

Whistleblowing Policy

The Diocese of Rochester is committed to the highest standards of openness, transparency and accountability, to enable staff and other members of the Diocese to voice safeguarding concerns in an effective manner.

Where an individual discovers information, which they believe shows serious malpractice or wrongdoing within the organisation, this information should be disclosed either internally or externally through the relevant authorities, without fear of reprisal. There should be arrangements in place to enable this to be done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told).

What is whistleblowing?

Whistleblowing is when someone who works in or for an organisation passes on information, which they reasonably believe shows wrongdoing or a cover up by that organisation. For example, the information may be about an activity that is illegal or that creates risks to the health and safety of others. The concern may relate to an incident that has happened in the past, is happening now, or it is believed will happen in the future.

Whistleblowing is a process which allows those with a genuine concern, to bypass formal structures and share their concern with an appropriate person without fear of retribution.

As a whistleblower you are protected by law - you should not be treated unfairly or lose your job because you 'blow the whistle'. To receive legal protection, a whistleblower must be a 'worker' for the organisation about which they are whistleblowing. The definition of 'worker' for whistleblowing purposes includes employees, temporary agency staff, home workers, trainees on vocational schemes, and those whose employment has ceased.

It does not cover the self-employed, volunteers or members of the congregation. Even though these groups are not covered by the legislation that protects whistle-blowers, the Diocese will listen to their concerns seriously and will, where appropriate raise them with the relevant agencies/authorities.

Parishes count as employers not only in respect of paid workers, but also in respect of volunteers.

Who to tell and what to expect

Complaints about how a church discharges its safeguarding responsibilities should be addressed to the Parish Safeguarding Officer or equivalent, or to the Incumbent.

Complaints about the Incumbent or the Parish Safeguarding Officer should be addressed to the Area Dean or Archdeacon.

Concerns which an individual considers cannot be raised through these channels, can be directed to the Diocesan Safeguarding Adviser, Diocesan Secretary, or Diocesan Bishop. If requested the individual's identity, where legally possible, will be withheld from those in the parish.

Those who raise issues under this provision must have a reasonable belief that it is well founded. If an investigation is required, confidentiality will be maintained to the extent that this is appropriate and practical in the circumstances. The person raising complaints or concerns will be informed of the outcome, subject to the normal rules on confidentiality of personal information.

Complaints that don't count as whistleblowing

Personal grievances (e.g. bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest.

It is not designed to question financial or business decisions, nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures.

Complaints and grievances

Complaints and grievances are different to whistleblowing. They are not covered by this policy and there are different steps you should follow.

A **grievance** is when a worker has a dispute about their own employment position. This relates to the worker as an individual, not something that is in the public interest or may create risk or harm for others.

A **complaint** is when a person or someone close to them believes they have been poorly treated as an individual in receipt of services. This is not whistleblowing, as the person is not a worker for the organisation they want to complain about. If you have a complaint about a service you have received, you should refer to the complaints procedures for that service.

Making your claim anonymously or confidentially

The Diocese will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information, and the individual making the disclosure may need to provide a statement as part of the evidence required.

If your information indicates a specific child is at risk, we must pass this on to the authority responsible for protecting that child, even if it risks identifying you. The

protection of children may need to take priority over requests not to be identified. We will do everything we can to share the information in a way that protects your identity. It may not be possible to take an anonymous claim further, if all the information has not been provided.

What will the Diocese do?

The Diocese will listen to your concern, and will keep you informed about the action they have taken. The Diocese will not be able to go into great detail if they have to keep the confidence of other people.

If you are not satisfied with how the Diocese has dealt with your concern, or you believe your concern was not taken seriously, or the wrongdoing is still going on, contact the [Advisory, Conciliation and Arbitration Service \(ACAS\)](#), the whistleblowing charity [Public Concern at Work](#), or your trade union for more guidance.

As an Employee if you are treated unfairly after whistleblowing

You can take a case to an [employment tribunal](#) if you have been treated unfairly because of whistleblowing.

You can get further information from the [Advisory, Conciliation and Arbitration Service \(ACAS\)](#), [Citizens' Advice](#), the whistleblowing charity [Public Concern at Work](#) or your trade union.

If you reported your concern anonymously, you may find it harder to argue that your unfair treatment was as a result of your whistleblowing.

You must raise any claim of unfair dismissal within 3 months of your employment ending.

You must notify ACAS if you want to take your case to an employment tribunal.

Will I be kept informed about what happens?

If you provide us with an email or postal address, we will write to you to confirm we have received your concern.

After we have assessed your information, we will write to you again to confirm the action we have taken or will take.

In some cases, we may not be able to write to you until after we have acted. We may also need to refer your concerns to the relevant agency responsible, with the power to take action, for example where there is a risk of harm to a child.

We will give you as much information as we can about actions we may take. However, we have legal responsibilities, such as a duty to maintain the confidentiality of others we have spoken to. That may limit how much we can tell you.

If the investigation is a prolonged one, the investigating officer should keep you informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses should be in writing and sent to your home address.

Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure, the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual and/or the statutory authorities will be informed. In an extreme case, malicious or wild allegations could give rise to legal action on the part of the persons complained about.

If there is evidence of criminal activity, the investigating officer should inform the police. The Diocese will ensure that any internal investigation does not hinder a formal police investigation.

Timescales

Due to the varied nature of these sorts of complaints, which may involve internal investigators and/or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible, without affecting the quality and depth of those investigations.

Investigating Procedure

Full details and clarification of the complaint will be obtained. The investigating officer should inform the person against whom the complaint is made, as soon as is practically possible. The person will be informed of their right to be accompanied by a trade union or other representative, at any future interview or hearing held under the provision of these procedures.

The Diocese will ensure that pastoral care is provided.

This policy was approved by St. John's Church PCC on the 11th April 2022