Whistleblowing Policy

Iranian Liverpool Community

PARS COMMUNITY

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Approved by:	Management Board
Last reviewed on:	07/02/2022
Next review due by:	07/02/2023 20/05/2024 15/05/2025 **01/05/2026**

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1. Introduction

iranian Liverpool Community (Referred as "ILC" or "The Charity" throughout the policy) is committed to achieving the highest possible standards of service and ethical standards and this policy will enable you to raise your concerns of serious wrongdoing without fear of reprisal.

This policy applies to all individuals working for ILC at all levels and grades, whether they are employees, contractors, and casual or agency staff.

Whistleblowing is distinct from the grievance procedure which should be used if you have a complaint relating to your personal circumstances in the workplace. Concerns about wrongdoing within ILC such as fraud, malpractice, mismanagement, breach of health and safety law or any other illegal or unethical act either on the part of management, the Governing Body or by fellow employees should be raised using this procedure.

This policy has been introduced in line with the Public Interest Disclosure Act 1998 (which you can consult at http://www.opsi.gov.uk/acts/acts1998) to enable employees to raise issues of concern in an appropriate manner.

2. Purpose

This policy aims to:

- Encourage employees to feel confident in raising concerns
- Establish a fair and impartial investigative procedure
- Provide avenues for employees to raise concerns and receive appropriate feedback
- Ensure that employees receive a response to concerns and are aware of how to pursue them if they are not satisfied
- Ensure that employees will be protected from any reprisals or victimisation by the charity, provided that there is reasonable belief that the matter disclosed tends to show wrongdoing and that the disclosure has been made in an appropriate manner.

3. Scope

This policy may be used by all employees at a charity to raise concerns where the wellbeing of others or the charity itself is at risk.

The term employee broadly includes employees, contractors, agency employees, trainees and a person who is or was subject to a contract to undertake work or services for the charity.

The Whistleblowing policy is designed to sit alongside the Complaints Policy.

As a guideline, concerns, which should be raised through these routes, are as follows:

- Employment related issues should be raised through the charity's Grievance Policy and Procedure
- The charity Complaints Policy can be used for complaints about Governors.

4. Equal opportunities and responsibility

The whistleblowing procedure must always be applied fairly and in accordance with employment law and the charity's Equal Opportunities Policy.

ILC is responsible for maintaining fair, consistent and objective procedures for matters relating to whistleblowing.

The Chief Operating Officer ("COO") has overall responsibility for the internal organisation, control and management.

5. Timing

The whistleblowing procedure should normally be conducted within the timescales laid down in this document. However, if there is a valid reason to do so, timescales can be varied.

If this is initiated by management, the employee should be given an explanation if this occurs and informed when a response or meeting can be expected. Delays should not normally exceed 10 working days.

6. What to raise concerns about

The Public Interest Disclosure Act 1998 lists matters about which concerns can be raised, provided they are in the public interest, which are as follows:

- That a crime has been committed, is being committed, or is likely to be committed
- That 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
- That the health and safety of an individual has been, is being, or is likely to be endangered
- That the environment has been, is being or likely to be damaged
- That information tending to show any of above has been concealed or is likely to be deliberately concealed.

Particular concerns that may fall within the terms of this policy include, for example, breach of a code of conduct, wilful maladministration and corruption, misuse of funds, theft or fraud. We

anticipate that disclosure will most likely relate to the actions of employees, contractors, and casual or agency staff, but they may also relate to the actions of a third party.

7. ILC assurance to employees

To ensure workers have the right to disclose a concern:

Employees have the right to disclose a concern/issue if the charity does not deal with the matter.

However, the duty of fidelity is implied by the law in every contract of employment and prohibits employees from disclosing employers' confidential information, unless it is in the public interest that information is disclosed or unless the charity fails to properly consider or deal with the issue.

To protect workers:

If a worker makes a disclosure on one or more of the matters listed above and they have a reasonable belief that the concern is real, the employee will not suffer any detriment, even if after investigation it transpires that the concern is unfounded. ILC will not tolerate the harassment or victimisation of any worker raising a genuine concern, this may include disciplinary action.

If an employee requests that their identity is protected, the charity will not disclose it unless required to do so in law. If the situation arises where the charity is unable to resolve the concern without revealing the worker's identity (for instance because the employees evidence is needed in court), the charity will discuss with the employee how the charity proceeds with the matter. However, it must also be stated that if an employee chooses not to disclose their identity it will be much more difficult for ILC to look into the matter or to protect your position or to give you feedback. Accordingly, while we will consider anonymous reports, it will not be possible to apply all aspects of this policy for concerns raised anonymously.

8. Internal procedure

8.1 Stage 1 - notification

The employee raising the concern should do so orally or in writing to their line manager or to the COO.

The employee has the right to have the matter treated confidentially.

If the line manager or the COO believes the concern to be genuine and that it is appropriate to use the Whistleblowing procedure, the manager should contact the Governance Body regardless of whether the employee is based in the charity or not . The Governance Body will either act as Assessor or will appoint another Assessor who is not implicated.

Should it be alleged that the Governance Body is involved in the alleged malpractice; the Chair of Trustee should be contacted in place of the Governance Body.

If the employee feels unable to raise their concern with their line manager or the COO in the first instance, they may contact the Assessor directly. If this occurs, the employee will be asked to explain why they feel unable to raise the concern with their line manager or the COO.

8.1 Stage 2 – the meeting

The Assessor will interview the employee within 10 working days, in confidence, or earlier if there is an immediate danger to loss of life or serious injury and will:

- Obtain as much information as possible from the employee about the grounds for the belief of malpractice;
- Consult with the employee about further steps which could be taken;
- Inform the employee of appropriate routes if the matter does not fall within the charity's Whistleblowing Procedure;
- Report all matters raised under this procedure to OCC

At the interview with the Assessor, the employee may be accompanied by a recognised trade union representative or a work colleague. The Assessor may be accompanied by a note taker.

8.3 Stage 3 – the outcome

Within ten working days of the interview, the Assessor will recommend to the COO, or the person's line manager the following:

- The matter be investigated internally by the charity or the Charity Commission
- The matter be investigated by an external person appointed by the charity or the Charity Commission
- The matter be reported to the Charity Commission
- The matter be reported to the Police.
- No further action be taken.

The grounds on which no further action is taken may include:

The Assessor is satisfied that, on the balance of probabilities, there is no evidence that malpractice has occurred, is occurring or is likely to occur;

- The matter is already (or has been) the subject of proceedings under one of the charity's other procedures or policies;
- The matter concerned is already the subject of legal proceedings, or has already been referred to the police, an external investigator, the Charity Commission or another public authority

Should it be alleged that the OCC or Line Manager is involved in the alleged malpractice, the Assessor's recommendation will be made to the Governing Body.

The recipient of the recommendation (OCC) will ensure that it is implemented unless there is good reason for not doing so in whole or in part. Such a reason will be reported to the next meeting of the Governing Body and to the Assessor.

The conclusion of any agreed investigation will be reported by the Assessor to the employee in writing within 28 days and a copy passed to the Governance Body if they are not acting as Assessor.

If the employee has not had a response within the above time limits, he or she may appeal to the Governing Body, but will inform the Assessor before doing so.

The employee may at any time disclose the matter on a confidential basis to a solicitor or trade union representative for the purpose of taking legal advice.

8. External contacts

Whistleblowing to an external body without first going through the internal procedure is inadvisable without compelling reasons. A reason may be that the employee is not content with the conclusion of the Assessor. In particular, this means being careful about what is said to the media. Compelling reasons could be the involvement of the senior managers, serious health and safety issues or possible discrimination. The external bodies which could be used include:

- The Charity Commission
- Multi-Agency Safeguarding Hub
- Member of Parliament
- National Audit Office
- Health and Safety Executive
- Police

If you do not feel able to raise your concern in the ways outlined above, you should consult the Public Interest Disclosure Act 1998 for information about other routes by which a disclosure may be made.

9. Malicious Accusations

Deliberately false or malicious accusations made by an employee will be dealt with under the charity's disciplinary procedure.

The charity will ensure the employee is protected from any form of victimisation or discrimination.

10. Review

This policy will be reviewed every 2 years.

Next review 01/05/2027