



## St Albans Diocesan Board of Finance

### Whistleblowing Policy

**Whistleblowing is where an individual raises concerns with an organisation or regulatory body of suspected wrongdoing at work. Officially this is called 'making a disclosure in the public interest'.**

**Workers who make such a disclosure are protected by law, under the Public Interest Disclosure Act 1998, from detrimental treatment or victimisation by their employer if, in the public interest, they blow the whistle on wrongdoing.**

**The Board is committed to ensuring those who work with or for the Board maintain the highest standards of honesty, integrity and accountability and this policy sets out the procedure by which any concerns about possible wrongdoing can be raised and how such concerns will be dealt with.**

**Whistleblowing may apply to situations of unacceptable practice, performance or behaviour.**

The policy is not designed to question business or financial decisions taken by the Board nor to reconsider any matters which have already been addressed under disciplinary, grievance, complaint or other procedures. It specifically includes concerns about safeguarding and promoting the welfare of children and vulnerable adults. However if a child or vulnerable adult may be at risk of harm the Diocesan Safeguarding Adviser should be contacted at Diocesan Office, 41 Holywell Hill, St Albans AL1 1HE. Tel: 01727 818107 Email: [safeguarding@stalbans.anglican.org](mailto:safeguarding@stalbans.anglican.org). In an emergency, if a child or vulnerable adult is considered to be at risk of *immediate* harm the police should be called on 999.

#### **Who is protected?**

The following people, or 'workers', are protected:

- employees
- agency workers
- people that are training with the Board, but not employed
- self-employed workers, if supervised or working off-site

Whilst the Act does not provide the same protection for volunteers, the Diocese of St Albans adopts the same approach in their protection.

#### **Scope of protection**

The Public Interest Disclosure Act 1998 provides protection for workers who raise legitimate concerns about specified matters, called "qualifying disclosures". A qualifying disclosure is one made in good faith by an employee who has a reasonable belief that:

- a criminal offence;
- 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;

is being, has been, or is likely to be, committed.

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.

## **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.

## **Procedure**

The Board encourages workers to raise their concerns under this procedure in the first instance. If a worker is not sure whether or not to raise a concern, he/she should discuss the issue with his/her line manager or the Diocesan Secretary, The Diocesan Office, Holywell Lodge, 41 Holywell Hill, St Albans, Herts. AL1 1HE, Tel: 01727 818131.

This procedure covers disclosures about matters other than a breach of a worker's own contract of employment. If a worker is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the Board's grievance procedure (in the Staff Handbook).

- (1) In the first instance, and unless you reasonably believe your line manager to be involved in the wrongdoing or for any other reason do not wish to approach your line manager, any concerns should be raised with your line manager. In the case of a volunteer, concerns should be raised with your supervisor, or in the case of Safeguarding issues, with the Diocesan Safeguarding Adviser, Mr Jeremy Hirst, Diocesan Safeguarding Adviser, Holywell Lodge, 41 Holywell Hill, St Albans AL1 1HE. Tel: 01727 818107 Email: [safeguarding@stalbans.anglican.org](mailto:safeguarding@stalbans.anglican.org).

If you believe your line manager or supervisor to be involved, or for any reason do not wish to approach your line manager or supervisor, then you should inform the Diocesan Secretary, who will arrange for another officer to make any necessary enquiries and make his/her own report to the Board as in stage 2 below. Any approach to the Diocesan Secretary will be treated with the strictest confidence. Your identity will be kept confidential as far as possible although if there is a criminal investigation you may be needed as a witness.

- (2) The line manager will arrange an investigation of the matter (either by investigating the matter him/herself or immediately passing the issue to someone in a more senior position). The investigation may involve you and other individuals involved giving a written statement. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained.

The line manager (or the person who carried out the investigation) will then report to the Chairman of the Board of Finance, who will take any necessary action, including reporting the matter to the Board or 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 Diocesan Secretary and start the disciplinary procedure.

On conclusion of any investigation, you 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.

- (3) If on conclusion of stages 1, and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made.

These include:

- HM Revenue and Customs
- the Financial Conduct Authority;
- the Office of Fair Trading;
- the Health and Safety Executive; and
- the Environment Agency.

Disclosures relating to charities can be made to the Charity Commission and a qualified disclosure to the Commission will be a 'protected' disclosure provided the employee makes the disclosure in good faith and has a reasonable belief that:

- The relevant failure relates to the proper administration of charities and funds given or held for charitable purposes; and
- Reasonably believes that the information disclosed and any allegation contained in it are substantially true.

### **Other matters**

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 Board's disciplinary procedure (as set out in the Staff handbook) 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, workers should not agree to remain silent. They should report the matter to the Diocesan Secretary.

An employee or worker who has a concern or is unhappy about the procedure which has been followed may wish to contact the independent charity, Public Concern at Work, ([www.pcaw.org.uk](http://www.pcaw.org.uk)), CAN Mezzanine, 7-14 Great Dover Street, London. SE1 4YR. Whistleblowing Advice Line: 0207 404 6609, General Enquiries: 0203 117 2520, Email UK Advice Line: [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk).

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