

# St Padarn's Institute Whistleblowing Policy



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ST PADARN'S INSTITUTE

## Document Control Table

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St Padarn's is part of the Representative Body of the Church in Wales (RB). If a learner suspects that a member of St Padarn's staff, or anyone connected to St Padarn's, is doing something illegal or improper it is important that it is dealt with speedily and properly. In such a situation a learner should report the wrongdoing through the processes of the RB Whistleblowing Policy, which can be found below. Allegations will be dealt with sensitively, and the learner will not be treated less favourably for having made the allegations.<sup>1</sup>

For reference the head of department for St Padarn's is the Principal, and contact details can be found at <https://www.stpadarns.ac.uk/en/about/team/senior-leadership-team/>. The Provincial Secretary's contact details can be found by contacting the Church in Wales at <https://www.churchinwales.org.uk/en/about-us/representative-body/>. If the allegation involves matters relating to Safeguarding, then please follow the advice on the Safeguarding page of the Church in Wales website: <https://www.churchinwales.org.uk/en/safeguarding/reporting-safeguarding-concern/>

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<sup>1</sup> Unless it is found that the allegation was false and made maliciously.

## **The Representative Body of the Church in Wales**

### **Whistleblowing Policy**

Employees will usually be the first to know if someone inside or connected with the Representative Body is doing something illegal or improper and the Representative Body recognises that its employees may feel apprehensive about voicing their concerns. This may be because they feel speaking up would be disloyal to colleagues or to the Representative Body, or that the concerns will not be taken seriously, or fear that there may be repercussions for continued employment.

The Representative Body does not believe that it is in anyone's interest for employees with knowledge of wrongdoing to remain silent. The Representative Body takes all malpractice very seriously whether it is committed by senior managers, staff, suppliers, contractors or members of the wider Church in Wales including its' clergy, laity and volunteers.

To ensure that employees are protected against victimisation or disciplinary action the Representative Body has adopted the principles of the Public Interest Disclosure Act 1998 and will protect employees who report wrong doing or malpractice in the workplace. The aim of the policy is to ensure that as far as possible our employees are able to inform us about any wrong doing or malpractice which they believe has occurred or is likely to occur.

The procedure to be followed if seeking to make a disclosure is set out at Annex 1. Further information about the procedure, its intention and its operation are set out at Annex 2 in the form of commonly asked questions and answers.

## PROCEDURES FOR DEALING WITH SUSPICIONS AND ALLEGATIONS

### Reporting Concerns

There are existing procedures in place to enable employees to lodge a grievance relating to personal employment. The 'Whistleblowing' Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- conduct which is an offence or a breach of law;
- disclosures related to miscarriages of justice;
- health and safety risks, including risks to the public as well as other employees;
- damage to the environment;
- the unauthorised use of funds;
- possible fraud, bribery or corruption;
- sexual or physical abuse of children, young people and vulnerable adults
- other unethical conduct.

Therefore, any serious concerns that employees have about any aspect of the R.B.'s work or the conduct of its senior staff, employees or trustees or others acting on behalf of the Representative Body or the wider church, can be reported under the "Whistleblowing" Policy. This may be about something that:

- makes employees feel uncomfortable in terms of known standards/ experience or the standards employees believe the Representative Body subscribes to;
- is against the Representative Body's Constitution (including Financial Procedure Rules) and various policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

The Representative Body recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for

the fraud/malpractice. The Representative Body will not tolerate harassment or victimisation and will take action to protect the notifying employee when a concern is raised in good faith. The Representative Body further guarantees that the identity of the complainant will be kept confidential wherever possible.

The Representative Body has a number of reporting arrangements available to its employees:

- If an employee discovers a suspected fraud/corruption and malpractice, then it should be reported to the line manager as a matter of urgency. Whilst line managers should establish as many details as possible (by discussion with the notifying employee only), he/she should formally report the incident to the Provincial Secretary.
- If an employee discovers Safeguarding concerns they should follow the reporting arrangements in the Church in Wales Safeguarding Policy.

## THE PUBLIC INTEREST DISCLOSURE ACT 1998

### Internal Procedure for Whistleblowing

#### What sort of activities should be reported using this procedure?

It is impossible to give an exhaustive list of activities that constitute misconduct or malpractice but broadly speaking the Representative Body would expect you to report the following:

- Criminal offences
- Failure to comply with legal obligations
- Miscarriage of justice
- Financial impropriety
- Bribery
- Actions which endanger the health and safety of staff or members of the public
- Abuse of property belonging to the Representative Body
- Actions which are intended to conceal any of the above

It will not always be clear that a particular action falls within one of these categories and employees will need to use their own judgement. However, the Representative Body would prefer you to report concerns rather than keep quiet.

#### Will there be repercussions for my employment if I make a report?

If you make a report in good faith then, even if it is not confirmed by an investigation the concern will be valued and appreciated. In particular you will not be liable to disciplinary action. However, if you make a false report maliciously or for personal gain then you may face disciplinary action.

#### Do I need proof of wrongdoing to make my report?

The Representative Body does not expect you to have absolute proof of any misconduct or malpractice that you report. However, you will need to be able to show reasons for your concern.

## **Will my identity be protected if I make a report?**

Everything possible will be done to keep your identity secret if you so wish. However, there may be circumstances, e.g. If your report becomes the subject of criminal investigation, where you may be needed as a witness. Should this be the case then the matter will be discussed with you at the earliest opportunity.

## **How do I make a report?**

You can make a report orally or in writing. You would normally be expected to raise your concerns with your Head of Department unless your concern involves the Head of Department when you should refer your concern to the Provincial Secretary.

If your concern is about the Provincial Secretary, then you should refer your concern to the Chair of the RB.

If your concern is about the Chair of the RB, then you should refer your concern to the Chair of Audit and Risk Committee and the Archbishop of Wales.

If your concern is a Safeguarding concern, you should follow the reporting arrangements in the Church in Wales Safeguarding Policy.

## **Can I make a report externally?**

The Representative Body hope that this policy will give you reassurance to raise the matter internally in the first instance. However, there may be circumstances where the wrong doing is extremely serious and where it may be appropriate for you to report your concerns to an outside body such as the police.

If you intend to make a report externally then you should be aware that you must have reasonable belief that that malpractice or wrong doing has or is taking place and some evidence to support it.

## **How will my report be investigated?**

You will receive written acknowledgement of receipt of your complaint within 5 working days.

The Head of Department or Provincial Secretary as appropriate will make preliminary enquiries to decide whether a full investigation is necessary then depending on the nature of the misconduct your concerns will either;

Be investigated internally by the Provincial Secretary or the Head of Human Resources

- Referred to an appropriate external person for example the police or external auditors for investigation

Subject to any legal constraints you will be informed of the outcome of preliminary enquiries, or the full investigation and any further action that has been taken.

### **What can I do if I am unhappy with the way in which my concern has been dealt with?**

If you are unhappy with the way in which your concern has been dealt with you may write a further report to the Chair of the Representative Body explaining why you are unhappy and your concern will be investigated again if the Chair considers there to be good reason to do so. There cannot be a guarantee that your concern will be dealt with as you may wish. However, your concern will be handled fairly and properly.

The Representative Body will ensure through its People Committee that the use and effectiveness of this policy will be monitored and evaluated on a regular basis.

### **Can I get independent advice?**

If you are unsure whether to use this procedure or you want independent advice at any stage you may contact the independent charity **Protect** on **020 3117 2520** to obtain free and confidential whistleblowing advice.

<https://protect-advice.org.uk>