

Date policy adopted by the trustees:	December 2022	Latest date for renewal of the policy:	December 2024
--------------------------------------	---------------	--	---------------

## 1. Introduction

Gillingham Community Church (GCC) is committed to openness and accountability. In line with this, we expect employees, volunteers, third parties or those contracted to provide services to GCC who have serious concerns about any aspect of our work, to voice those concerns with the knowledge that, if made in good faith, their action will be viewed positively. This will assist us in addressing the concerns and avoid more serious regulatory breaches or reputational damage.

In the context of this policy, "Whistleblowing" is the term used to describe a disclosure made to someone in authority alleging corruption, malpractice or serious wrongdoing on the part of GCC or a person acting for or on behalf of GCC.

Aims of the Policy:

- To encourage Whistleblowers to report suspected wrongdoing as soon as possible, knowing that their concerns will be taken seriously, investigated as appropriate and their confidentiality respected.
- To provide Whistleblowers with guidance on how to raise their concerns.
- To reassure Whistleblowers that they can raise concerns without fear of reprisals, even if their concern turns out to be mistaken.

## 2. Definitions

**Public Interest Disclosure:** The Public Disclosure Act of 1998 applies to individuals raising genuine concerns relating to some actual or potential danger, fraud, illegal or unethical conduct. The Act provides legal protection to prevent individuals being penalised as a result of making a qualifying disclosure.

**Qualifying Disclosure:** A Qualifying Disclosure is one in which the reasonable belief of the person making the disclosure, is in the public interest to disclose.

The wrongdoing disclosed must be in the public interest. This means it must affect others, e.g. the general public.

**Whistleblower:** An individual who raises a qualifying disclosure under this policy.

**Whistleblowing:** An incident where an individual discloses an alleged wrongdoing under this policy.

**Wrongdoing:** This includes improper, illegal, or negligent behaviour and should be the underlying consideration when investigating allegations raised.

## 3. Scope of this Policy

The Whistleblowing Policy gives staff, volunteers and third parties a clear procedure on how to raise any concerns which do not fall under the remit of the Church Complaints or Grievance policies and procedures. Whistleblowing is not the same as a complaint. It is about raising concerns regarding malpractice or wrongdoing within the Church.

The Whistleblowing Policy may not be used to re-open or review a matter already decided under other policies and procedures.

The concerns covered by the Whistleblowing Policy and Procedure are:

- actual or suspected criminal offences
- failure to comply with legal obligations
- serious health and safety risks
- damage to the environment
- financial malpractice, impropriety, or fraud
- professional malpractice
- deliberate suppression, aiding, abetting or concealment of any of the above
- other illegal behaviour or serious malpractice which cannot be raised under an alternative policy

## **4. How to raise a concern**

### **Are you an employee or volunteer of the Church?**

In the first instance, please contact your line manager, or another appropriate church leader to raise your concern. If this is not possible, please contact one of the Trustees.

If the concerns relate to a Leader, the concerns should be taken to a non-Leader Trustee.

### **Are you a third party to the Church?**

In the first instance, please contact your key connection at the Church. If this is not possible, please contact the Church Administrator who will support and guide you through the process.

### **In either of the above circumstances**

Whistleblowers should provide a description of the concerns, in writing, including (where possible) precise information such as dates, names of those involved, meetings or correspondence which have taken place and reference to relevant documents or policies.

All concerns will be acknowledged, recorded, reviewed and where appropriate investigated with involvement of the trustees.

## **5. What will happen next?**

A meeting will be arranged to discuss your concerns and you may bring someone with you to this meeting, providing that person is willing to maintain the confidentiality of your disclosure and any subsequent investigation.

Feedback will then be given as to whether the concern falls within the scope of this policy and how we plan to deal with the matter

If there is a cause for concern, the designated person will arrange for an investigation. The designated person may appoint another person to undertake the investigation on his/her behalf.

Where there are existing procedures or policies in place for the investigation of certain allegations, the matter will be dealt with in line with that policy.

## 6. Process

Once a disclosure has been made, Gillingham Community Church will,

- Make a record of its receipt
- Carry out a preliminary review to determine whether the disclosure falls under the scope of this policy and whether there is apparent evidence to suggest that it should be investigated and if so, appoint a person to investigate
- Following the preliminary review, the investigating individual will make a preliminary decision and notify the Whistleblower, where it is possible and appropriate to do so, that:
  - The disclosure will be investigated formally
  - The disclosure has been investigated and relevant action taken
  - The disclosure has been drawn to the attention of the person who has the authority to act on the matter
  - The disclosure has been dismissed as there are no grounds for investigation
- Where the initial investigation identifies that a formal investigation is required then,
  - An investigation will be carried out by someone with relevant experience and as speedily as possible.
  - The person(s) subject of the disclosure will be informed and advised of any supporting evidence and will have the right to respond during interview
  - After the interview the investigator will report their findings with recommendations of further steps to be taken. All reports will be retained for a period of two years.
  - Consideration will be given as to whether the incident should be reported to the Charity Commission
  - The Whistleblower will be informed of the progress and timescales of the investigation, where it is appropriate. All information must be kept confidential by the Whistleblower.
  - If the disclosure is deemed to be malicious or made for personal gain, disciplinary action may be taken against the individual concerned if they are staff or volunteers.

## 7. If the Whistleblower is not satisfied

Gillingham Community Church will deal with all concerns raised fairly and in an appropriate manner. The Whistleblower may not ask for a review of any decision but if they have concerns about the ways in which their concern has been handled, they may contact an independent Whistleblowing charity or other body, using the details at the end of this Policy.

## 8. External Disclosures

This policy is designed to provide an internal mechanism for reporting any concerns regarding wrongdoing at Gillingham Community Church. In most cases contacting anyone externally is likely to be unnecessary.

Nothing in this policy precludes an individual from reporting a suspected crime to the police nor is it intended to remove any rights under the Public Disclosure Act of 1998.

## **9. Confidentiality**

Where possible, the identity of the Whistleblower will be protected. There may be circumstances, however, where it will not be possible to proceed without revealing the Whistleblower's identity, for example if the Whistleblower's evidence is needed in the investigatory process, at a disciplinary or court hearing. Should this be the case, the matter will be discussed with the Whistleblower at the earliest opportunity, and they will have the opportunity to withdraw the disclosure if by continuing with the investigation their identity would be revealed to the subject of the disclosure.

Note that the need for confidentiality may prevent the designated person from providing the specific details of the investigation or actions taken, to the Whistleblower.

The Whistleblower should treat any information about the investigation as confidential.

Concerns raised anonymously will be dealt with at the discretion of the charity

## **10. Protection of Whistleblowers**

Individuals who raise genuinely held concerns in good faith under this procedure will not be dismissed or subjected to any detriment because of such action, even if they turn out to be mistaken. Detriment includes unwarranted disciplinary action or victimisation.

If a Whistleblower believes that he/she has suffered any such treatment because they have raised concerns under this policy, he/she should raise the matter with the Trustees in the first instance who will work with the interest of all parties to seek resolution, and this may include mediation.

Any staff member/volunteer who victimises or retaliates against those who have raised concerns under this policy will be subject to disciplinary action.

## **11. Support and Advice**

If a member of staff needs independent advice about a whistleblowing issue, they can contact Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline (020 7404 6609) or [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk). Please see [www.pcaw.co.uk](http://www.pcaw.co.uk) for more information.

Help is also available from Citizen's Advice and from the government website at: [www.gov.uk/whistleblowing](http://www.gov.uk/whistleblowing)