

# Whistleblowing Policy

## Guildford Diocese Board of Finance

### *“Speaking out on wrongdoing”*

<b>Version</b>	1
<b>Approved Date:</b>	22 April 2024
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<b>Approved By:</b>	Guildford Diocese Board of Finance
<b>Owner:</b>	Andy Morgan, Head of People

#### AMENDMENTS

Date	Section	Summary of change

## 1. Introduction<sup>1</sup>

The Guildford Diocese Board of Finance (DBF), which for the purposes of this policy includes the Diocesan Board of Education (DBE), is committed to conducting our activities with honesty and integrity and we expect all our people to maintain the highest standards in accordance with our policies and procedures.

However, all organisations face the risk of things going wrong from time to time. Indeed, there are ongoing examples where UK organisations find that some of their people do not act in accordance with their values and knowingly undertake illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations occurring, or to address them when they occur.

We hope that this **Whistleblowing Policy** will help you feel able to voice any concerns openly, either internally or externally, without fear of retaliation. We will protect those who speak out from any reprisal or victimisation. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

The aims of this policy are:

- To encourage a culture of openness and accountability effectively promoted at all levels.
- To encourage people to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated as appropriate and that their confidentiality will be respected.
- To provide our people with guidance as to how to raise those concerns.

<sup>1</sup> This policy is based on the National Church Institutions Whistleblowing Policy and is in line with the GOV.UK and ACAS guidance for Whistleblowing

- To reassure our people that they should be able to raise genuine concerns without fear of reprisals.

Further information on whistleblowing is available from [GOV.UK](#) and [ACAS](#).

## 2. Scope

This policy provides a whistleblowing mechanism for **activities undertaken by the Diocesan Board of Finance (DBF)**. The policy allows for whistleblowing concerns to be raised by the following groups of individuals:

- All permanent, fixed term, full or part-time or temporary employees
- Trustees of DBF
- Clergy and Licensed Lay Ministers (LLMs) of the diocese
- Contractors, agency workers, volunteers, and secondees working with DBF

This policy does not apply to activities within the Bishop's Office, individual parishes, or the Cathedral. The Church Commissioners, each PCC and the Cathedral respectively have their own mechanism for dealing with complaints and whistleblowing. The Diocese encourages PCCs to put in place such policies where they don't exist.

Individuals outside the scope of eligible individual who wish to raise concerns about DBF activities should use the **DBF Complaints Policy**.

## 3. Whistleblowing

We encourage a culture where whistleblowing, or speaking out, is seen as a normal part of upholding our values.

Whistleblowing, or speaking out, is the disclosure of information which relates to suspected wrongdoing (generally a breach of a legal, statutory or regulatory requirement or unethical, immoral behaviour). This may include:

- Breach of a legal requirement – e.g. safeguarding, health & safety obligations.
- General malpractice – such as immoral, illegal or unethical conduct.
- Gross misconduct – e.g. theft, fraud, assault, sexual harassment, etc.
- Financial irregularity - fraud, bribery, or money laundering.
- Failure to comply with the corporate governance policy or other compliance matter.
- Deliberate non-compliance, to the detriment of the organisation, with the stated policies, procedures or any underhand dealings or practices.
- Deliberate concealment of any of the above.

If you have concerns related to any of the above, you should speak out in accordance with this policy.

Concerns of a personal nature (eg bullying, harassment, discrimination) are not covered by whistleblowing law, unless the case is in the public interest. However, we encourage people to speak out about such concerns through the **Dignity at Work Policy**. If you are an employee, volunteer, contractor or secondee, concerns about your treatment at work that are not bullying, harassment or discrimination should be addressed through the **Grievance Policy**.

If Safeguarding concerns, directly affecting children or vulnerable adults, are raised they will be dealt with by the Safeguarding Team through the **Safeguarding Policy**.

## 4. Protected Disclosures

An individual making a “protected disclosure” is given statutory protection from victimisation under the **Public Interest Disclosure Act 1998**, provided the disclosure is in the public interest. This means individuals making a protected disclosure are protected from unfair dismissal and any detrimental treatment, because of the disclosure.

A “protected disclosure” is any disclosure of information which, in reasonable belief of the individual making the disclosure, tends to show one or more of the following has been committed, is being committed or is likely to be committed:

- A criminal offence
- A failure to comply with any legal obligation
- A miscarriage of justice
- The putting of someone’s health or safety in danger
- Damage to the environment
- Deliberate concealment of information relating to any of the above.

By law, you'll be protected as a whistleblower if you can show it's reasonable for you to believe that what you disclose:

- fits into one of the categories of a qualifying disclosure above, and
- is in the public interest

You can make a disclosure about an issue that's happened at any time, including if it's likely to happen in the future.

Certain instances of wrongdoing, for example, breaches of codes of conduct, or inappropriate cutting of corners and systematically careless procedures or attitudes, may not constitute a protected disclosure. However, speaking out on these issues is encouraged to allow us to address these issues and those raising such concerns will be protected in the same way as if it were a protected disclosure.

## 5. Should I Speak Out?

If you become aware of a situation which is of concern, you are encouraged to speak out.

You may find it helpful to consider these key questions to help you decide if your grounds for suspicion are reasonable:

- What do I think is happening?
- What (if any) evidence do I have?
- Who is doing it?
- Why might it be wrong?
- What clear explanations might there be?
- May others be aware of the issue(s)?

## 6. Responsibilities

As employees, volunteers, contractors, secondees, agency workers, Clergy, LLMs and Trustees we all have a responsibility to speak out if we become aware of wrongdoing within DBF.

Specific responsibilities for individuals include:

The role of **DBF Trustees** is to ensure this policy is fit for purpose, reviewed regularly, communicated and fully implemented. Trustees will receive reports of instances of whistleblowing.

The role of **Diocesan Secretary** is to agree and communicate our approach to speaking out, and with the Directors and Heads to monitor rates of awareness, and to oversee the DBF response to any instance of whistleblowing.

The role of **Church House Leadership Team (CHLT)** is to be aware of the policy and procedures, to understand their roles, to undertake any prescribed training, and to communicate and operate within the policy.

The role of **Head of People** is to lead on the updating the policy and processes, provision of training and communications on the policy, working closely with the Diocesan Secretary.

The role of **Head of Governance & Operations** is to conduct learning reviews and draw up and monitoring action plans to resolve concerns raised through any instance of whistleblowing, working with the relevant Heads and Directors, and the Diocesan Secretary.

## 7. How to Speak Out

### Informal Approaches

If you are an employee, volunteer, contractor, agency worker, or secondee, your first step should be to raise your concerns with your manager. This will depend, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in suspected wrongdoing. If it is not appropriate to raise the matter with your manager you may also wish to follow up the suspicion with the Head of People, Head of Governance & Operations, or the Finance Director or pursue through the Formal Stage 1 of this policy. Whoever receives a whistleblowing concern will share these with the Diocesan Secretary within 24 hours.

If you are a Trustee, Clergy or LLM, your whistleblowing concerns should be directed to the Diocesan Secretary.

If you do not feel able to raise your concerns to these individuals or your concern involves the Diocesan Secretary, you should contact the Chair of the DBF.

### Formal Stage 1 – Raising the suspicion

If you are an employee, volunteer, contractor, agency worker, or secondee, once you believe there are reasonable grounds for suspecting an activity and that the use of the policy is appropriate, you should raise the concern verbally or in writing. This might be with your manager, the Head of People, Head of Governance & Operations, or Finance Director. The manager that the matter is raised with will take the details of the concern and your contact details and pass those on directly to the Diocesan Secretary within 24 hours.

If you are a Trustee, Clergy or LLM, your whistleblowing concerns should be directed to the Diocesan Secretary.

If you do not feel able to raise your concerns to these individuals or your concern involves the Diocesan Secretary, you should contact the Chair of the DBF.

You may also report concerns to the [Charity Commission](#).

## Formal Stage 2 – Initial Assessment

The Diocesan Secretary will decide how the initial assessment should be conducted. All cases will usually be reported to the trustees, and they will consider the outcome and recommendations and be briefed on the progress of any subsequent initial investigation if necessary.

You will be informed of the result of the initial investigation though there may be some aspects which remain confidential, and whether a detailed investigation will be undertaken.

In the event of serious concerns being raised, for example significant fraudulent or unsafe activities, then the initial assessment may progress rapidly to a detailed investigation.

## Formal Stage 3 – Detailed Investigation

If after the initial assessment there are grounds for the suspicion, further investigation will be commissioned. Investigations will be conducted in line with usual DBF procedures, usually a member of CHLT being assigned as investigator, though in exceptional circumstances an external investigator may be commissioned. The investigation will be as swift as possible as this will increase the chances of revealing any wrongdoing or addressing unsafe practices.

## Formal Stage 4 – Follow Up to investigation.

After the investigation has been conducted, any necessary changes to rectify errors resulting from the wrongdoing will be implemented if possible. If not already involved, the relevant Director or Head will review the risks and create mitigating controls/actions as appropriate. Serious concerns will be escalated, as required, to the **Charity Commission**. Subsequent actions could include dealing with wrongdoing, preventing further wrongdoing or removing or minimising a risk.

The Head of Governance & Operations will conduct a learning review and then draw up and monitor action plans to resolve concerns, working with the relevant Heads and Directors. The outcomes of investigations, lessons learned, and actions taken will be shared with the trustees.

If the investigation identifies wrongdoing by employees this may be addressed through the **Disciplinary Policy**.

The individual who raised the concern will be kept informed of progress throughout the investigation, and the outcome will be shared with them including a summary of actions taken to address their concerns. DBF will thank whistleblowers as appropriate.

# 8. Confidentiality

We encourage you not to raise concerns anonymously as proper investigation may be more difficult or impossible if we cannot obtain further information from you or establish the credibility of allegations. However, we recognise that there are circumstances where an individual may feel threatened or scared for their personal safety and in such circumstances may be unwilling to speak openly. If raising concerns anonymously, it is very important to provide as much detail as possible given the difficulties outlined above.

If you are concerned about possible reprisals if your identity is revealed, you should come forward to Head of People, Head of Governance & Operations, or the Diocesan Secretary and appropriate measures can be taken to preserve confidentiality. Where DBF have assured an individual of confidentiality, we will only reveal the whistleblower's identity with their prior consent or where we are required to by law, eg in cases in relation to safeguarding concerns, money laundering or other criminal offences.

## 9. Protection and Support for those who Speak Out

It is understandable that those who speak out are worried about possible repercussions. We aim to encourage openness and will support people who raise genuine concerns under this policy, even if they turn out to be mistaken. Disciplinary action may be taken against those who harass whistleblowers following an investigation, or those who seek to identify a whistleblower. In every case DBF will be alert to the possibility of victimisation and seek to put in safeguards. Please report any repercussions experienced to the People Team, who will act on and monitor any instances.

Confidential pastoral support is available for those who make disclosures, which may include our wellbeing champions, our **Employee Assistance Programme (Health Assured)** or other support on a case-by-case basis.

### Settlement Agreements

DBF uses a standard clause in any settlement agreements making it clear that nothing in the agreement prevents an employee from making a whistleblowing disclosure. Employees are encouraged to seek advice on how the settlement agreement operates in relation to whistleblowing disclosures. No part of any settlement agreement will contradict the clause that employees are not prevented from making protected disclosures, e.g. requesting warranties from them that they know of no information which could form the basis of a protected disclosure.

## 10. External Disclosures

We welcome any disclosures which are made externally, and we commit to working with any external parties to resolve any concerns which are raised.

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally. In some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator, eg the [Financial Conduct Authority](#) or the [Charity Commissioner](#).

We strongly encourage you to seek advice, for example from [Citizens Advice](#), before reporting a concern to external sources, including the national or local media.

## 11. Communication and Training

This policy will be communicated to all Trustees, Clergy, LLM and DBF employees, volunteers and contractors and agency workers.

If you are an employee, volunteer, contractor, agency worker, or secondee this will be at induction and available on SharePoint. Training will be provided to CHLT on their role in whistleblowing.

For Trustees, Clergy, and LLMs the policy will be displayed on the diocesan website in the complaints section.