

**WHISTLEBLOWING POLICY**

**DEFINITION**

This policy applies to all Immanuel Church Brentwood (ICB) employees, volunteers and members of the congregation. ICB is an independent church based in Brentwood Essex.

**PURPOSE & SCOPE**

This policy, sets out guidelines to meet the requirements of the Public Interest Disclosure Act (1998) and protect employees, volunteers and members of the congregation who make a qualifying disclosure when they genuinely believe it is in the public interest for them to do so.

This policy applies to all ICB employees who work under a contract of employment, all volunteers and any agency staff, contractors, workers and consultants who work under a contract for service and all other third parties.

**POLICY STATEMENT**

To protect employees, volunteers and members of the congregation who make a qualifying disclosure about wrongdoing within ICB and stop them from being subject to a detriment because of it, such as denial of promotion, church membership, facilities or training opportunities which ICB would otherwise have offered. Employees may make a claim for unfair dismissal if they are dismissed for making a protected disclosure.

**DEFINITIONS**

The Whistleblowing Policy and procedure is additional to ICB’s grievance procedures.

Whistleblowing is when an employee or volunteer or member of the congregation knows, or suspects, that there is some wrongdoing occurring within the organisation and alerts the Elders, the Trustees, the Council of Reference or the relevant authority accordingly.

This policy is intended to cover major concerns that fall outside the scope of other procedures. A grievance is by contrast, a dispute about an employee’s own employment or personal position and has no public interest to it.

**DISCLOSURES**

If an employee, volunteer or member of the congregation knows or suspects that some wrongdoing is occurring within the organisation, they should raise the matter immediately with the relevant authority. If the employee, volunteer or member of the congregation does not know who to approach, they should, in the first instance, talk to an Elder, the Council of Reference, or for HR issues, to the Treasurer.

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

1. a breach, or potential breach, of legislation
2. financial irregularities
3. harassment of a fellow-member or other individual
4. damage to the environment
5. a danger to the health and safety of an individual
6. a miscarriage of justice
7. the committing of a criminal offence
8. an act of bribery
9. deliberate concealment of any of the above

Please note that in making a disclosure the employee, volunteer or member of the congregation must have reasonable suspicion that the information disclosed tends to show one or more of the offences or breaches listed above. The belief might not be correct - it might be discovered subsequently that the employee, volunteers and members of the congregation was in fact wrong - but they must show that they held the belief, and that it was a reasonable belief in the circumstances at the time of disclosure.

**MAKING A DISCLOSURE**

Employees, volunteers and members of the congregation who are concerned about wrongdoing or compliance failures within ICB can make disclosures to the Elders, the Trustees, the Council of Reference or the Treasurer.

If an employee, volunteer or member of the congregation makes a qualifying disclosure, it will be a protected disclosure provided they:

1. make the disclosure in good faith;
2. reasonably believe that the information, and any allegation it contains, are substantially true; and
3. reasonably believe that the matter falls within the description of matters for which the person or body has been prescribed. (For example, breaches of health and safety regulations can be brought to the attention of the Health and Safety Executive or appropriate local authority, or environmental dangers can be notified to the Environment Agency.)

The disclosure report should contain all the facts forming the basis of the employee, volunteer or congregation members’ belief. The report may be written or oral, and, at the individual’s option, may be submitted anonymously and with complete confidentiality.

The report must be sufficiently detailed and inclusive to ensure a clear understanding by the recipients of the issues raised. The report should be candid and set forth all of the information that the employee, volunteer or congregation member knows regarding the allegation or concern, including the identities of individuals involved.

The report must contain as much corroborating evidence as possible since this would be necessary and helpful to support the commencement of an appropriate investigation. If the report contains only unspecified unsupported allegations it may not result in the commencement of an appropriate investigation.

Particular care should be taken to comply with each of foregoing requirements in instances where the report is made anonymously, because in such cases there may be limited or no opportunity, to obtain any information that is not initially supplied by the caller. As appropriate, an inquiry of the suspected irregularities or improprieties will be made to gather the relevant facts and reach a timely and proper resolution of the matter.

It is ICB’s policy to comply with all applicable legal requirements, and to create and maintain an environment that makes this fact clear to all employees, volunteers and members of the congregation. ICB requires its employees, volunteers and members of the congregation to do likewise in the performance of their duties. Every employee, volunteer and member of the congregation has the responsibility to assist ICB in meeting these very important legal and regulatory requirements.

**MANAGING A DISCLOSURE**

Any Elder, Trustee or member of the Council of Reference or the Treasurer who is informed by an employee, volunteer or member of the congregation of potential wrongdoing will take immediate action to investigate the situation. In doing so, the person in authority will take every possible step to maintain the anonymity of the individual who has made the allegation of wrongdoing.

The individual who has raised the issue 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.

**ALERTING OUTSIDE BODIES TO A POTENTIAL WRONGDOING**

An individual should always, in the first instance, talk to a person of authority in ICB about a potential wrongdoing. If the individual is not satisfied with the response, they are entitled to contact a relevant external body to express the concerns. In doing this the individual should:

1. have a reasonable belief that the allegation is based on correct facts
2. make the disclosure to a relevant body
3. have a reasonable belief it is in the public interest to make the disclosure.

A “relevant body” is likely to be a regulatory body (e.g. the Health and Safety Executive).

This may also include a registered charity whose services are free and strictly confidential called Public Concern at Work (whistleblowing advice helpline tel: 020 7404 6609).

If an employee, volunteer or member of the congregation feels it necessary to take a matter outside of the organisation, they should ensure that they do not unnecessarily disclose confidential information.

**CONTACTING THE MEDIA**

The media is not a relevant external body. Individuals should not contact the media with allegations about the organisation, except in extraordinary circumstances where neither the organisation nor the relevant regulatory body would be appropriate.

**PROTECTION AGAINST DETRIMENT**

Any employee who takes action under the Public Interest Disclosure Act will be protected from suffering any detriment in relation to the allegations that are made, including victimisation by the organisation or by colleagues. Any employee, volunteer or member of the congregation who believes that they have been the subject of any detrimental treatment following a disclosure, should report the facts immediately to an Elder, Trustee, the Council of Reference or the Treasurer.

As appropriate, the allegations of detrimental treatment will be thoroughly investigated in as confidential a manner as possible, subject to the need to conduct a full and impartial investigation, remedy any violations of ICB’s policies or monitor compliance with ICB’s policies. It is the obligation of all employees, volunteers and members of the congregation to cooperate in any such investigation. ICB expressly prohibits retaliation against any employee, volunteer or member of the congregation who makes a complaint under this policy or who participates in ICB’s subsequent investigation of the allegations.

In the event that an investigation concludes that an employee, volunteer or member of the congregation has been the subject of detrimental treatment, ICB will take immediate and appropriate disciplinary action up to and including termination of the respondent employee’s employment or termination of the respondent volunteer or member of the congregation’s membership of the church.

To ensure compliance with the Public Interest Disclosures Act, employees, volunteers and members of the congregation are expected to follow the disclosure path set forth in this Policy. Disclosing information in an inappropriate way (e.g. contacting the media) could result in disciplinary action being taken.

**RESPONSIBILITIES**

The Trustees are responsible for monitoring the consistent application of the Whistleblowing policy and its review. The Elders, the Council of Reference and the Treasurer are responsible for the implementation of the policy and its procedures should an issue be raised.

**ENDORSEMENT & APPROVAL**

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| **Approved by:** | Trustees |
| **Date:** | September 2023 |
| **Next Review Date:** | September 2024 |