; and
- what action (if any) they are seeking.

Stage 2 – Exploring and responding to the whistleblowing concern

Following receipt of a disclosure made under this policy, it will be necessary to appoint an Investigating Manager and the employee will be asked to attend an investigation meeting to clarify the nature of

the concern. The Investigating Manager appointed will be a Trinity St Andrew's Officer or in certain circumstances, an independent external third party. The investigation meeting will be arranged as soon as possible. The purpose of this meeting will be to gather as much information as possible from the employee regarding their concern, including whether there is any supporting evidence or any witnesses have been identified. Employees may, if they wish, bring a work colleague or a trade union representative with them to the meeting. Where possible, this meeting will be held within 5 working days following receipt of the disclosure.

After this meeting, the Investigating Manager will carry out a full investigation into the concerns raised. The investigation will aim to gather all relevant information including relevant documentary evidence or witness statements. The level of investigation and time this will take will vary depending on the nature of the suspected wrongdoing.

Following the investigation, the Investigating Manager will inform the employee in writing, as quickly as possible after completion of the investigation, of the outcome and any next steps or action that will be taken. While Trinity St Andrew's aims to provide comprehensive feedback to an employee who has raised a concern, in some cases this may not be possible, for example where data protection rules apply or there are sensitive issues that need to remain confidential.

Stage 3 - Appeal

If the employee is not satisfied with how the concern has been dealt with, they should appeal to Trinity St Andrew's Officer specified in the original whistleblowing outcome letter within five working days of the date on which the decision was received by the employee.

It is important that the employee sets out clearly the grounds of the appeal, i.e. the basis on which they consider that the original concern has not been satisfactorily dealt with.

In some cases, it may be necessary to ask the employee to attend a meeting to clarify the nature of their appeal. This will be arranged as soon as possible. Employees may, if they wish, bring a work colleague or a trade union representative with them to the meeting.

The Trinity St Andrew's Officer will consider the grounds for appeal and review the manner in which the original whistleblowing concern was handled. The employee will be informed in writing of the outcome as quickly as possible.

6. Confidentiality and anonymity

Trinity St Andrew's wishes employees to feel comfortable about raising a whistleblowing concern openly and actively encourages them to do so.

Where an employee raises a whistleblowing concern openly, Trinity St Andrew's will maintain confidentiality as far as possible. If Trinity St Andrew's needs to identify the employee's identity to anyone, the employee will be notified beforehand.

In the alternative, an employee may decide to raise a whistleblowing concern anonymously.

We encourage anonymous reporting over remaining silent. However, although Trinity St Andrew's will investigate any concern that is reported anonymously as far as possible, an anonymous report is likely to be more difficult to investigate and Trinity St Andrew's will not be in a position to provide any feedback.

7. Third Parties

Trinity St Andrew's reserves the right to engage independent external third party assistance at any stage of the Whistleblowing Procedure.

8. Formal action

Should formal action be required as a result of any disclosure made under this policy, this action will be carried out in accordance with the applicable internal Trinity St Andrew's policy. Any potential sanctions imposed will be fair and reasonable in line with the relevant policy.

9. Our commitment

Employees have the right not to be subjected to any detrimental treatment (including being unfairly penalised, disciplined or dismissed) because they have raised a whistleblowing concern.

If an employee raises a whistleblowing concern in accordance with this policy, Trinity St Andrew's will ensure that they are treated with respect and provided with adequate support and protection.

Bullying, harassment or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. If an employee is told not to raise or pursue a whistleblowing concern, or they believe that they have been subjected to detrimental treatment because they have raised a whistleblowing concern, they should report the matter to an appropriate Trinity St Andrew's Officer. In the alternative, an employee may raise it under the Trinity St Andrew's Grievance Procedure, if this applies to their working arrangement.

Any such behaviour will not be tolerated and will be treated as a disciplinary offence.

If we find that an individual has knowingly raised false allegations, this will also be treated as a disciplinary offence.

10. Raising whistleblowing concerns externally

We encourage employees to raise their whistleblowing concerns internally in the first instance. If an employee feels that appropriate action has not been taken under Stages 1, 2 and 3 of the above procedure, they should report the matter to the correct prescribed body or person (see list on www.gov.uk).

An employee should seek advice if they are thinking of raising any concern with the media as they will not have protection under whistleblowing laws unless certain conditions are met.

11. Further guidance

Any employee requiring further guidance or support may contact the whistleblowing charity, Protect (www.protect-advice.org.uk) or Citizens Advice (www.citizensadvice.org.uk) for free confidential advice.