



STREATHAM
BAPTIST
CHURCH

Whistleblowing Policy

Policy Approved by: Church Leaders / Trustees on 16 October 2017

Communicated to: Church Members at a Church Members' Meeting on 27 November 2017

Review date: 16 October 2020 or earlier if church needs dictate

Contents

1. Purpose and Scope
2. What is Whistleblowing?
3. Exceptions
4. Confidentiality
5. Informal Procedure
6. Formal Procedure
7. External Disclosure
8. Diversity Implications

SBC Whistleblowing Policy

1. Purpose and Scope

- 1.1 Streatham Baptist Church is committed to the highest standards of quality, probity, openness and accountability. We wish to take active measures to deter fraud, corruption and malpractice within Streatham Baptist Church.
- 1.2 As part of that commitment, and in line with the provisions of the Public Interest Disclosure Act (1998), we actively encourage employees or others with serious concerns about any aspects of our work to come forward and express those concerns.
- 1.3 In most cases, we would hope that concerns and complaints will be dealt with through our normal processes and mechanisms for internal communication and for resolving grievance and disciplinary matters. However, in some cases we recognise that individuals may need to come forward on a confidential basis to disclose serious concerns and/or suspected malpractice. It is our policy to ensure that, provided these concerns are expressed in an appropriate way, appropriate action is taken and that the person voicing the concern does not suffer any detriment as a result.
- 1.4 This policy is designed to provide guidance to anybody who works within Streatham Baptist Church who may feel that they need to raise serious concerns in relation to matters listed below and where Streatham Baptist Church's normal procedures through the line management structure have either failed or are inappropriate.
- 1.5 An instruction to cover up wrongdoing is itself a disciplinary matter. If told not to raise or pursue any concern, no employee should agree to remain silent. They should raise the matter within the terms of the procedures set out under Section 5 (Informal Procedure) and/or Section 6 (Formal Procedure) below.
- 1.6 This policy covers all full and part-time employees, voluntary staff, activity leaders, volunteers and Church Leaders / Trustees. Therefore, the policy refers to anybody raising a concern as the 'complainant' rather than the 'employee'.
- 1.7 This policy does not form part of any individual employee's contract of employment with Streatham Baptist Church.

2. What is Whistleblowing?

- 2.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The complainant will make a "qualifying disclosure" where they have a reasonable belief that one of the following sets of circumstances is occurring, has occurred, or may occur within Streatham Baptist Church and they reasonably believe that the disclosure is in the public interest:
 - That a criminal offence has been committed, is being committed or is likely to be committed in connection with the work of Streatham Baptist Church.
 - That in connection with their work at Streatham Baptist Church a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
 - That a miscarriage of justice has occurred, is occurring or is likely to occur, directly or indirectly, from the work of Streatham Baptist Church.
 - That the health and safety of any individual has been, is being, or is likely to be endangered and the matter has not been properly addressed through Streatham Baptist Church's normal health and safety management procedures.
 - That the environment has been, is being or is likely to be damaged as a result of any aspect of the work of Streatham Baptist Church.
 - That information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

SBC Whistleblowing Policy

2.2 Irrespective of any statutory protection from unfair dismissal or from suffering any other detriment as a result of raising concerns above, Streatham Baptist Church undertakes not to subject any person to any detriment or victimisation as a result of raising these concerns or the additional concerns listed. Where it is alleged that a manager or another employee has subjected a complainant to detriment or victimisation, this will be investigated under Streatham Baptist Church's Disciplinary Procedure and if substantiated will normally be treated as gross misconduct.

3. Exceptions

3.1 This policy should not be used for complaints relating to personal circumstances, such as the way someone has been treated at work. In these cases the Grievance Procedure must be followed.

3.2 The protection afforded to employees and others as listed above will not exist, either as a statutory right or within the terms of this policy, if:

- the complaint is made maliciously.
- a complaint is pursued frivolously or for personal gain.
- the complaint concerns information which the complainant does not substantially believe to be true.
- disclosure is made to an outside body without first invoking the procedure set out below, unless there is a genuine concern that to pursue the procedure would be inappropriate, or previous attempts do so has failed. (Disclosures made to the complainant's legal adviser in the course of obtaining legal advice will be protected).
- there is an inappropriate breach of confidentiality by the complainant or their representative.

3.3 In such cases, Streatham Baptist Church reserves the right to take such disciplinary action against the complainant as may be appropriate.

4. Confidentiality

4.1 Any person raising a concern under this procedure, and any representative of Streatham Baptist Church responding to it, is required to respect the confidentiality of the concern. In particular, this means:

- whilst peers may be consulted for guidance on a confidential basis, the information will be formally shared only with the nominated representatives of Streatham Baptist Church, the complainant's trade union representative or legal adviser, who will be equally bound by this requirement of confidentiality.
- any response to the concerns will be confined by Streatham Baptist Church to the complainant and representative or adviser, and to others to secure appropriate action on a strictly limited need-to-know basis.
- only in extreme circumstances, where the complainant is of the view that there is an overriding public interest in relation to a concern that has not been, or will not be, properly addressed by Streatham Baptist Church, may information be shared with an outside agency, in accordance with the formal procedure below.

SBC Whistleblowing Policy

5. Informal Procedure

5.1 If somebody has a concern within the terms of this Policy, they may in the first instance wish to approach one of the following for confidential advice and support in taking the matter forward:

- Their line manager;
- The Senior Minister;
- The SBC Leader – HR Lead.

5.2 The objective of anybody being asked for such support should be:

- to help the complainant to take the most appropriate steps within the terms of this policy and procedure.
- to handle the matter with sensitivity to the position of the complainant and any fears they might have in relation to their own safety or career.
- at the same time to be aware of the rights of others involved, including the right to confidentiality, and the right to have their side of the story heard if the matter is pursued under the formal procedure.

6. Formal Procedure

6.1 Immediately on becoming aware of concern sufficiently serious to be covered by this policy (after seeking initial informal advice as above if required), the complainant should write to one of the nominated persons listed below, or speak directly to them following this up with written confirmation if requested. The complainant may, if they wish, be accompanied by a Trade Union representative.

6.2 A nominated person receiving such a concern should accord the matter the highest priority and take appropriate action as soon as possible.

6.3 The nominated person receiving such a concern should accord the matter the highest priority and take appropriate action as soon as possible. In circumstances where it is apparent to the nominated person that the concern raised is continuing and staff or church members and attendees are at undue risk, the nominated person should take steps to ensure that any immediate risk is alleviated. These actions could be temporary whilst the concern is investigated.

6.4 **Nominated Persons:** The person to whom a concern should be addressed will normally be as set out below, but in the absence of a specified person, the complainant should take the concern to another person on the list.

- In most instances, the concern should be addressed to the Senior Minister.
- If the concern is about the Senior Minister, the concern should be addressed to the SBC Leader – HR Lead.
- If the concern relates to the Leadership Team as a whole, or in the event of a failure for the concern to be addressed by any of the above, the concern may be addressed to the Regional Team Leader at the London Baptist Association.

6.5 It will be the responsibility of the nominated person to take such action as may be thought fit, which in the first instance is likely to be in the form of seeking advice on how to proceed from a relevant source, depending on the issue, and conducting some initial investigations. The complainant should be advised of the outcome. Streatham Baptist Church will aim to keep the complainant informed of the progress of the investigation and its likely timescale. However, in informing a complainant of outcomes or progress, the confidentiality of others

SBC Whistleblowing Policy

has to be respected. It must be borne in mind that if someone is potentially being accused of misconduct then:

- it will take time to investigate their side of the story;
- in informing a complainant of outcomes or progress, the confidentiality of others has to be respected.

6.6 The nominated person must deal with the matter with full sensitivity to the position and rights of all involved. The support needs of both the complainant and the subjects of any complaint should be considered fully and appropriate measures taken to address these.

6.7 If the complainant is not satisfied that appropriate action has been taken, they may approach the SBC Leader – HR Lead or, if the SBC Leader – HR Lead has already been involved, another member of the Leadership Team as nominated by the SBC Leader – HR Lead and advised to the complainant by way of the outcome. The complainant should be advised of the outcome of that further referral.

7. External Disclosure

7.1 The aim of this policy is to provide an internal process for reporting, investigating and addressing any wrongdoing in the workplace. In most cases, external disclosure should not be necessary. Streatham Baptist Church strongly encourages the complainant to seek advice before reporting a concern to anyone external. It will very rarely, if ever, be appropriate to alert the media.

7.2 If the complainant is still not satisfied, or if they have genuine grounds to believe that it would be inappropriate or pointless to pursue the stages above, a qualifying disclosure may be made to one of the prescribed regulators set out in Public Interest Disclosure (Prescribed Persons) Order 1999 SI 1999/1549, e.g.:

- The Charity Commissioners for England and Wales
- Companies House
- The Information Commissioner
- Health & Safety Executive
- Her Majesty's Revenue & Customs (HMRC)

7.3 For guidance on making disclosure outside Streatham Baptist Church through prescribed regulators, the complainant can contact Public Concern at Work at Public Concern at Work, 3rd Floor Bank Chambers, 6-10 Borough High Street, London SE1 9QQ. Telephone: 0207 404 6609, Email: whistle@pcaw.org.uk. This is an independent charity offering confidential advice to anyone concerned about possible malpractice in their organisation. The complainant may, alternatively, wish to seek advice from their Trade Union representative or independent legal advisor.

7.4 Information arising from a whistleblowing complaint that subsequently leads to a disciplinary, grievance or other investigation will be dealt with in accordance with the arrangements set out in Streatham Baptist Church's normal procedures for handling such matters (for example disciplinary or grievance policies). Certain complaints may be dealt with through the police and or the courts.

8. Diversity Implications

8.1 This policy has been designed to ensure fairness and quality in dealing with whistleblowing matters.