**April 2015**

**Manchester City of Sanctuary Whistleblowing Statement**

**An introduction to Whistleblowing**

The official name for whistleblowing is ‘making a disclosure in the public interest. It means that if you believe there is wrongdoing in a workplace (eg an employer is committing a criminal offence) this can be reported by following the correct processes, and the employees employment rights are protected.

If an employee decides to blow the whistle they are protected and the employer cannot victimise them (eg by not offering a promotion or other opportunities the employer would have otherwise offered).

Whistleblowers are protected for public interest, to encourage people to speak out if they find malpractice in an organisation or workplace.

Malpractice could be improper, illegal or negligent behaviour by anyone in the workplace.

### Protection for blowing the whistle

### An employee is protected as a whistleblower if they:

* are a 'worker'
* believe that malpractice in the workplace is happening, has happened in the past or will happen in the future
* are revealing information of the right type (a 'qualifying disclosure')
* reveal it to the right person, and in the right way (making it a 'protected disclosure')

'Worker' has a special wide meaning in the case of whistleblowing. As well as employees it includes, agency workers and people who aren't employed but are in training with employers. Some self-employed people may be considered to be workers for the purpose of whistleblowing if they are supervised or work off-site.

### Protected disclosures

For employee disclosure to be protected by the law the employee should make it to the right person and in the right way. You must:

* make the disclosure in good faith (which means with honest intent and without malice)
* reasonably believe that the information is substantially true
* reasonably believe you are making the disclosure to the right 'prescribed person' [for charities, this is the Charities Commission]
* If the employee makes a qualifying disclosure in good faith to your employer, or through the agreed process your employer has agreed, you are protected.

**Further information on whistleblowing can be found at** [**www.direct.gov.uk**](http://www.direct.gov.uk)

**Manchester City of Sanctuary’s Whistleblowing statement**

The Public Interest Disclosure Act 1998 protects workers who blow the whistle about wrongdoing. All Manchester City of Sanctuary employees and volunteers are expected to maintain the highest standards of integrity and good faith. This statement is intended to provide you with guidance as to the circumstances under which such protection is available and the steps to be taken should you feel that a matter of public interest is at stake.

Although disclosure may be made to certain public authorities, the conditions under which this may be done in order for the employee and volunteer to be protected, are limited. Manchester City of Sanctuary therefore encourages staff, volunteers and Steering Group members to speak to prescribed Steering Group mebers where they feel they are seeing poor practice. In the case of a matter of public interest being at stake there are 2 Steering Group members with specific prescribed responsibilities in relation to whistleblowing.

**The Nature of Disclosure**

Only certain kinds of disclosure qualify for protection and are therefore termed, ‘qualifying disclosures’. They are disclosures which, in the reasonable belief of the worker making the disclosure, tend to show one or more of the following:

* A criminal offence
* Breach of a legal obligation
* Miscarriage of justice
* Danger to health and safety of an individual
* Damage to the environment
* That information of the type set out above has been or is likely to be deliberately concealed

If a member of staff becomes aware of any information of this nature, which causes them concern then they have 2 options. They can raise the matter with one of the designated Prescribed People who are the Chief Executive Officer, The Director of Services and the Director of Finances and Operations. There is not an expectation that staff members will raise the matter internally and they can at this point report straight to the Charity Commission. The Charity Commission is the regulatory body responsible for ensuring that charity trustees comply with their legal obligations in exercising control and management of the administration of charities. The Commission is a 'prescribed person' under the Public Interest Disclosure Act allowing it to accept disclosures from charity workers.

Contact details for the Charity Commission are Charity Commission Direct, PO Box 1227, Liverpool, L69 3UG

You can telephone:

Charity Commission Contact Centre 0845 300 0218

whistleblowing@charitycommission.gsi.gov.uk

Manchester City of Sanctuary will ensure that any disclosure made is kept as confidential as possible, however the employee should be aware that it may be necessary to divulge such information during the course of an investigation. If an investigation into the allegations is thought necessary, the staff member will be informed that the allegations will be put to the person accused of the wrongdoing.

The whistleblowing employee will be informed of the progress and outcome of any investigation into the allegations.

If the employee is unhappy with the way in which your disclosure is received or dealt with, you can immediately raise that concern with the Charity Commission.

Manchester City of Sanctuary is committed to ensuring that no employee is subjected to any detriment or is victimised, by reason of having made a protected disclosure in good faith, and will do as much as it can to investigate the matter fully and take the appropriate action against any wrongdoer.

Employees should also be aware that provided certain conditions are met, the law against any detriment, for example dismissal, by reason of having made the disclosure, protects you. However, if the employee makes a disclosure which they do not believe, or which is made maliciously or with some ulterior motive, (such as a grudge against a fellow employee) this may be treated as a disciplinary matter to be dealt with under the disciplinary procedure.

**Help and Support for Staff**

Public Concern at Work provides free confidential advice to workers who have concerns about wrong-doing in the workplace. The charity can be contacted at Suite 301, 16 Baldwins Gardens, London EC1N 7RJ or by telephone on 020 7404 6609.

The Department for Business, Enterprise and Regulatory Reform provides general employment advice for employers and employees in the guidance Individual Rights and Responsibilities for Employees (reference 07/1416). It can be obtained from the Department's [website](http://www.berr.gov.uk/publications/) or can be ordered by telephone from 0845 015 0010.