

# Whistleblowing Policy

---

The Ampleforth Abbey Trust  
Ampleforth Abbey Trading Limited

September 2020

<b>Person responsible for Policy</b>	<b>Jenny Share Director of Governance, People &amp; Culture</b>
<b>Ratified by</b>	<b>Ampleforth Abbey Trust</b>
<b>Version Number</b>	<b>5.0</b>
<b>Date Approved</b>	<b>September 2020</b>
<b>Review Period</b>	<b>1 year or sooner if circumstances change</b>
<b>Next Review Date</b>	<b>September 2021</b>

## Policy: At a glance

- This policy is about staff of the organisations listed above reporting concerns or suspected wrong-doing.
- The policy applies in relation to any genuine concerns related to suspected wrongdoing or danger affecting any activities carried out by the organisations.
- All staff (including employees, monks, officers, trustees, governors, consultants, contractors, volunteers, work placement students, casual workers and agency workers) should follow the policy.

# WHISTLEBLOWING POLICY

## *Introduction*

- 1 The Ampleforth Abbey Trust (AAT) and Ampleforth Abbey Trading Limited (referred to collectively as "we", "us", "our" or "the organisations") are committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards in accordance with the staff Code of Conduct. All organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

## *Aims*

- 2 The aims of this policy are to:
  - 2.1 provide an effective way for you to report suspected wrongdoing as soon as possible, in the knowledge that your concerns will be taken seriously and investigated as appropriate, and that your confidentiality will be respected;
  - 2.2 provide you with guidance as to how to raise those concerns;
  - 2.3 reassure you that you should be able to raise genuine concerns without fear of reprisals, even if you turn out to be mistaken; and
  - 2.4 provide you with alternative referral options if you are not satisfied with the internal response to the concerns you raise.

## *Scope*

- 3 The use of the term "staff" in this policy covers all employees, monks, officers, trustees, governors, consultants, contractors, volunteers, work placement students, casual workers and agency workers of the organisations.

## *Definitions*

- 4 **Whistleblowing:** Whistleblowing is the disclosure of information which relates to suspected wrongdoing, omissions or dangers at work. This may include:
  - 4.1 criminal activity;
  - 4.2 failure to comply with any legal or professional obligation or regulatory requirements (including safeguarding practices or health & safety practices);
  - 4.3 miscarriages of justice;
  - 4.4 damage to the environment;
  - 4.5 bribery;

- 4.6 financial fraud/mismanagement;
  - 4.7 other unlawful or unethical conduct in the workplace;
  - 4.8 the deliberate concealment of any of the above matters.
- 5 **Whistleblower:** A whistleblower is a person who raises a genuine concern relating to any of the above.

***Using this Policy***

- 6 If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you must report it under this policy.
- 7 For safeguarding-related matters it is important to read this policy in conjunction with the Trusts' safeguarding policies. Any individual safeguarding concerns or disclosures will be taken forward using the relevant policy; in particular:
- 7.1 **Safeguarding concerns about an individual:** If you have any concern about the welfare of a child or adult at risk, action must be taken immediately. Please see the following policies and procedures for full information about what to do if you have a concern:
    - 7.1.1 about a child, please see the AAT Policy and Procedures for the Protection and Safeguarding of Children; or
    - 7.1.2 about an adult at risk please see the Safeguarding Adults Policy and Procedure.
  - 7.2 **Safeguarding concerns about individual conduct of a member of staff:** If you have any concern about the conduct of a member of staff in relation to safeguarding you should act immediately. If you have a concern about the conduct of a member of staff of AAT, please see the AAT Policy and Procedures for the Protection and Safeguarding of Children.
  - 7.3 **Safeguarding Practice:** You should use the Whistleblowing Policy and Procedure to raise concerns about poor or unsafe practices at any of the organisations or potential failures by us or our staff to properly fulfil our or their safeguarding responsibilities.
- 8 **Grievances:** This procedure should not be used where you have a complaint relating to your personal circumstances in the workplace. The grievance procedure contained in the Staff Handbook is the appropriate procedure to be used in such cases.
- 9 **The Modern Slavery helpline:** We are committed to the prevention of Modern Slavery. If you have any queries relating to Modern Slavery please contact the Human Resources Office or the Director of Governance, People and Culture. Identified instances of modern slavery should be immediately notified to the police. If you think you have identified an instance of modern slavery, or if you consider that you may be a victim of modern slavery you may contact the Modern Slavery helpline on 0800 0121 700.
- 10 **Advice:** If you are uncertain whether something is within the scope of this policy you should seek advice internally from the Director of Governance, People and Culture, the Designated

Safeguarding Lead, the Director of Safeguarding, or externally from Public Concern at Work, the NSPCC whistleblowing helpline or the Modern Slavery helpline. Additional guidance on whistleblowing is also available at: <https://www.gov.uk/whistleblowing> .

### ***Protection for Whistleblowers***

- 11 The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 and it provides protection for individuals who raise legitimate concerns about specified matters, outlined in point 4 above.
- 12 **Detriment:** Provided that this procedure is used appropriately and correctly, you will not suffer any detriment as a result of reporting a suspected wrongdoing or raising a concern about working practices. A failure to follow this procedure may however make the disclosure unreasonable and the protection given to you by this procedure may be lost.
- 13 **Confidentiality:** We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity confidential. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you prior to making a disclosure.
- 14 **Anonymous disclosures:** We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Therefore when an anonymous concern is raised, and there is insufficient evidence or information for us to properly investigate it, it will be concluded that the concern does not warrant further investigation. If it is decided that there is sufficient evidence to investigate it, the individual investigating will follow the procedure below, amended as necessary in the circumstances to adapt to anonymity.

## *How to Raise a Concern*

### Stage one

- 15 **Procedure:** If you have a concern about risk, malpractice or wrongdoing in the workplace, we hope you will feel able to raise it first with your **line manager**. This may be done face to face, by phone or in writing. In the event that your line manager is involved in the suspected wrongdoing, you should proceed directly to Stage Two of this procedure.
- 16 **Response:** Any concern raised will be investigated thoroughly and in a timely manner. Appropriate corrective action will be taken. You can expect to be kept informed of progress (including timescales for resolution) and, whenever possible and subject to third party rights, you will be informed of the resolution.

### Stage two

- 17 **Procedure:** If you feel unable to raise the matter with your line manager for whatever reason, or if your Line Manager is involved in the suspected wrongdoing, or if you receive no response from your Line Manager after following Stage one above, please approach any member of the **AAT Executive Team**.
- 18 **Response:** Any concern raised will be investigated thoroughly and in a timely manner. Appropriate corrective action will be taken. You can expect to be kept informed of progress (including timescales for resolution) and, whenever possible and subject to third party rights, you will be informed of the resolution.

### Stage three

- 19 **Procedure:** If these channels have been followed and you still have concerns, or if the matter is so serious you feel you cannot discuss it with any of the above, or if the Chief Executive Officer is involved in the suspected wrongdoing you should inform the **Chair of AAT Trustees**.
- 20 **Response:** Any concern raised will be investigated thoroughly and in a timely manner. Appropriate corrective action will be taken. You can expect to be kept informed of progress (including timescales for resolution) and, whenever possible and subject to third party rights, you will be informed of the resolution.

## *Recording Concerns*

- 21 A full written record will be made by the individual to whom a concern is reported of all concerns raised under any of the stages set out below. This will include a record of the concern, details of the investigation and the outcome. Save where the particular circumstances of a case would mean this was not appropriate, the Human Resources department will keep a confidential central record of all such matters, to enable any trends or recurring themes to be identified.

- 22 The individual to whom a concern is reported will notify the Clerk to the relevant Board of Trustees that a concern has been received and also of the outcome. This will enable trustees to understand the nature and volume of concerns being reported and satisfy themselves that appropriate action has been taken.

***Relevant external reporting***

- 23 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In some circumstances it may be appropriate for us to report your concerns to a relevant outside body including:
- 23.1 the Charity Commission;
  - 23.2 the Police (including Channel);
  - 23.3 HM Revenue & Customs;
  - 23.4 The Financial Services Authority;
  - 23.5 the Department for Education/Independent Schools Inspectorate;
  - 23.6 Children's Social Care/local safeguarding partnership;
  - 23.7 the Health and Safety Executive;
  - 23.8 the Environment Agency;
  - 23.9 the Information Commissioner;
  - 23.10 the Fundraising Regulator
- 24 We reserve the right to report your concerns to any of the bodies listed in 23 above without your consent.
- 25 We encourage you to exhaust the internal processes in this procedure in the first instance, but acknowledge that that you have a legal right to make a disclosure to prescribed bodies including those listed in 23 above. If you choose to so report then you are encouraged to seek advice before reporting from one of the bodies below:
- 25.1 **Public Concern at Work:** If you have any concerns about disclosing a suspected wrongdoing the independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. Staff can call 020 7404 6609 for advice.
  - 25.2 **NSPCC:** The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 (8.00 am to 8.00 pm Monday to Friday) or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk).
  - 25.3 **The Modern Slavery helpline:** The Modern Slavery helpline is available for staff who do not feel able to raise concerns about modern slavery internally. Staff can call on 0800 0121 700.
  - 25.4 **The Medaille Trust:** The Medaille Trust was established by a group of Religious Congregations to help victims of human trafficking. They can be contacted on 0161 817 2260 or at [enquiries@medaille-trust.org.uk](mailto:enquiries@medaille-trust.org.uk).

- 26 You should under no circumstances approach a commercial body or the media with details of the suspected wrongdoing. If you approach any such body and or where your concern is disclosed in a malicious manner or for personal gain this may make the disclosure unreasonable and the protection given to you by this procedure may be lost. Additionally, we may consider this to be misconduct and disciplinary action may be taken against you.

***Queries***

- 27 If you have any queries about this policy, you should contact the person responsible for this policy set out on the front page.