

# Public Interest Disclosure (Whistleblowing)

## Policy Statement

C3 Trust UK is committed to the highest standards of openness, probity and accountability and further committed to providing clear and transparent means by which staff, volunteers and members of C3 Hope can make disclosures which are in the public interest and in best interest of the organisation, its reputation, its positive standing and its sustained and ongoing success.

An important aspect of accountability and transparency is a mechanism to enable staff, volunteers and other members of the Public to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs.

Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation then this information should be disclosed internally without fear of reprisal or vilification, and there should be arrangements to enable this to be done independently of line management where appropriate (although in relatively minor instances the line manager would be the appropriate person to be told).

The Public Interest Disclosure Act 1998 gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The Organisation has endorsed the provisions set out below to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question general, or ongoing financial or strategic decisions taken by the Organisation nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures.

## Policy Scope

Concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures (e.g. disciplinary).

These concerns include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal or statutory obligation

- Dangers to Health & Safety or the environment
  - Criminal Activity
  - Improper conduct or behaviour unbecoming the values of the Organisation
  - Attempts to conceal any of these
- 

## Safeguards Protection

This policy is designed to offer protection to those employees, volunteers or members of the Organisation who disclose such concerns provided the disclosure is made:

- In good faith, meaning the disclosure is made with the honest intention of dealing fairly with others and without malice.
- In the reasonable belief of the individual making the disclosure, that it intends to highlight malpractice or impropriety, and if they make the disclosure to an appropriate person (see below), it is important to note that no protection from internal disciplinary procedures (where appropriate) is offered to those who choose not to use the procedure. In extreme cases, although this is not the stated policy or intention of the church, malicious or wild allegations could give rise to legal action on the part of the persons being accused of malpractice or impropriety.

## Confidentiality

C3 Trust UK will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation or inquiry. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

## Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the Trustees. In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

## Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may become necessary. In such cases, this will be administered in conjunction with Church Trustees and Church Eldership

---

## Reporting Procedure: Employees/Non-Employees

In addition to an entry in the accident book, any accident or dangerous occurrence must be reported to a responsible person. Injuries which occur while carrying out work duties off-site must be reported in the same way and the occupier of the site should be advised accordingly. If an injury renders an employee unable to make an entry in the accident book, a witness or someone who can enter an account of the accident, should make an entry. The employee's account must be entered as soon as possible after the event.

Employees must ensure they are aware of the location of the accident book.

All accidents and near misses must be recorded, however minor. Unless the organisation is informed of these incidents it will be unable to take remedial action.

Where an accident occurs in absence from work, employees must tick the appropriate box. Employees who are absent because of an accident at work must keep the organisation informed of their progress, up to and including a return to normal duties.

## Procedure for Making a Disclosure

An allegation of malpractice must be made to a member of either the leadership team, Eldership or Trustees who will receive and take note of the allegation and must pass this information on as soon as reasonably possibly, to the appropriate designated persona as follows:

- Complaints of malpractice will be investigated by the Chair of Trustees unless the complaint is against that person or is in any way related to their actions. In such cases, the complaint should be passed to C3 Global Oversight for the relevant region.
- In the case of an allegation, which is in any way connected with but not against the Chair of Trustees, the Executive Leadership Team (excluding the Chair of Trustees where that person is part of the Executive Leadership Team) will nominate a Senior Leader or external party to act as the alternative investigating officer.
- Complaints against the Executive Leadership Team should be passed to Church Trustees who will nominate an appropriate Trustee not a member of the Executive Leadership Team to conduct an investigation into the allegations.

- The complainant has the right to bypass the line management structure and take their complaint direct to the Chair of Trustees. The Chairman of Trustees has the right to refer the complainant back to management if he/she feels that the management without any conflict of interest can more appropriately investigate the allegations. Alternatively, the Chair of Trustees may elect to escalate the investigation to an external investigation or member of the C3 Global Oversight for the region.

They can advise the complainant on the implications of the investigation and the possible internal and external avenues of complaint open to them.

If there is evidence of criminal activity, then the investigating officer should inform the police and Church Trustees may need to inform the Charity Commission in such cases. In cases where potential criminal activity is identified, the Church Trustees will ensure that any internal investigation does not hinder a formal police investigation.

---

## Timescales

Due to the varied nature of these sorts of allegations, which may involve internal/external investigators and/or the police or the Charity Commission, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the allegations should be formally written by email or in writing and sent to their home address, in either case marked "confidential".

## Investigating Procedure

The investigating officer should follow these steps:

1. Full details and clarifications of the complaint should be obtained
2. The investigating officer should inform the person toward whom the complaint is made as soon as is practically possible. This person will be informed of their right to be accompanied by a representative, colleague, friend or family member at any future interview or hearing held under the provision of these procedures unless the complaint falls within the general Disciplinary and Grievance Policy in which case that policy will supersede this requirement. At the discretion of the investigating officer and dependent on the circumstances of the complaint an alternative representative may be allowed e.g., the individual's legal representative.
3. The investigating officer should consider the involvement of the Charity's Auditors, The Police, and/or the Charity Commission at this stage and should consult with the Chair of Trustees and/or Executive Leadership Team if appropriate.
4. The allegations should be fully investigated by the investigating officer with the assistance where appropriate of other individuals/bodies.

5. A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigation and reasons for the judgement. The report will be passed to the Executive Leadership Team, Chair of Trustees and C3 Global Oversight Representative as appropriate.
6. The Executive Leadership Team/Chair of Trustees will decide what action to take. If the complaint is shown to be justified, then they will invoke the appropriate disciplinary procedures in consultation with Church Eldership.
7. The complainant should be kept informed of the progress of investigations and, if appropriate, of the final outcome.
8. If appropriate, a copy of the outcomes will be used to enable a review of church procedures.

If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Regional Representative of C3 Global, details of whom will be supplied at the time.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, the Church recognises the lawful rights of employees, ex-employees and others to make disclosures to prescribed persons or bodies (e.g. the Health and Safety Executive). A full list of prescribed people and bodies can be found on the Government Website ([www.gov.uk](http://www.gov.uk))