

Whistleblowing Policy

1. Introduction

- 1.1. The Diocese of St Edmundsbury & Ipswich (the DBF) seeks to conduct its affairs responsibly and is committed to high standards of honesty, integrity and accountability. An important component of this is to enable people who have concerns about any possible malpractice or impropriety to voice these without fear of reprisal.
- 1.2. This policy is designed to allow all workers to raise concerns or disclose information, which the individual reasonably believes show serious malpractice, impropriety or fraud. It sets out how to raise a concern, how it will be dealt with, and the protections associated with raising such concerns.

2. Definition of whistleblowing

- 2.1. This policy has been developed in line with the Public Interest Disclosure Act 1998, also known as the 'whistle-blowers act'. The Act provides general protection to workers, such that an individual can't be dismissed, victimised or penalised for making a 'qualifying disclosure' in the public interest. Any person can be a whistle blower but the purpose of this policy is to enact the provisions of the Act, protecting workers.
- 2.2. The term 'worker' includes employees, casual workers, agency staff, volunteers and self-employed workers. In the context of the Diocese of St Edmundsbury & Ipswich, the policy also applies to clergy who may wish to make a disclosure in relation to the DBF. The term *worker* is used in this document to cover all these groups.
- 2.3. A 'qualifying disclosure' is one which, in the reasonable belief of the individual, could involve:
 - A criminal offence, eg fraud
 - Someone's health or safety is in danger
 - Risk of or actual damage to the environment
 - A miscarriage of justice
 - The charity is breaking the law
 - Covering up of wrongdoing

i.e. a whistleblower is a worker who exposes any kind of information or activity that is deemed illegal, unethical, or unacceptable.
- 2.4. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. The worker has no responsibility for investigating the matter - it is the Board's responsibility to ensure that an investigation takes place.

- 2.5. The disclosure will be protected if it is made in good faith in line with this policy. It will not be protected if an offence is committed in making the disclosure.
- 2.6. This policy does not replace other policies, and should not be used where other procedures would be more relevant, for example the Complaints policy or Grievance procedure.
- 2.7. **This policy is not intended to cover safeguarding concerns. For such concerns, the Diocesan Safeguarding Officer should be contacted:**

Karen Galloway via karen.galloway@cofesuffolk.org or: 07785 621319

3. Nature of protection

A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because he/she has raised a legitimate concern.

4. Making a Disclosure

- 4.1. A disclosure can be made to any of the following people, depending on who is the most appropriate:

- Line Manager (if an employee)
- The Diocesan Secretary
- The Chair of the Board of Finance or a lay trustee

Contact details can be found on the Diocesan website.

- 4.2. If none of the above is felt suitable, there are external bodies such as Public Concern at Work who operate a confidential helpline. Contact details are:

Helpline: (020) 7404 6609

E-mail: whistle@pcaw.co.uk

Website: www.pcaw.co.uk

- 4.3. Workers are encouraged to put a name to a disclosure because it may not be possible to take action in the case of an anonymous disclosure. Every effort will be made to protect the identity of the person making the disclosure.
- 4.4. In any event, the DBF will treat all disclosures in a confidential and sensitive manner, and in turn expects those making the disclosure to do the same.

5. Investigating a Disclosure

- 5.1. The person to whom the disclosure is made will listen carefully to the issues raised, make notes, and decide what to do. This is likely to involve some discussion between the Diocesan Secretary, the Chair of the Board of Finance, and relevant senior managers, but only so long as none of those is implicated in the disclosure.
- 5.2. A decision will be made to either:
 - Investigate the matter internally
 - Involve the police
 - Call for an independent inquiry
- 5.3. If the matter is to be investigated internally a decision will be made as to who should conduct it, the process to be followed, and the scope of the final report. This will take account of the nature of the allegation, the seriousness of the alleged malpractice, and who is likely to be involved.
- 5.4. The worker making the disclosure will not have a say in how it is dealt with, but can be asked to be kept informed. Naturally, the information which can be provided might be limited due to confidentiality.
- 5.5. An investigation will be carried out as swiftly and sensitively as possible, allowing proper time to give matters full consideration. In general, the DBF will aim to complete such investigations within about six weeks from the time the issues were first raised. If this is not possible, parties to the disclosure will be kept informed.
- 5.6. Employee(s) who is/are to be subject to investigation as part of the process will be advised as soon as reasonably practicable. They will have the right to be accompanied by a trade union official, staff representative or work colleague in any relevant meeting.
- 5.7. In exceptional circumstances, it may be necessary for an employee to be suspended during an investigation. This does not imply that any judgement has been made, the period will be kept as short as possible, and suspension will be on full pay.

6. Outcome of an Investigation

- 6.1. The findings of an investigation, inquiry or police action and any recommendations will be considered by the Diocesan Secretary, or another designated person if more appropriate. A decision will be taken as to further action that may be required. This could include:
 - Invoking the disciplinary procedure
 - Invoking the grievance procedure
 - Further investigation, either internally or externally
 - Specific action such as reviewing policies or procedures

6.2. The worker who made the disclosure will be advised of the outcome in writing and, if no action taken, the reasons for that. If the disclosure or investigation involves a named person/people, they will also be informed of the outcome in writing. Ownership of the whistleblowing matter will be followed up either by the Diocesan Secretary or the Diocesan Bishop. If both parties are involved this will be followed up by the Chair of the DBF.

7. If the matter is not satisfactorily resolved

7.1. If the person making the disclosure feels that the matter has not been taken seriously, believes that wrong-doing is continuing, or remains dissatisfied with the procedure followed, it is possible to raise the matter with an appropriate external body, for example the Church Commissioners, National Audit Office or the Charity Commission.

7.2. When considering such action, it might be helpful to discuss the situation first - for example with a solicitor, or the whistle blowing charity Public Concern at Work. More information is available on the government's website: www.gov.uk/whistleblowing

8. Retraction of an allegation

8.1. Once a disclosure has been made, it may be retracted at any time, although the DBF reserves the right to proceed with an investigation if deemed appropriate, even where the worker who made the disclosure no longer wishes to proceed.

9. Malicious allegations

9.1. If a disclosure from a worker is found to have been made with deliberately malicious or vexatious intent, disciplinary action may be taken.

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