**POLICY & PROCEDURE
WHISTLEBLOWING**

1. **INTRODUCTION**

1.1. Rochester Cathedral is committed to achieving high standards of integrity and accountability and wants to create an open environment in which employees and those working on behalf of the Cathedral are encouraged to raise issues with the confidence that they will be acted upon appropriately.

1.2. The Public Interest Disclosure Act 1998 (PIDA) protects employees against detrimental treatment, victimisation or dismissal if in the public interest they blow the whistle on wrongdoing. This policy is therefore designed to conform to legislation as well as guidance from the government and relevant bodies.

1.3. This whistleblowing policy is therefore in place to reassure staff that it is safe and acceptable to speak up and enable concerns to be raised at an early stage and in the right way. Rather than wait for proof the Cathedral would prefer matters to be raised when it is still a concern.

1.4. This policy also supplements, rather than replaces, other employment procedures whereby employees of the Cathedral may already raise complaints or matters of genuine concern relating to their own employment as set out in the Employee Handbook.

1.5. The Chapter Clerk – Executive Director is the nominated responsible officer for this policy and procedures.

1.6. All managers are responsible for ensuring that staff are aware of the policy and its application, and for creating and environment in which staff are able to express concerns freely and without fear of reprisal.
2. **AIMS AND SCOPE OF THE POLICY**

2.1. The aim of this policy and procedure is to outline ways in which all clergy and employees can express concerns about wrongdoing and to encourage these concerns to be raised these at an early stage and in an appropriate way in line with the PIDA.

2.2. As set out in the PIDA for a disclosure to be protected by the Act’s provisions it must relate to matters which qualify for protection under the Act. Qualifying disclosures are disclosures with the worker reasonably believes tends to show that one or more of the following matters is happening now, took place in the past, or is likely to happen in the future:

- a criminal offence, e.g. corruption, theft, or fraud
- breach of a legal obligation e.g. breach of any statutory Code of Practice;
- a miscarriage of justice;
- a danger to the health and safety of any individual, e.g. abuse of any vulnerable adult or child;
- damage to the environment
- deliberate concealment of information tending to show any of the above matters

2.3. This policy applies to any person working for the Cathedral. This includes the clergy and all employees, both permanent, temporary and casual.

2.4. At the moment protection under PIDA is not provided to job applicants, self-employed workers or volunteers, however the Cathedral encourages these groups to raise concerns through these whistleblowing channels. They will receive the same protections as if they worked for the Cathedral.

2.5. Rochester Cathedral is committed to this policy. If anyone raises a genuine concern under this policy, they will not be at risk of losing their job or suffering any detriment (such as reprisal or victimisation). Provided they are acting in good faith (effectively this means honestly), it does not matter if they are genuinely mistaken or if there is an innocent explanation for their concerns. This assurance is not extended to those who maliciously raise a matter they know is untrue. If, following a thorough investigation, it is found that they raised a matter maliciously; this will be dealt with under the Cathedral Disciplinary Policy in the Employee Handbook.

3. **Confidentiality**

3.1. Throughout the process anyone raising a concern will be given full support and the concerns will be taken seriously and treated in confidence.

3.2. It is hoped that anyone will feel able to voice whistleblowing concerns openly under this policy. Completely anonymous disclosures are difficult to investigate. If anyone wants to raise a concern confidentially, every effort will be made to keep their identity secret and only reveal it where necessary to those involved in investigating the persons concern.

3.3. The procedure contained below should ensure that concerns can be addressed and dealt with internally, however if there is a belief that a disclosure of information should be made externally in the public interest this should be soundly based with independent and/or specialist advice being sought first.
4. **Whistleblowing Procedures - How to raise a concern**

**Informal Investigation**

4.1. *Stage 1* - It is hoped that in many cases anyone will be able to raise any concerns firstly with their line manager. This may be done verbally or in writing. The manager will identify the nature of the issue by undertaking a preliminary investigation and take any necessary action. If this is not resolved at this stage the next part of the process will be implemented.

4.2. *Stage 2* - If Stage 1 of the investigation and any resultant action does not resolve the matter or if a concern involves the immediate line manager, the member of staff should raise concerns with the Chapter Clerk- Executive Director who will refer the case to a designated officer who will be the point of contact for employees under this policy.

4.2.1. A meeting will be made with you as soon as possible to ascertain the areas of concern. A colleague may be brought to any meetings under this policy, but the companion must respect the confidentiality of the disclosure and any subsequent investigation. At this stage you will be asked whether you wish your identity to be disclosed and will be reassured about protection from possible victimisation. You will also be asked if you wish to make a written statement. In either case the designated office will write a brief summary of the interview which will be agreed by both parties. You will be also be told how and by whom the concern will be handled; be given an estimate of how long the investigation will take; be told, where appropriate, the outcome of the investigation.

**The Formal Investigation**

4.3. If the concern raised is very serious or complex, a formal investigation may be held. The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the complaint until it becomes necessary to do so. In certain cases, however, such as allegations relating to safeguarding of children and vulnerable adults, suspension from work may have to be considered immediately.

4.3.1. If the result of the investigation is that there is a case to be answered by any individual, the Cathedral’s Disciplinary Policy will be used and the details discovered by the formal investigation, transferred to that process.

4.3.2. Where there is no case to answer, but the employee held a genuine concern and was not acting maliciously, the designated officer will ensure that the employee suffers no reprisals.

4.3.3. If there is no case to answer but there is evidence that the allegation was made frivolously, maliciously or for personal gain, disciplinary action will be taken against the complainant. The matter will be dealt with promptly at each stage.

4.3.4. Where appropriate, immediate steps will be taken to remedy the situation as soon as practicably possible. A final outcome may take more time but a final resolution/outcome at each stage should be available within ten working days.
5. **Complaints about the Chapter Clerk - Executive Director**

5.1. In the event that a concern is about the Chapter Clerk - Executive Director this concern should be made to the Dean of Rochester by either the member of staff, their manager or the designated officer, who will decide on how the investigation will proceed.

6. **Complaints about the Dean**

6.1. In the event that a concern is about the Dean this concern should be made to the Chapter Clerk - Executive Director who will contact the Bishop to decide on how the investigation will proceed.

7. **Raising Concerns with outside bodies**

7.1. It is recognised that there may be circumstances where staff may feel they wish to report matters to outside bodies. The Public Interest Disclosure (Prescribed Persons) Order 1999 which sets out the full prescribed persons list and a description of the matters to which issues of concern could be referred.

7.2. If members of staff are contemplating making a wider disclosure, they are strongly advised to first seek further specialist guidance from professional or other representative bodies.

7.3. The Cathedral also recognises that staff may, after taking account of advice, wish to continue to raise their concerns using other avenues. These might include MPs or the Media. Staff should bear in mind that this action, if done unjustifiably, could result in disciplinary action and could undermine public confidence in the service. However, disclosure may attract statutory protection from victimisation/other detriment where all the following apply:

- They have an honest and reasonable suspicion that the wrongdoing has occurred, is occurring, or is likely to occur;
- They honestly and reasonably believe that the information and any allegation contained in it are substantially true;
- The disclosure has not been made for personal gain;
- The concern has been raised with the Trust or a prescribed regulator (unless there was reasonable belief of victimisation, there was no prescribed regulator and there was reasonable belief there would be a cover up);
- The matter was exceptionally serious.

8. **Independent Advice**

8.1. If you are not satisfied with how the Cathedral has dealt with your concern or you believe your concern was not taken seriously or the wrongdoing is still going on you can contact the following:

**Advisory, Conciliation and Arbitration Service (ACAS)**

8.2. The independent charity 'Protect' operates a confidential helpline. Their contact details are: Helpline: (020) 3117 2520 or email Protect Advice line at whistle@protect-advice.org.
9. Review

9.1. Each year there will be a review of this policy to determine its effectiveness. This is the responsibility of the Chapter Clerk- Executive Director who will then produce, an annual report which will include:

- a record of the number of complaints and types of concerns raised and their outcomes
- feedback from individuals who have used the arrangements;
- any complaints of victimisation;
- any complaints of failures to maintain confidentiality;
- Review of current legislation
- Staff awareness of the policy and procedures.