

Whistle-blowing

Guidance

What is Whistleblowing?

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' and those who report concerns in good faith are behaving responsibly.

St Paul's Church is committed to ensuring those who work with or for the church in an employed or voluntary capacity 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 is an important part of our commitment to safeguard and promote the welfare of children and adults who may be vulnerable. It is also important in creating a culture that enables issues about safeguarding to be addressed. However, whistleblowing may apply to any situations of unacceptable practice, performance or behaviour.

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. Whilst the Act does not provide the same protection to volunteers, churches are expected to adopt the same approach to protect volunteers when they report concerns.

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, 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 and must not do so. Their responsibility is simply to report their concerns.

Members of the congregation are encouraged to acknowledge their individual responsibility to raise concerns about unacceptable practice, performance or behavior and to bring this to the attention of the incumbent or a churchwarden. Where the concerns relate to safeguarding, they must be reported to the parish safeguarding officer.

Reasons for whistle-blowing:

- To prevent the problem worsening or widening
- To protect or reduce risks to others
- To prevent becoming implicated oneself.

What stops people from whistle-blowing:

- Starting a chain of events which spirals out of control
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers or reputations
- Fear of not being believed.

How to raise a concern:

- Concerns, suspicions or uneasiness about practice or behaviour of an individual should be voiced as soon as possible to the incumbent, a church warden or, where the concern relates to safeguarding, the parish safeguarding officer.
- Be specific about what practice is concerning, what has been heard or what has been observed.
- Ideally put concerns in writing, outlining the background and history, and providing dates and times.
- Provide as many facts as possible; do not rely on rumour or opinion.
- You are encouraged to put your name to any disclosure and even where you do so, you may ask that your name remains anonymous. However, a request to remain anonymous must be considered to be at the discretion of the church, taking into account the seriousness of the issue raised and the nature of the investigation that must follow. The church will nevertheless, always take seriously your fear of victimization and do everything possible to prevent you from being victimized.

What happens next:

- If the concern about practice, performance or behaviour relates to safeguarding children or adults who may be vulnerable, it will be investigated according to the procedures for responding to allegations
- If the concern does not relate to safeguarding children or adults who may be vulnerable, it will be investigated according to complaints or grievance procedure.
- The whistle-blower is not expected to prove the truth of a concern or investigate it.

- Within the bounds of confidentiality, the whistle-blower will be given as much information as possible on the nature and progress of any enquiries.
- The incumbent or churchwarden will ensure that the whistle-blower is not harassed or victimized.
- No action will be taken against a whistle-blower if the concern proves to be unfounded and was raised in good faith.
- Malicious allegations from a whistle-blower will be considered very seriously and may result in disciplinary action in the case of a paid employee or office holder.
- Within the bounds of confidentiality, on conclusion of any investigation, the whistleblower will be told the outcome of the investigation and what action has been taken. If no action is to be taken, the reason for this will be explained.

What you can do if you feel that appropriate action has not been taken:

At the conclusion of the investigation if you reasonably believe that 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:-

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

St Paul's is a registered charity and as such, disclosures can be made to the Charity Commission. A qualified disclosure to the Commission will be a 'protected' disclosure provided the person makes the disclosure in good faith and has a reasonable belief that the relevant failure relates to the proper administration of charities funds and that the information disclosed in relation to any allegation is substantially true.

Approved by St Paul's Parochial Church Council on 19th March 2019