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## **Whistle Blowing Policy and Procedures**

### **1.0 Introduction**

We are committed to creating an open culture, where concerns can be raised without fear of reprisals. The whistle blowing policy is there to help individuals raise concerns over any wrong doing relating to unlawful conduct, financial malpractice or danger to the public or environment.

The policy intends to encourage and enable individuals to raise serious concerns rather than overlook a problem. The policy also outlines how individuals may properly raise concerns.

This policy supports and complements other policies such as Safeguarding Children, Vulnerable Adult Protection etc.

There are existing policies and procedures in place to enable staff to raise a grievance relating to their employment and a policy to ensure the working environment is free from harassment and bullying. This policy is intended to cover major concerns that fall outside the scope of these policies and procedures.

### **2.0 Protection**

The policy protects all staff that use the facilities and includes permanent and temporary staff. It covers visitors to the establishment and any third party, including contractors. This policy makes it clear that staff can speak up without fear of harassment, victimisation (including informal pressure), discrimination or disadvantage.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or other procedures that already affect the member of staff. There will be no ‘come back’ if a member of staff reasonably believes that they have made a disclosure in good faith.

If the allegation is deemed to have broken the law, or is of a very serious nature, it may be forwarded to the police, social care or any other statutory services.



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### **3.0 Rules and Responsibilities**

The decision to report a concern can be very difficult and uncomfortable; however, staff or volunteers who genuinely believe that people they work with are behaving in a way that seems wrong or have a serious concern about an aspect of service will be doing their duty and acting in the public interest by speaking out.

### **4.0 Confidentiality**

All concerns will be treated with confidence and every effort will be made not to reveal a staff member's identity, if they so wish. However, while making all reasonable efforts to maintain the confidentiality of the matter as a whole, at a certain stage in the investigation it will be necessary to make the origin of the complaint known to the person or persons the allegations concern. All concerns raised within the remit of this procedure will be assessed to determine if the confidentiality extends to withholding the name of the complainant. There shall be a substantial reason for doing so, such as a real risk of personal harm. Complainants should be aware however, that their identity may be revealed by inference.

### **5.0 How to raise a Concern**

The procedure seeks to encourage and enable individuals to disclose information through appropriate channels first, rather than going directly to an outside person or body.

- As a first step, concerns should normally be raised with their line manager. This depends however, on the seriousness and sensitivity of the issues involved and who is suspected of any wrongdoing. Staff can raise concerns with the trustees or the Management Committee.
- Concerns may be raised verbally or in writing. Staff who wish to make a written report are advised to set out the background and history of the concern, giving names, dates and places, where possible, and the reasons for making the disclosure. This will make the investigation easier to complete.
- Although a member of staff is not expected to prove beyond doubt the truth of the allegation, they will need to demonstrate that they have an honest and reasonable suspicion that malpractice has occurred, is occurring or is likely to occur.

### **6.0 The Response**

In order to protect a member of staff who raises a concern and those accused of wrong-doing, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Their right to confidentiality is respected throughout this process.



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Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted. Depending on the concern raised, consideration will be given to a staff member remaining within their post, whilst the investigation process commences. Staff will be told how the organisation proposes to deal with a concern within ten working days of the concern being brought to the trustee’s attention.

An investigating officer will be appointed and 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 complainant should be in writing and sent to their home address.

## **7.0 Investigating Procedure**

The investigating officer will be appointed and should follow the following steps:

- Full details and clarifications of the complaint should be obtained.
- The investigating officer should inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.
- The investigating officer should consider the involvement of the Company auditors and the Police at this stage and should consult with the Chairman / Trustees
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals / bodies.
- A decision concerning the complaint and validity of the complaint will be made by the investigating officer. The findings will be detailed in a written report outlining the findings of the investigations and reasons for the decision. The report will be passed to the Chairman or Trustees as appropriate.
- The Chairman/Trustees will decide what action is to be taken. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.

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 Trustees / Chairman.



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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 organisation recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons such as the Health and Safety Executive, the Audit Commission, or where justified, elsewhere.

### **8.0 Safeguards**

It is recognised that the decision to report a concern can be difficult to make, not least because of fear of reprisal from those responsible for the alleged person(s).

We will not tolerate harassment or victimisation and will take action to protect individuals wherever possible provided that

- The allegation is made in good faith
- The information provided is believed to be true, even if the allegation is not subsequently confirmed by the investigation
- Allegations are not made for personal gain

If a person is being victimised then a risk assessment will be completed to determine safeguards and risks, as necessary.

### **9.0 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 Organisation. 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

### **10.0 Untrue Allegations**

- If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against him/her. If, however, a member of staff makes
- An allegation frivolously, maliciously, or for professional gain, disciplinary action may be taken against them.



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- If a member of staff does not report their concerns to the trustees, they may take them to the appropriate organisation statutory or non-statutory such as Coventry Muslim Forum, West Midlands Police, and Local Safeguarding Board.

### **11.0 Monitoring**

This policy will be monitored, reviewed and revised when required to keep in line with guidelines.