



## **Whistleblowing policy**

At FRS we expect all our colleagues, both internal and external, to be professional at all times and hold the welfare and safety of every member of and/or visitor to the community\* as their paramount objective.

We expect all team members to talk through any concerns they may have with their line manager at the earliest opportunity to enable any problems to be resolved as soon as they arise.

'Whistleblowing' is defined as 'raising concerns about misconduct within an organisation or within an independent structure associated with it'.

### **Legal framework**

The Public Interest Disclosure Act 1998, commonly referred to as the 'Whistleblowing Act', amended the Employment Rights Act 1996 to provide protection for employees who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. On 25 June 2013, there were some legal changes to what constitutes a qualifying disclosure.

A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that:

- A criminal offence, such as fraud, theft or acts of bribery
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- A breach of any other legal obligation or
- Concealment of any of the above
- Any other unethical conduct
- Is being, has been, or is likely to be, committed.

### **Protected disclosures**

For a qualifying disclosure to be protected, you are encouraged to raise the issue internally in the first instance. Such disclosures must be made in good faith i.e. with honest intent and without malice or an ulterior motive.

You are protected if you make a qualifying disclosure:

1. To Finchley Reform Synagogue OR
2. Where you reasonably believe that the relevant failure relates solely or mainly to the conduct of a person not employed by Finchley Reform Synagogue but carrying out work (paid or voluntary) on behalf of Finchley Reform Synagogue.

You are encouraged to raise any disclosures that you may have by following the procedure set out below. If your concern relates to a breach of your own contract of employment, you should use the Finchley Reform Synagogue grievance procedure.

### **Disclosure procedure**

This procedure applies to staff whether permanent or temporary, and in addition third parties such as agency workers, consultants, contractors and any others who perform functions in relation to Finchley Reform Synagogue.

- Where you reasonably believe one or more of the above circumstances listed has occurred, you should promptly disclose this to your line manager, so that appropriate action can be taken. If it is inappropriate to make such a disclosure to the relevant line manager (i.e. because it relates to them) you should speak to the Synagogue Director, unless it relates to them, in which case you should speak to the Chair of the Synagogue (contact details available via the synagogue office). If it relates to the Chair of the synagogue, you should contact the FRS Honorary Secretary (contact details available via the synagogue office).
- If this information relates to child protection/safeguarding then the synagogue's safeguarding policy (child or adult, as appropriate) should be followed. Where the safeguarding concern relates to your line manager or the Synagogue Director, you should speak to the FRS Council Member with responsibility for Safeguarding. They will, in turn, take appropriate action.
- Any disclosure or concerns raised will be treated seriously and will be dealt with in a consistent and confidential manner and will be followed through in a detailed and thorough manner.
- You will not be penalised for raising a qualifying disclosure even if it is not upheld, unless the complaint was both untrue and in bad faith.
- Any employee who is involved in victimising employees who make a disclosure, takes any action to deter employees from disclosing information or makes malicious allegations in bad faith, will be subject to potential disciplinary action which may result in dismissal.
- Failure to report serious matters can also be investigated and potentially lead to disciplinary action which may result in dismissal.

- Any management employee who inappropriately deals with a whistleblowing issue (e.g. failing to react appropriately by not taking action in a timely manner or disclosing confidential information) may be deemed to have engaged in gross misconduct which could lead to dismissal.

If you believe that the appropriate action has not been taken, you may report the matter externally to a relevant authority in accordance with the provisions of the Act. The Act sets out a number of external bodies to which qualifying disclosures may be made, including but not limited to the following: The Charity Commission, OFSTED, Children's Commissioner, Information Commissioner (For GDPR breach), HMRC, Serious Fraud Office.

### Key points

Report anything that you believe is illegal or unlawful in the workplace.

- ✓ You will not be victimised, treated detrimentally or dismissed for raising a protected disclosure under this policy. Subsequent victimisation will be a disciplinary offence and will be dealt with under the Reform Judaism's disciplinary procedure.
- ✓ Covering up someone else's wrongdoing is also a disciplinary offence. Never agree to remain silent, even if told to do so by a person in authority, such as your Line Manager.
- ✓ Your right to make a protected disclosure when following the correct procedure overrides any confidentiality provisions in your contract of employment.
- ✓ Maliciously making a false allegation is a disciplinary offence.

This policy was adopted by	FRS	<i>(name of provider)</i>
On	<u>9<sup>th</sup> November 2020</u>	<i>(date)</i>
Date to be reviewed	<u>8<sup>th</sup> November 2021</u>	<i>(date)</i>
Signed on behalf of the provider		
Name of signatory	<u>Robin Jacobs</u>	
Role of signatory (e.g. chair, director or owner)	<u>Synagogue Director</u>	

\*including those attending education programmes on a trial basis but not yet paying members, and visitors to all of our settings

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