

Whistleblowing Policy

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Status of Paper	Final
Action Required	Decision
Draft Resolution	67/1. The Council adopts the Whistleblowing Policy.

Summary of Content

Subject and Aims	The updated policy explains the process of disclosing to someone in authority, allegations of corruption, malpractice or wrongdoing.
Main Points	The policy is applicable to Methodist Council staff members, including all ministers who serve in appointment under the control of the Council.
Consultations	Staff Association

Summary of Impact

Personnel	Staff members should feel confident about taking the steps to disclose information.
Legal	Compliance with the Public Interest Disclosure Act 1998

Whistleblowing Policy

1. Introduction and definitions

The Methodist Council seeks to operate all aspects of business to high standards of conduct and integrity. In the event that a Methodist Council Staff member (lay employees and all ministers who serve in appointments under the control of the Council) becomes aware of activities which give cause for concern, the Methodist Council has established the following code of practice, which provides a framework, to allow concerns to be raised in confidence and, to allow for a thorough and appropriate investigation of the matter.

The Methodist Council is committed to creating a climate of trust and openness, so that a person who has a genuine concern or suspicion can raise the matter with full confidence that it will be appropriately considered and resolved. Any individual who makes a disclosure of wrongdoing or malpractice will be treated with respect and will be protected against victimisation, provided that the worker had reasonable grounds to suspect the wrongdoing; anyone who victimises a whistleblower will be subject to the Methodist Council's disciplinary procedure.

What is whistleblowing?

A disclosure made to someone in authority alleging corruption, malpractice or wrongdoing. The act of blowing the whistle is 'making a disclosure in the public interest.'

The Methodist Council considers that the following types of activity or behaviour should be dealt with under this policy:

- Manipulation of accounting records and finances
- Inappropriate use of assets or funds of which the Council is the managing trustee
- Decision-making for personal gain
- Any criminal activity
- Abuse of position
- Fraud and deceit
- Serious breaches of procedure, which may advantage a particular party or any actions likely to bring the reputation of the Church into question.

NB: This is not an exhaustive list.

For allegations where the report is a complaint rather than information of a wrongdoing, or corruption please refer to the Grievance policy.

2. The Process

What action should the Whistleblower take?

The Methodist Council encourages whistleblowers to inform someone with the ability to address the problem. All staff members should feel confident about taking the steps to disclose information. The following points will provide some guidance in doing this:

- Staff members should inform their line manager immediately
- If the content of the disclosure involves the staff member's line manager, then they should refer the disclosure to their line manager's manager. If the content of the disclosure refers to another manager, then they should refer the disclosure to that

manager's line manager. A potential whistleblower can seek legal advice or speak to Public Advice at Work Charity for guidance on the free helpline 0207 404 6609 or helpline@pcac.co.uk

- Contact non prescribed persons; this could include an internal committee such as the Council's Audit Committee.
- The Government encourages whistleblowers to contact external groups where appropriate. For example, if a staff member has followed the internal procedure to alert the organisation about a health and safety issue and are still concerned about the risk this poses, they can contact the Health and Safety Commission. A full comprehensive list is available www.gov.uk/whistleblowing.
- Elsewhere in exceptionally serious cases; where internal procedures have been exhausted, and the information is substantially true to their knowledge, staff members may seek to disclose information to the police. The law requires the person making the disclosure to believe and understand the information to be true.
- This can be discussed in confidence but information will need to be disclosed for investigatory purposes. The Methodist Council wants to encourage and embed a culture where staff members feel comfortable speaking of problematic situations and thus whistleblowers will not be penalised for talking.
- The whistleblowing policy is treated differently and separately to a grievance policy as the employee making a disclosure may not be directly impacted by the act or behaviour and therefore does not have a personal grievance.

About to blow the whistle?

- Do think about the risks and outcomes before you act. The Public Interest Disclosure Act 1998 is there to protect workers from victimisation. However the law does require individuals to test when making a disclosure that they reasonably believe the information being disclosed is substantially true and is not for personal gain.
- Let the facts speak for themselves do not make ill-considered allegations
- Remember you may be mistaken or there may be an innocent explanation.
- Do not attempt to become a 'private detective'
- Ulterior motives such as personal vendetta remove your protection.
- When disclosing information through the whistleblowing procedures you are preventing the Methodist Council from what could be a problematic situation if not addressed.
- It is important to stay calm, remember you are the witness not a complainant

The following reasons for disclosing information will be protected under the Public Disclosure Act 1998:

- Criminal offence
- Failure to comply with legal obligation
- Miscarriage of justice
- Risk to health or safety
- Environmental damage
- Any of the above is likely to be deliberately concealed

The role of the manager or investigating officer

- Concerns raised are taken seriously and there must be a thorough investigation into the root of the problem. This will determine whether the matter should be managed internally or externally.
- Compile a report with recommendations
- Notify the whistleblower in writing the outcome of the investigation
- Follow through to ensure there have been appropriate outcomes. For example, if the outcome required fire safety equipment and a fire drill test within a given timeframe, the investigating officer should ensure this is done.

There will not always be a prescriptive procedure for how each individual case should be investigated. There is a disclosure made to the line manager or assigned to an investigating officer. The investigating officer could be a member from the Development and Personnel team, a line manager nominated by the Senior Leadership Group or a member of the Audit Committee. Guidelines on how to conduct an investigation can be found in the 'Managers Guidelines – Whistleblowing Policy'

3. Outcomes

Investigation

The appointed investigating officer compiles a report; the report will then be presented to the Head of Cluster responsible for the staff member who has made the disclosure, depending on the nature of the disclosure and the recommendations in the report. The appointed officer should ensure that the recommendations of the report are followed through. The outcome is relayed back to the reporter. Development and Personnel must be provided with a copy of the report.

What if the Whistleblower is unsatisfied with the outcome?

- Please refer to the Methodist Council Appeals Policy.
- As part of its risk management monitoring function, the Audit Committee will receive an annual report on the operation of this policy.

Unfounded and malicious reports

- The Methodist Council sets out to protect whistleblowers with reasonable concern to believe that the disclosure is substantially true; details of this have been discussed throughout this policy.
- However, when a disclosure is found to not be made in good faith or in the interest of the public, Methodist Council will take action. This could be as serious as a dismissal.

4. Conclusion

The Methodist Council is confident that the existing good practice and internal controls will ensure that cases of suspected fraud or impropriety rarely occur.

The Whistleblowing Policy is provided as a reference document and a commitment that any concerns raised will be taken seriously and action promptly.

Useful links

Public Concern at Work – Charity

Free advice line 0207 404 6609 or helpline@pcaw.co.uk

Government Website

GOV.uk – Whistleblowing

Provides detailed information about:

- Protected disclosures
- Routes of disclosure
- Prescribed persons
- Disclosure in exceptional cases and serious cases.

*****RESOLUTION**

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