

Whistle Blower’s Policy for Staff

Name and address of your Gurdwara

Registered Charity Number XXXXX

The aim of this policy is to communicate the commitment of the trustees to the promotion of the Whistle Blower’s policy at Name and address of your Gurdwara and the hereinafter referred to as the XXXX.

XXXX align their principles and code of conduct on religious matters in line with Rehat Maryada.

# Introduction

This organisation believes that the kinds of action targeted by the whistleblowing legislation are unacceptable and supports the identifying and remedying of this type of malpractice.

We therefore encourage employees to be alert to wrongdoings and to keep management informed of their concerns. Employees should raise an issue when they are just concerned, rather than wait for proof or investigate the matter themselves.

This is a key way we can ensure management’s accountability and commitment to good practice across the organisation.

This policy document gives some background information about whistleblowing to assist employees in deciding whether their proposed action would be protected under the whistleblowing legislation and sets out the procedure to follow if employees reasonably believe that they have identified such malpractice.

# Background information

Protection against victimisation or dismissal for workers who ‘blow the whistle’ on criminal behavior or other wrongdoing was introduced by the Public Interest Disclosure Act 1998 (PIDA) which reflects article 10 of the European convention on Human Rights in providing the right to freedom of expression.

The legislation applies to workers who follow the procedures laid down in the legislation (see below) in disclosing specific categories of malpractice relating to one or more of the following actions:

* A criminal offence
* A failure to comply with a legal obligation
* A miscarriage of justice
* The endangering of an individual’s health and safety
* Damage to the environment
* Deliberate concealment of information relating to any of the above.
* Health and safety breaches
* omissions at work
* Financial malpractice
* Bribery or corruption
* Actions which endanger the safety of staff or others (e.g. visitors)

**The Whistleblowing (Raising Concerns at Work) policy and procedure aims to:**

* Encourage employees to feel confident in raising serious concerns and to question and act upon concerns
* Provide avenues for employees to raise concerns and receive feedback on any action taken
* Allow employees to take the matter further if they are dissatisfied with the response
* Reassure employees that they will be protected from reprisals or victimisation for disclosing information in good faith

# Are you protected under the whistleblowing legislation?

In order to benefit from the protection of the legislation, the whistleblower has to satisfy certain conditions.

* Disclosure to the employer will be protected, provided that it is made in good faith and the whistleblower has a reasonable suspicion that the alleged malpractice has occurred, is occurring, or is likely to occur
* Disclosure to a regulator (e.g. Health and Safety Executive, Environment Agency, Charity Commission) will be protected where, in addition, the whistleblower honestly and reasonably believes that the information and any allegation in it are substantially true
* Disclosure to other bodies is protected if, in addition to the tests for regulatory disclosures, it is reasonable in all the circumstances and is not made for personal gain

The whistleblower must also meet one or other of the following further procedures which have to have reasonable demonstrable evidence.

* They reasonably believed that they would be victimized if they raised the matter internally
* They reasonably believed that the disclosure related to a criminal offence and was thus a ‘qualifying disclosure’
* There was no prescribed regulator and they reasonably believed the evidence was likely to be concealed or destroyed
* The concern had already been raised with the employer or a prescribed regulator
* The concern is of an ‘exceptionally serious’ nature
* They had suffered an identifiable detriment

# Procedures

Employees should inform the managing committee immediately if they become aware that any of the specified actions is happening (or has happened, or is likely to happen).

If the allegation is about the actions of the managing committee, the employee should raise the issue with the Chair of Trustees/Trustee Board.

Whistleblowers can ask for their concerns to be treated in confidence and this will be respected.

Employees will not be penalized for informing management about any of the specified actions and will be protected from reprisals.

It is the responsibility for both employer and employee to keep discussions confidential and must not be disclosed or discussed with third parties and must not be transmitted in any forum (i.e. online).

# Use of disciplinary procedure

* Victimising people who raise genuine concerns will be dealt with under the organisation’s Disciplinary procedure
* Raising an untrue allegation maliciously will be dealt with under the organization’s disciplinary procedure and may be treated as gross misconduct and may lead to dismissal, civil or criminal proceedings

# Further advice can be obtained from:

Public Concern at Work

[www.pcaw.co.uk](http://www.pcaw.co.uk)

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**CONTACT DETAILS**

Address of the Gurdwara (charity)

Name of the Gurdwara, is a registered charity no. XXX XXX registered in England

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