

GUIDELINES Number 5D

Whistle-blowing Policy¹

1. Principles

- (a) The brothers and sisters of the First Order are committed to the highest standards of openness, integrity and accountability.
- (b) An important aspect of accountability and transparency is a mechanism to enable Ministers, all members of the Community and those living with us to voice concerns in a responsible and effective manner. Nevertheless, where a brother, sister or a person living with us, discovers information which they believe shows serious malpractice or wrongdoing within the Community then this information should be disclosed internally without fear of reprisal.
- (c) In order for the Community to fulfil its commitment to safeguard and promote the welfare of children and vulnerable adults, whistleblowing principles may also apply to safeguarding situations.
- (d) This policy is intended to assist those who believe they have discovered malpractice or irregularity. It is not designed either to question decisions of the Chapter or used to reconsider matters already addressed under bullying, harassment or safeguarding procedures. Once the whistleblowing procedures are in place it is reasonable to expect brothers, sisters or those living with us to use them rather than air their complaints outside the Community.
- (e) The concerns that this policy covers could include
 - i. Financial malpractice, irregularity or fraud;
 - ii. Failure to comply with charitable status or legal obligation;
 - iii. Dangers to health and safety or the environment;
 - iv. Criminal activity;
 - v. Improper conduct or unethical behaviour;
 - vi. Attempts to conceal any of these.

2. Protection

Protection is offered to those members of the Community and those living with us who disclose such concerns provided the disclosure is made:

- (a) In good faith;

¹ Adapted from *Diocese of Southwark – A Safe Church*

- (b) In the reasonable belief of the person making the disclosure that it tends to show malpractice or irregularity and if they make the disclosure to an appropriate person (see below), and being aware that malicious or wild allegations are inappropriate and may result in further action.

3. Confidentiality

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

4. Procedure for Making a Disclosure

- (a) Concerns, suspicions or uneasiness about practice or behaviour of an individual should be voiced as soon as possible;
- (b) Be specific about what practice is of concern, what has been heard or what has been observed;
- (c) Inform the House Safeguarding Person or the Community Designated Safeguarding Person who informs the Minister Provincial. If there is good reason to inform someone outside the Community then the Chelmsford Diocesan Safeguarding Adviser should be informed;
- (d) Ideally put concerns in writing outlining the background and history, and providing dates and times;
- (e) Provide as many facts as possible, do not rely on rumour or opinion;
- (f) If the concern relates to safeguarding children or vulnerable adults, it should be investigated according to those procedures; If not, it should be investigated according to *Procedure for Formal Complaints: Guidelines Number 5E*;
- (g) The whistle-blower is not expected to prove the truth of a concern or investigate it;
- (h) Within the bounds of confidentiality, the whistle-blower should be given as much information as possible on the nature or progress of any enquiries;
- (i) The Minister Provincial or Guardian should ensure the whistle-blower is not harassed or victimised;
- (j) No action will be taken against a whistle-blower if the concern proves to be unfounded and was raised in good faith;
- (k) Malicious allegations from a whistle-blower will be considered very seriously and may raise pastoral concerns which should be addressed by the Minister Provincial in consultation with the Provincial Chapter.

5. Review

This *Policy* will be reviewed, together with all Safeguarding Policies, each year at the Joint Meeting of the Provincial Chapters.

Pentecost 2018