



DIOCESE OF **Hexham & Newcastle**

# WHISTLEBLOWING POLICY AND PROCEDURE

## **1. DEFINITIONS**

'The Diocese' refers to the Diocese of Hexham and Newcastle including its constituent Parishes and Partnerships.

'Diocesan personnel' refers to trustees (excluding clergy), employees and volunteers.

Clergy should refer to their specific policy for this purpose.

Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to diocesan activities. This includes bribery, facilitation of tax evasion, fraud or other criminal activity, miscarriages of justice, health and safety risks including safeguarding, damage to the environment and any breach of legal or professional obligations. The wrongdoing you disclose must be in the public interest. This means it must affect others, for example the general public.

A whistleblower is someone who comes to a decision to express a concern after a great deal of thought. The law only requires that there be a genuine doubt – the individual is not expected to produce unquestionable evidence to support the concern.

## **2. SCOPE**

This Policy and Procedure applies equally, and with equal confidentiality, to trustees (excluding clergy), permanent and temporary employees, and volunteers. In addition, third parties such as agency workers, consultants and contractors and any others who perform functions in relation to the Diocese should use it.

## **3. POLICY STATEMENT**

The Diocese is committed to:

- conducting itself ethically, with honesty and integrity
- the highest possible standards of openness, probity and accountability
- good practice and high standards regardless of role within the Church, and want to be supportive of Diocesan personnel.

It is recognised that this might not always be achieved, and that genuine and serious concerns might need to be raised through this Whistleblowing Policy.

In line with these commitments, Diocesan personnel and others who have serious concerns, are encouraged to come forward and voice concerns. It is recognised that some cases will have to proceed on a confidential basis.

The Diocese recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of repercussion from those responsible for the failure or malpractice.

The Diocese will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when a concern is raised in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any other procedures such as grievance, disciplinary etc. which may already affect the person reporting concerns but will be treated on its own merits.

This Diocesan Policy and Procedure is written in line with Diocesan values: Trust, Service, Respect, Integrity and Compassion.

## **4. AIM OF THE POLICY AND PROCEDURE**

This Policy and Procedure aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide an effective way for concerns to be raised
- ensure that feedback is received by the person raising serious concerns, on any action undertaken because of the concerns being raised
- provide reassurance about protection from possible reprisals or victimisation if concerns are raised in good faith.

## **5. PRINCIPLES**

The Public Interest Disclosure Act 1998, provides protection for individuals who raise concerns about specified matters, outlined below. These are known as qualifying disclosures.

A qualifying disclosure is one made in good by an individual who has a reasonable belief that the following is being, has been or is likely to be committed:

- a criminal offence (including fraudulent and corrupt behaviour, e.g. theft, fraud or malpractice)
- a breach of any other legal obligation
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- concealment of any of the above

The Diocese wishes to ensure that any such wrongdoings are reported and dealt with. This Policy and Procedure is intended to encourage and enable anyone with a serious concern, to raise concerns without fear of victimisation, subsequent discrimination or disadvantage. If you become aware of any criminal offence or other wrongdoing in the Diocese, then please follow the procedure below immediately.

## **6. PROCEDURE**

### **6.1 HOW TO RAISE A CONCERN**

You should raise your whistleblowing concern as soon as possible. Early reporting can make it easier to act and resolve any problems. Your concern can be made verbally or in writing. A written account is preferable because it can make managing the process more efficient and effective.

Your account of concerns should include:

- Any relevant background and context
- Dates, times, names and venues
- A description of the concern and why the situation caused concern.

When raising a concern, it must be stated if the concern is being raised under the Whistleblowing Policy and if the identity of the person raising the concern is to be kept confidential. It is hoped that Diocesan Personnel will feel able to voice whistleblowing concerns openly under this Policy. Completely anonymous disclosures are difficult to investigate. If you want to raise your concern confidentially, we will make every effort to keep your identity secret. Whilst every effort will be made to deal with concerns confidentially, this may not always be possible. If concerns cannot be dealt with anonymously then the person raising the concern will be informed and provided with the reasons why.

Anonymous disclosures will be considered but are discouraged because anonymity can make it difficult to investigate, protect those concerned, or provide feedback on outcomes.

## **6.2 WHO SHOULD YOUR CONCERN BE RAISED WITH?**

Generally, concerns should always be raised with the line manager or person to whom the person making the complaint is accountable, in the first instance. If this is not appropriate because they may be involved in the alleged wrongdoing, malpractice, illegal acts or omissions in some way, the concern should be raised with their line manager or person to whom they are accountable.

Concerns relating to employees, including members of the safeguarding team, should be referred in the first instance to the Chief Operating Office (COO).

Concerns relating to a member of the Safeguarding Committee, including the Chair of the Safeguarding Committee, should be referred to the Bishop. If the concerns relate to delivery of safeguarding services, the Chair of the Safeguarding Committee should be notified.

Concerns relating to Clergy and Religious who are in safeguarding roles should be referred to the Head of Safeguarding who will advise the Committee Chair and the Bishop. If the concern relates to the Bishop, you should contact the Metropolitan Archbishop of Liverpool.

If you are not sure who to contact, either due to not knowing who fills the above-named roles, or to the seriousness or sensitivity of the issue, or the identity of the individual who is suspected of malpractice, you should seek advice from Catholic Safeguarding Standards Agency (CSSA).

## **6.3 RESPONSE TO CONCERNS RAISED**

The action taken will depend upon the nature of your concerns. The matters raised may be subject to, but not limited to:

- Internal investigation
- Referral to the statutory authorities (eg. Police)
- Consideration under Disciplinary or Grievance Policy
- Consideration under Canon Law
- Notification to insurers
- Notification to the Charity Commission

Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Some concerns may be resolved by an agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

If you are required to give evidence in criminal or disciplinary proceedings, you should consult with your employer in relation to advice about procedure and support arrangements. The Diocese accepts that you may need to be reassured that the matter has been properly addressed. Thus, subject to legal constraints, you will be informed of the outcome of any investigation.

If you are not satisfied that your concerns have been dealt with properly, raise your concerns directly with your line manager, Head of HR, or the Chief Operating Officer.

Where, as a result of an investigation, it is necessary to take disciplinary action against an employee, this will be done in accordance with the Diocesan Disciplinary Policy and Procedure. Officers, trustees and volunteers will be subject to the relevant sanctions. Clergy will be subject to such canonical procedures and/or sanctions as may be decided by the Bishop or other competent ecclesiastical authority.

## **7. GRIEVANCES**

The above procedure should be used where, in your reasonable belief, the disclosure of information relates to wrongdoing in the Diocese and is in the public interest. For employees, if you wish to raise a personal grievance, you should follow the Diocesan Grievance Policy and Procedure.

## **8. EXTERNAL DISCLOSURES**

The aim of this Policy and Procedure is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the Diocese. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external. Protect (previously called Public Concern at Work) operates a confidential helpline. Their contact details are at the end of this Policy.

## **9. TIMESCALES**

It is not possible to lay down specific timescales when dealing with such an investigation that may involve internal or police investigation. Those involved in conducting the investigation will ensure that in dealing with the matter as quickly as possible, the process will be robust, with the Whistleblower kept informed as to the progress of the complaint.

## **10. PROTECTION AND SUPPORT FOR WHISTLEBLOWERS**

We aim to encourage openness and will support whistleblowers who raise genuine concerns under this Policy, even if they turn out to be mistaken.

Whistleblowers must not suffer any detrimental treatment as a result of raising a genuine concern. If you believe that you have suffered any such treatment, you should inform the COO immediately.

The Diocese will not tolerate the victimisation of any person who discloses a wrongdoing under this Policy and Procedure. Any such victimisation will be treated as a disciplinary offence.

Where a concern is made in good faith, which is subsequently not confirmed by investigation, no action will be taken against the individual. Individuals should take responsibility for ensuring the accuracy of the information. However, if you make an allegation frivolously, maliciously or for personal gain, you may be subject to disciplinary action.

## 11. CONTACTS

Any queries regarding this Policy and Procedure should be referred to the Head of HR by emailing [human.resources@diocesehn.org.uk](mailto:human.resources@diocesehn.org.uk) or by telephone on 0191 2423301.

Protect offers free, confidential whistleblowing advice <https://protect-advice.org.uk/>. Their contact details are 020 3117 2520.

Catholic Safeguarding Standards Agency. Tel: 0207 901 1920 Email: [admin@catholicsafeguarding.org.uk](mailto:admin@catholicsafeguarding.org.uk) Address: 39 Eccleston Square, London, SW1V 1BX

## 12. COMPLIANCE

Compliance with this Policy and Procedure is mandatory and Diocesan personnel are responsible for knowing and understanding it.

Where breach of this Policy and Procedure is found to be through wilful disregard or negligence, Diocesan employees may be subject to the Diocesan Disciplinary Policy and Procedure. Trustees (excluding clergy) and volunteers may be subject to relevant sanctions which will depend upon the seriousness and consequences of the breach.

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Date Review approved by Board	
Next review date	
Author	

Detail of specific reviews and key changes made:

Reviewer(s)	Date	Review Actions	Approved by Board