

INTRODUCTION

1. What is Whistleblowing?

Whistleblowing occurs when an employee provides certain types of information, usually to the employer or a regulator, which has come to their attention through work.

Whistleblowing is ‘making a disclosure in the public interest’ and occurs when an employee raises a concern about danger or illegality that affects others, for example members of the public.

The disclosure may be about the alleged wrongful conduct of the employer, a colleague, client, or any third party. Typically, the whistleblower is not directly, personally affected by the danger or illegality, although they may be.

Employees are often the first to realise that there may be something seriously wrong within organisations. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation.

They may also fear harassment or victimisation. In these circumstances, it may be easier for the employee to ignore the concern rather than report what may be a suspicion of malpractice.

1.2 However, New Life Medway is committed to the highest possible standards of openness, honesty and accountability. In line with that commitment, we encourage employees and others with genuine concerns about any aspect of New Life Medway’s work to come forward and voice those concerns.

This policy document makes it clear that staff can do so in strict confidence without fear of reprisals. This policy is intended to encourage and enable staff to raise serious concerns within New Life Medway rather than ignoring a problem or raising their concerns outside.

1.3 This policy applies to:

All New Life Medway employees (temporary, permanent, part time and full time), Agency staff or consultants undertaking New Life Medway's work or working on behalf of Contractors working for New Life Medway on its premises, and Suppliers and those providing services under contract with New Life Medway in their own premises.

2. AIMS AND SCOPE OF THIS POLICY

2.1 For those referred to in paragraph 1.3 (above) this policy aims to:-

Encourage you to report suspected wrongdoing as soon as possible, in the knowledge that your concerns will be taken seriously and investigated as appropriate;

Provide avenues for you to raise concerns and receive feedback on any action taken;

Allow you to take the matter further if you are dissatisfied with New Life Medway's response;

Reassure you that you will be protected from reprisals or victimisation for raising matters which in your reasonable belief, are in the public interest.

2.2. The Public Interest Disclosure Act 1998 (PIDA) is a key piece of Whistleblowing legislation and applies to almost all employees and employees who ordinarily work in Great Britain.

This Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures. You have to believe that you are acting in the public interest by coming forward. This means in particular that personal grievances and complaints are not usually covered by whistleblowing law.

New Life Medway have a Grievance Policy and Procedure in place to enable you to lodge a grievance relating to your own employment.

In addition the information you wish to disclose must be about something you have a reasonable suspicion, or concern about that shows one or more of the following has occurred or is likely to occur:

- Criminal offences,
- Failure to comply with an obligation set out in law,
- Miscarriages of justice,
- Possible fraud and corruption,
- Health and Safety risk (including risks to the public as well as other employees),
- Damage to the environment,
- Unauthorised use of charity funds,
- Improper or other unethical conduct,
- Breach of New Life Medway's constitution or policies,
- Activities that fall below established standards or practice,
- Deliberate concealment of any of the above matters.

2.3 If your concern relates to the conduct of New Life Medway members or leaders, this must be referred to the Pastor or any other designated member of the elders team.

2.4 Members of the congregation and the public who wish to raise a concern should use New Life Medway's complaints procedure as contained within the Church Policy and Procedure Manual (a copy can be found at the Prayer Palace reception desk).

3.1 Harassment or Victimisation

New Life Medway recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. New Life Medway will not tolerate harassment or victimisation and will take all reasonable steps to protect you when you raise a concern.

Employees must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats, victimisation or unfavourable treatment connected with raising a concern.

If you believe you have suffered any such treatment, you should inform one of the contacts named in 5.1 below immediately.

This does not mean that if you are already the subject of disciplinary or redundancy procedures, these will be halted as a result of your "whistleblowing".

3.2 Confidentiality

New Life Medway will not reveal your identity when you raise a concern. It must be appreciated that during the investigation a statement by you may be required as part of the evidence gathering process. However, you will not be identified as the originator of the allegations being investigated.

3.3 Anonymous Allegations

This policy encourages you not to make an anonymous allegation. Proper investigation will be more difficult or impossible if we cannot obtain further information from you. Concerns expressed anonymously are much less powerful, however, they may be considered at the discretion of the organisation.

Exercising the discretion, the factors to be taken into account will include the:-

Seriousness of the issues raised;
Credibility of the concern; and
Likelihood of confirming the allegation from attributable sources.

Untrue Allegations 3.4

Allegations made but not confirmed by any investigation will result in no action. If it is concluded that the whistleblower has made false, malicious or vexatious allegations, the employee will be dealt with under New Life Medway's Disciplinary Policy and Procedure.

If the same situation as above relates to members of the congregation or the public, the matter will be dealt with under New Life Medway's Complaints procedure contained within the Church Policy and Procedure Manual. However if the claims are untrue New Life Medway reserves the right to take legal counsel most especially where the name of the ministry has been brought into disrepute publically.

4. THE RESPONSIBLE OFFICER

4.1 The Director of New Life Medway has overall responsibility for the maintenance and operation of this policy.

They maintain a record of concerns raised (but not the names of the person raising the concern) and the outcomes and will report as necessary to CEO.

4.2 The Director of New Life Medway will do what they lawfully can to protect your identity, but you should be aware that they may be obliged to disclose it to the Police, the External Auditor or the Courts.

5. HOW TO RAISE A CONCERN

5.1 As a first step as an employee, you should normally raise concerns with your immediate manager or their superior. However, this will depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice.

As a member of the congregation/public, you should raise your concerns in the first place with the Pastor or Elders of or one of the connect group leaders.

5.2 One of the following people should be contacted where you wish to raise a concern under the whistleblowing policy:

Concerns are better raised in writing. You will be invited to set out the background and history of the concern, giving name, dates and places where possible, and the reason why you are particularly concerned about the situation.

If you feel that you are not able to put your concern in writing, you can telephone or meet the appropriate officer.

5.3 The earlier you express your concern, the easier it is to take action. Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there is sufficient grounds for your concern.

6. HOW THE ORGANISATION WILL RESPOND

6.1 The action taken by New Life Medway will depend on the nature of the concern.

The matters raised may be:

Investigated internally (by one of the officers named in paragraph 5.2, internal auditors or through the disciplinary process)

Referred to the police

Referred to the external auditor the subject of an independent inquiry

6.2

The overriding principle which New Life Medway will have to bear in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures will normally be referred to the appropriate channel for consideration under those procedures.

6.3 Some concerns may be resolved by agreed action without the need for formal investigation.

In order to protect individuals and New Life Medway, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

6.4 You will be contacted within ten working days of a concern being raised, to verbally acknowledge that the concern has been received indicating how it is proposed to deal with the matter.

6.5 The amount of contact between you and the manager considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, you may be asked to provide further information.

6.6 You will be informed when an investigation has been completed and the action that is proposed to be followed. In addition, the manager will notify the New Life Medway Pastor or the Chairman of Trustees the outcome of an investigation.

6.7 It may not be possible to pursue the matter further, if the manager has been unable to obtain independent evidence of the concern raised. In this case, the manager will discuss with you any other options that may be available.

6.8 If you are not satisfied with the New Life Medway's response, the manager dealing with the matter will explain the reasons for the decision. Alternatively, you can approach another of the managers detailed in paragraph 5.2 for an independent review.

It should be noted that an independent review will not necessarily result in a new investigation, but will be a review of the way in which your concern was dealt with.

7. FURTHER ADVICE AND INFORMATION

7.1 This policy is intended to provide you with an avenue to raise concerns within New Life Medway. If you feel that it is

right to take the matter outside of New Life Medway, the following are possible contact points:

Gov.uk Guidance – Whistleblowing: List of prescribed people and

Website: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/>

The independent charity Public Concern at Work on Work

Helpline: (020) 7404 6609

E-mail: whistle@pcaw.co.uk

Website: www.pcaw.co.uk

ACAS

Helpline number: 0300 123 1100

Monday-Friday: 8am-8pm and Saturday 9am-1pm Website:

<http://www.acas.org.uk>

7.2 It will be safe to raise a concern with any of the organisations referred to in paragraph 7.1 provided that:

You reasonably believe that the information disclosed, and any allegation contained in it, are substantially true

It is your reasonable belief that the disclosure is being made in the public interest

You do not make the disclosure for the purposes of personal gain.

It is recommended that you seek legal advice if you intend to raise concerns outside of New Life Medway to ensure that you satisfy the requirements for your protection under the Public Interest Disclosure Act 1998.

7.3 If you make allegations which are malicious, for personal gain or you have no reasonable grounds to believe are true, then you could face defamation proceedings or a prosecution for wasting Police time. If you decide to address your concerns to the press or the media, then you may also face defamation proceedings if your allegations prove to be unfounded.

8. THE LAW

8.1 This policy has been written to take account of the Public Interest Disclosure Act 1998, which protects employees making disclosures about certain matters of concern, where those disclosures are made in accordance with the Act's provisions.

The Act is incorporated into the Employment Rights Act 1996, which already protects employees who take action over, or raise concerns about, health and safety at work.

This policy also takes account of the Employment Rights Act 1996 as amended by the Enterprise and Regulatory Reform Act 2013.

9. REVIEW

9.1 This policy is to be reviewed every two years.