Registered in England and Wales at
13 North Common Road, Ealing,
London, W5 2QB, Phone: 02088323071
Registered no: 2918520
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Whistleblowing Policy

Metanoia Institute

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Related policies
• Anti-Harassment & Anti-Bullying Policy • Disciplinary Policy • Grievance Policy
External Reference
Whistleblowing for employees (gov.uk) Whistleblowing for employers (gov.uk)

1. Contents

Metanoia Institute Whistleblowing Policy

1. Policy statement

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the worker who raised the issue.

2. Scope

This policy applies to all workers, which for whistleblowing purposes is broad and includes employees, agency workers, trainees and Trustees of the Metanoia Institute.

The Institute encourages all individuals to raise any concerns that they may have about the conduct of others or the way in which the Institute is run. This policy sets out the way in which workers may raise any concerns that they have and how those concerns will be dealt with.

3. Purpose

The law provides protection for a worker who raises legitimate concerns about specified matters. Reporting a wrongdoing is also known as making a 'whistleblowing disclosure' or 'protected disclosure'. The wrongdoing a worker discloses must be in the public interest. This means it must affect others, not just them. The worker is protected by law if they report any of the following:

- a criminal offence, for example fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, for example does not have the right insurance
- you believe someone is covering up wrongdoing
- sexual harassment

The Employment Rights Act 1996 protects workers in Great Britain who 'blow the whistle' from being treated unfairly and from dismissal, if certain conditions in the Act are met. They must:

- reasonably believe that a disclosure is in the public interest
- reasonably believe that the disclosure shows that one or more type of wrongdoing listed in the Act has taken place, is taking place or is likely to take place.

- make the disclosure through the appropriate channels. For example, to the Institute or to a relevant regulator or organisation, known as a 'prescribed person'.

A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

The Institute encourages employees to raise their concerns under this procedure in the first instance. If an employee is not sure whether to raise a concern, they should discuss the issue with their line manager or the People & Culture team.

4. Principles

- No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the Institute's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, the worker making the complaint should not agree to remain silent. They should report the matter as outlined in paragraph 5 below.
- This procedure is for disclosures about matters other than a breach of an worker's own contract of employment. If they are concerned that their own contract has been, or is likely to be, broken, they should use the Institute's grievance procedure.

5. Procedure

5.1 Stage 1

A worker may report the issue to their line manager, unless they reasonably believe their line manager to be involved in the wrongdoing, or if for any other reason they do not wish to approach their line manager. In this situation, any concerns should be raised with the People & Culture team and stage 3 of the procedure. They may also make a disclosure to a prescribed person (see paragraph 6 below).

5.2 Stage 2

If a worker reports the issue to their line manager, they will arrange an investigation into the matter - either by investigating the matter personally or immediately passing the issue to someone in a more senior position. The investigation may involve the worker and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above.

The line manager, or the person who carried out the investigation, will then report to the CEO or, where the concern implicates the CEO, the Chair of the Board of Trustees, who will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency.

If disciplinary action is required, the line manager, or the person who carried out the investigation, will report the matter to the People & Culture team and start the disciplinary procedure. On conclusion of any investigation, the worker will be told the outcome of the investigation and what the Board has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

5.3 Stage 3

If a worker is concerned that their line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the CEO, they should raise those concerns to the People & Culture team. If for any other reason the worker does not wish to approach their line manager, they should also in the first instance contact the People & Culture team. All cases will be treated with the strictest confidence, and the worker's identity will not be disclosed without their prior consent. Where the concern relates to financial misconduct and involves the CEO or Director of Finance, the matter will be referred directly to the Chair of Finance, Audit and Risk Sub-Committee (FARSC) or the Chair of the Board of Trustees.

6. Prescribed person

A worker may want to make their disclosure externally to a relevant authority or body. This will be a protected disclosure if it is made to a prescribed person (the link opens the gov.uk website for the current list of organisations), the worker reasonably believes that the wrongdoing falls within that person’s prescribed remit and reasonably believes that the disclosure is substantially true.

7. Data protection

When a worker makes a disclosure, the Institute will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the worker makes the report is held securely and accessed by, and disclosed to, individuals only for the purpose of dealing with the disclosure.

8. Monitoring and review

People & Culture team are responsible for monitoring the effectiveness of this policy and supporting procedures and will conduct reviews at appropriate intervals. Anyone who feels they have been unfairly treated or discriminated against should contact people@metanoia.ac.uk.