



London City Mission

Whistleblowing policy and procedure

May 2023

Whistleblowing policy and procedure

1. Introduction

This policy and procedure sets out the way individuals can raise concerns about actual, suspected, or anticipated wrongdoing or malpractice at LCM where it is in the public interest to disclose concerns. These concerns can relate to the conduct of people who work for or on behalf of LCM or about some aspect of the way LCM operates or is managed.

This policy and procedure also sets out our approach to handling and resolving such concerns, and our commitment to do this well.

This policy and procedure does not cover all potential complaints or concerns that people may have, and other procedures are more appropriate in some circumstances:

- **Grievances:** Personal grievances are not covered by this policy and procedure. If an LCM employee has a grievance about the way they personally have been treated then they should follow the grievance procedure.
- **Safeguarding.** LCM staff, volunteers, or our beneficiaries should follow the LCM Safeguarding process to raise any concerns about specific safeguarding incidents that arise in our day-to-day activity. They should only consider using this whistleblowing policy to raise concerns about suspected wrongdoing or malpractice in the way LCM manages, deliberately conceals, or ignores safeguarding issues.

Where a concern is reported under one of our policies and procedures, but it should be dealt with under a different policy, then LCM will decide which is the most appropriate policy and procedure to follow given the nature and circumstances of the concern.

2. Our commitment

LCM is committed to the highest standards of conduct, integrity, and accountability, consistent with our values which are rooted in biblical truth, and we expect all staff and those working with or representing LCM to maintain these high standards. People should, therefore, feel able to raise concerns about suspected wrongdoing or malpractice at LCM, and be assured that their concerns will be listened to respectfully and be handled well and promptly. They should also be confident to raise concerns without fear of unfavourable treatment or retribution as a consequence of whistleblowing.

LCM will aim to learn any lessons from whistleblowing concerns to improve the way we do things.

3. What is Whistleblowing?

Whistleblowing

The legal statutory framework relating to whistleblowing includes the following:

- *Definition:* whistleblowing involves reporting of suspected wrongdoing or dangers in relation to LCM's activities.

- *Requirement:* an individual LCM worker who reports or discloses information regarding any suspected wrongdoing should have a reasonable belief that one of six specified situations listed below has occurred, is occurring, or is likely to occur, and that the disclosure is in the public interest (i.e. it affects, or could affect, other people or the wider public).
- *Scope:* the six situations specified in the legislation are as follows:
 - A criminal offence (including fraudulent and corrupt behaviour, e.g., theft, fraud, or malpractice).
 - A miscarriage of justice.
 - An act creating risk to health and safety.
 - An act causing damage to the environment.
 - A breach of any legal obligation.
 - Deliberate concealment of any of the above.

Other serious complaints about wrongdoing or malpractice

This policy and procedure goes beyond the legal statutory framework set out above. It allows reporting of a broader range of suspected wrongdoing or malpractice and not just by people who work for LCM but also by external stakeholders, in accordance with this policy. The broad scope of these potential concerns includes the following:

- Concerns relating to unethical behaviour.
- A serious breach of internal procedures or standards.
- Acting in a way that is contrary to LCM's interests.
- Other forms of malpractice or misconduct.

For guidance, some illustrative examples of activity or behaviour which may be reported under this policy and procedure are given in Annex 1 (though this is not intended to be a prescriptive or exhaustive list).

4. Purpose of this policy and procedure

The purpose of this policy and procedure is to:

- Encourage identification and reporting of suspected wrongdoing or malpractice (that has happened, is happening, or could happen) as quickly as possible in the knowledge that concerns will be listened to respectfully, taken seriously and resolved, and where appropriate acted upon.
- Provide assurance that concerns will be investigated promptly and appropriately, that confidentiality will be respected, and that the outcome of an investigation will be reported back to the person who raised the concern.
- Provide guidance as to how to raise a whistleblowing concern and clarify how it would be handled.
- Give assurance that genuine concerns can be raised within a climate of trust and openness and without fear of reprisals, victimisation, or unfavourable treatment.

5. Who this policy and procedure applies to

This policy and procedure applies to all who work for or with LCM - including employees, volunteers, contractors, agency staff and Trustees. External stakeholders can report a

concern under this policy (e.g. Church Partners, guests at our centres, members of churches engaging with LCM, supporters).

6. Key principles

- a) **Careful and prompt handling.** LCM will take seriously disclosures that are made under this policy, and we will listen to the whistle-blower's concerns. LCM will aim to handle the process in a sensitive, effective, and timely way.
- b) **Learning lessons.** LCM will aim to learn any lessons from disclosures and to implement any improvements to the way we do things as a result.
- c) **Reasonable belief and public interest.** Whistle-blowers should have a reasonable belief that the information they disclose is substantially true and tends to show malpractice or wrongdoing has occurred, is occurring, or is likely to occur. They should believe that the disclosure is in the public interest (i.e. that it affects others).
- d) **Relevant information.** A disclosure must include relevant information and be more than just an allegation, although firm proof of wrongdoing is not required.
- e) **Following the procedure.** Whistle-blowers should follow the procedure set out below.
- f) **Genuineness.** Disclosures should be made in good faith. False allegations made maliciously or vexatious disclosures are not acceptable. Disciplinary action will be taken against any LCM employee who makes a disclosure in bad faith or for inappropriate personal gain. LCM would, where possible, take appropriate action in relation to people who are not LCM employees but who make false malicious or vexatious disclosures.
- g) **Openness.** People should feel able to raise whistleblowing concerns openly. We do not encourage anonymous disclosures, though we would make every effort to investigate them. Anonymous disclosures can be difficult or impossible to investigate if further information cannot be obtained from the whistle-blower. It is also more difficult to establish the credibility of allegations, and we would not be able to keep an anonymous whistle-blower updated on progress or outcomes.
- h) **Confidentiality.** The need for confidentiality and to protect the whistle-blower's identity will be respected. Others will only be informed about the details of a whistleblowing concern or be involved in the process of investigating, considering, and resolving such a concern on a strictly need-to-know basis.
- i) **Care and protection for those involved.** LCM will take appropriate steps to ensure that the whistle-blower's working relationships within or with LCM are not affected or prejudiced by making a disclosure and that they suffer no detriment or unfair treatment by LCM for making genuine disclosures. Other people must not threaten or retaliate against whistle-blowers. If an individual believes that they have suffered any such treatment, they should inform Human Resources.

7. Procedure

Step 1: Making a disclosure

We hope that in many cases people will be able to raise and resolve their concerns through informal discussion with their LCM line manager (for internal staff) or with an LCM contact person (for external stakeholders). However, if an individual prefers not to raise a concern in this way, then this whistleblowing procedure is available:

Whistleblowing disclosures can be made in writing or verbally.

Written disclosure.

To make a disclosure in writing you should complete the form available through the LCM website.

The form will ask you for the following information (the more information that can be provided in your disclosure the better):

- Confirm that you are raising a whistleblowing concern relating to LCM.
- What is the known or suspected wrongdoing or malpractice?
- What supporting information are you providing that may indicate that wrongdoing or malpractice has occurred, is occurring, or is likely to occur (be as specific as possible about any details such as dates, places, people, circumstances)?
- The name(s) of anyone you believe to be involved.
- The name(s) of anyone you believe has relevant information.
- The name(s) of anyone you have spoken to about the matter.
- Why do you think it is in the public interest for you to make this disclosure?
- Your name and contact details and whether you want your identity to be kept confidential.
- Any other relevant information or material.

The completed form will go to a central confidential in-box which is monitored and managed by the Head of Human Resources and two senior HR Ministry Partners.

Verbal disclosure

If you want to make a disclosure verbally then e-mail our confidential whistleblowing in-box whistleblower@lcm.org.uk to let us know, and the Head of HR or one of the senior HR Ministry Partners will call you back to discuss your concern, covering the key points set out above under 'Written disclosure'. In most cases of verbal disclosures, it is then put in writing by LCM (either written up by the person you told or there is an initial meeting to discuss the issue where notes are taken). You will be asked to confirm that the write-up is correct. The disclosure will then be sent to the central confidential whistle-blower in-box to be reviewed in the normal way.

Anonymous disclosure

Whilst we do not encourage anonymous disclosures, we will make every effort to investigate them. If you wish to make an anonymous disclosure, then please complete the process for making a written disclosure set out above but omit your personal details when completing the form.

Disclosures that relate to the HR team

Where a disclosure relates to wrongdoing or suspected wrongdoing or malpractice by the HR team then you should write to LCM's Chief Executive, setting out your concern clearly using the headings set out above (under 'Written disclosure'). You could either email Graham.Miller@lcm.org.uk or write to Graham Miller at London City Mission, 175 Tower Bridge Road, London. SE1 2AH. The Chief Executive's office will then ensure the disclosure is delegated to an appropriate person to review and manage independently of the HR team.

Disclosures that relate to the Chief Executive

Where a disclosure relates to the Chief Executive the whistle-blower should follow the process for making a disclosure set out in 'Step 1' above (Making a disclosure). The disclosure would then be referred directly to the Chairman of Trustees for review and investigation. The Chairman may ask another Trustee to complete the initial review of the disclosure (Step 2 below). The Chairman would normally be the investigating officer (Step 3 below) for a disclosure relating to the Chief Executive but may involve other Trustees, as required.

Step 2: Initial review of the disclosure

The disclosure will be reviewed as quickly as possible, and a decision will be taken regarding the most appropriate course of action given the nature of the disclosure. This could include:

- No action.
- Mediation or other recommendations.
- Action being taken under other LCM policies and/or procedures.
- Action being taken under the next stage of this policy, i.e. an internal investigation is conducted.
- A referral externally.

The whistle-blower will be informed (normally within 10 working days of submitting the disclosure or as soon as is reasonably practicable) about the outcome of this initial review and what will happen next.

There may be some circumstances where external authorities may need to be involved. LCM will, for example, involve the Police where criminal activity is involved. Where this is necessary, LCM reserves the right to make such a referral without the consent of the whistle-blower.

Step 3: Investigation

Where an internal investigation is required, an investigating officer will be appointed. The investigating officer would normally be an LCM employee or member of the Board of Trustees (such as the Chair or Deputy Chair) depending upon the disclosure and who is involved. They would be appointed to provide the appropriate level of seniority and independence depending upon the nature of the disclosure - including the concerns raised, the identity of the whistle-blower, and the people involved.

The main objectives of the investigation are:

- To determine if wrongdoing or malpractice has taken place, is taking place, or is likely to take place.
- To make recommendations regarding action to address wrongdoing or malpractice, including determining whether there are grounds for disciplinary action or other action against the alleged perpetrator(s).
- To identify any lessons to be learned for LCM.
- To make recommendations to improve the way we do things at LCM and to minimise the likelihood of future wrongdoing or malpractice.

During the investigation, the whistle-blower may be called upon to discuss their concerns and the disclosure.

The investigating officer will investigate the disclosure promptly, thoroughly, and objectively, and aim to arrive at a clear understanding of the concern and issue(s). They will seek out relevant information and speak to any witnesses. They will maintain records of the investigation and produce a report of their investigation which includes: the facts, findings, and conclusions; recommendations for any follow-up action; and any lessons to be learned by LCM to improve the way we do things.

Any employee of LCM involved in this process may be accompanied at meetings by a work colleague or other appropriate companion. Anyone who is not an LCM employee and is involved in this process may be accompanied by an appropriate companion. The companion must respect the confidentiality of the disclosure and any subsequent investigation.

Due to the varied nature of disclosures and investigations it is not possible to give precise timescales for completion, but LCM will deal with these matters as quickly as possible.

The decision of the investigating officer regarding the outcome of the investigation will be final and there is no further appeal stage to this whistleblowing policy and procedure within LCM.

Step 4: Action after the investigation

LCM will aim to keep the whistle-blower informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us from giving specific details of the investigation, the outcome, or any disciplinary action taken as a result. Any information about the investigation is to be treated as confidential.

The investigating officer is responsible for following through to ensure that appropriate action(s) are taken, consistent with their report.

During the process, the investigating officer may need to brief and engage with relevant internal colleagues, for example to ensure that any lessons from the investigation are learned to improve the way we do things at LCM. They may need to brief senior management, depending upon the nature of the concerns raised, but would do so in a way that respects confidentiality and the identity of the whistle-blower.

The Leadership Team and HR Sub-Committee of the LCM Board will receive a regular report on Whistleblowing disclosures, highlighting any broad patterns or trends in whistleblowing concerns and any lessons to be learned to improve the way we do things. This would be done in a way that respects confidentiality.

8. External Disclosures

The aim of this policy and procedure is to provide a robust mechanism at LCM for reporting, investigating, and remedying wrongdoing or malpractice. In most cases people should not find it necessary to alert anyone externally.

It will very rarely, if ever, be appropriate to alert external media, and disciplinary action will be taken against LCM staff who take a whistleblowing concern to the media rather than following this internal procedure.

We strongly encourage potential whistle-blowers to follow this LCM policy and procedure to raise and resolve their concerns. But if after following the LCM procedure you reasonably believe that appropriate action has not been taken to address a serious concern of public interest then you could consider contacting an external body such as the Charity Commission for England and Wales. Please note that The Charity Commission cannot advise whether a whistleblowing disclosure is protected under the law, and they cannot give legal advice.

Potential whistle-blowers are strongly encouraged to seek advice before reporting a concern to anyone external to LCM. The independent whistleblowing charity, Protect, operates a confidential helpline, and have a list of prescribed regulators for reporting certain types of concern.

This policy and procedure is for addressing whistleblowing concerns which relate to the conduct of LCM staff and those who work with us or relate to the way LCM is run. Where a member of LCM staff wishes to raise a whistleblowing concern about a third party, they should follow the whistleblowing policy and procedure of that third party or raise it with them directly through an appropriate means.

9. Further help and advice

Please contact senior members of the Human Resources team via the confidential e-mail address if you require any further help or advice regarding this policy whistleblower@lcm.org.uk.

A whistle-blower or potential whistle-blower can contact Protect for advice at any time (protect-advice.org.uk). Their website has helpful advice and they also provide a helpline - details of which are available through their website.

Annex 1: Examples of behaviour which could be reported under this policy.

Here are some examples of the kind of activity or behaviour (which has occurred, is occurring, or is likely to occur) which may be reportable under this policy and where disclosure is in the public interest. Note, this is not a prescriptive or exhaustive list:

- Any criminal, illegal, unlawful activity
- Injustice, abuse of position or power
- Endangering someone's health or safety
- Damage to the environment
- Violation of a legal or regulatory obligation (e.g., health and safety obligations)
- Coercion by a more senior person with the intention to get someone to do something unethical or improper
- Acting contrary to LCM's interests
- Acting for improper personal gain - including gain for a family member or other close associate (e.g. soliciting donations for person gain rather than to LCM; or making a purchase that results in commission or profit for oneself or family)
- Not disclosing a material conflict of interest or a conflict of loyalty
- Manipulation of accounting records, finances, or financial statements

- Financial malpractice or impropriety
- Fraud, deceit, corruption, or bribery
- Inappropriate or dishonest use of LCM assets, funds, or donations
- Theft
- Decision-making for personal gain, or underhand dealings or practices
- Mistreatment of others including exploitation, abuse, assault, bullying or harassment
- Serious breaches of procedure, which may advantage a particular individual or group
- Harm or damage to LCM's reputation, operations, governance, or anything otherwise damaging to the interests of LCM
- Systemic breach of safeguarding, or fundamental breach in the way LCM manages safeguarding
- Concealment, cover-up or ignoring of safeguarding issues
- Breach of LCM data protection policy or legal requirements
- Immoral or unethical conduct
- Violation of our corporate governance policies or other compliance standards
- Non-compliance with our stated policies or procedures, or serious breach of a fundamental internal control
- Behaviours or attitudes fundamentally inconsistent with our values or with our Statement of Faith and Conduct
- Concealment of any of the above or covering up of information which shows any of the above

This policy does not form part of any employee's contract of employment and LCM may amend it at any time.

Document control

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