CATHOLIC SYRO-MALABAR EPARCHY OF GREAT BRITAIN

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Whistle Blowing Policy

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Document control

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Whistle Blowing Policy	1.0	Final	Data Protection Officer

Document objectives:	This policy supports the Catholic Syro-Malabar Eparchy of Great Britain (CSMEGB) the avenues for its clergy, staff and volunteers feel confident in raising serious concerns at the earliest opportunity and to question and act upon concerns about practice.	
Target audience:	The Clergy, staff and volunteers of CSMEGB	
Committee/group consulted:	Eparchy resource.	
Monitoring arrangements and indicators:	This policy will be monitored by the Eparchial Curia to ensure it is always updated with the latest Eparchial requirements/ changes to national policies.	
Approved and ratified by:	Approved by Eparchial relevant commissions - DP Commission Meeting Ratified by Executive Committee (The Curia)	*March 2025* *Date*
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Author:	Paul Antony	Owner	The Bishop and the Trustees

Change Record

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Whistle Blowing Policy

1. Introduction

The Holy Father, Pope Francis, erected the Catholic Syro-Malabar Eparchy of Great Britain (henceforth will be called 'The Eparchy or CSMEGB' throughout this document) in July 2016. As an ecclesiastical entity, this Eparchy is governed by Canon law. All oriental Catholic Churches are administered according to the Code of Canons of Eastern Churches (CCEO). In addition, the Syro-Malabar Catholic Church, one of the 24 sui iuris (self-governing) Churches, has its own Particular Laws. As the head of this Eparchy when and where necessary, the bishop issues/promulgates instructions, guidelines and procedures for the smooth and effective administration of the Eparchy. Canonical issues, concerns, and complaints pertaining to this Eparchy are to be handled by this policy and procedure.

This Eparchy is also a registered Charity under the Charity Commission of England and Wales and any concerns pertaining to the activities of this Charity are to be addressed according to the guidelines of the Charity Commission and the relevant UK legislative laws. Information about the kind of complaints the Charity Commission can involve itself in can be found on its website - https://www.gov.uk/complain-about-charity.

The Eparchy is committed to ensuring high standards of conduct in all that it does. It is important that employees, volunteers and clergy know what to do if they come across something that they think is fundamentally wrong, illegal or endangers others within Eparchy or the public. The whistleblowing procedures will guide employees through the process of raising a concern. The reporting of wrongdoing under the whistleblowing procedure may be covered by the law concerning protected disclosure of information. The procedure has therefore been written with reference to the Public Interest Disclosure Act 1998 (PIDA), which offers protection to those in both the private and public sectors who 'blow the whistle' in certain circumstances. All staff, at any time, have a statutory right to express concerns under the (PIDA). It is important that the whistleblowing procedure is followed when raising any concerns, to ensure that the matter is dealt with correctly. Where a concern is properly raised under this procedure, the individual will be protected from any unfair or negative treatment. This Policy is intended to enable those who become aware of wrongdoing in the Eparchy affecting some other person or service, to report their concerns at the earliest opportunity so that they can be properly investigated.

The Whistleblowing Policy is not intended to replace existing procedures:

- If your concern relates to your own treatment as an employee, you should raise it under the existing grievance or harassment procedures
- If a parishioner or member of the public has a concern about services provided to him/her, it should be raised as a complaint to the Eparchy
- Complaints of misconduct by Eparchy are *dealt with under a separate procedure (complaints policy & procedure)*

2. Background

2.1 The Public Interest Disclosure Act amended the Employment Rights Act 1996 and it provides protection for individuals who raise legitimate concerns about specified matters, outlined below. These are known as qualifying disclosures. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by a employees and associated persons who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;
- is being, has been, or is likely to be, committed.

It is not necessary for the employees and associated persons to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The employees and associated persons has no responsibility for investigating the matter - it is the Eparchy's responsibility to ensure that an investigation takes place.

2.2 If a protected disclosure is made, the person making the disclosure has the right not to be dismissed, subjected to any other detriment, or victimised. This is the case even if it became evident that the person making the disclosure was genuinely mistaken. Although volunteers are not afforded the same legal protection that is afforded to employees, as far as possible, all individuals making a disclosure will be treated in the spirit of the Public Interest Disclosure Act 1998.

3. Scope and definitions

3.1 The Scope of the Policy: This policy applies equally to all its employees, clergy, Directors, Director of Trustee, volunteers, consultants or any person or body acting for, or on behalf of, the Eparchy ("collectively known within this document as associated persons") and makes it known as to how an individual can make a disclosure under the Public Interest Disclosure Act 1998. This includes other individuals performing functions in relation to the Eparchy, such as agency workers, volunteers, parishioners and contractors.

3.2 Definitions – Whistleblowing: Usually a single person, often an employee, who reveals information about activity within a private or public organisation that is deemed illegal, an omission/s, immoral, illicit, unsafe or fraudulent. Whistleblowers can use a variety of internal or external channels to communicate information or allegations.

4. Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Employees and associated persons should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the employees and associated persons who raised the issue.
- No employees and associated persons will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.

- Victimisation of a employees and associated persons for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the organisation's disciplinary procedure will be used, in addition to any appropriate external measures.
- If an employee and associated persons is either employed directly or engaged by contract by the Eparchy directly maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager or director, employees and associated persons should not agree to remain silent. They should report the matter to the Director or Head of Human Resources.

5. Details of the Policy

5.1 Untrue or Malicious Allegations: If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, action may be taken against you in accordance with the relevant organisational policy and procedure.

5.2 Non-Whistleblowing Concerns: This policy is only to be used in the circumstances outlined above. There will be other Eparchial, congregational or organisational policies and procedures that will be relevant in other circumstances. This may include, but is not limited to:

- management of allegations and concerns relating to children;
- management of allegations and concerns relating to adults at risk;
- grievance;
- disciplinary;
- harassment and bullying;

5.3 How are whistle-blowers protected?
You're a whistleblower if you're an employee and if you report certain types of wrongdoing. This may be something you've seen at work – although not always. The wrongdoing you disclose must be in the public interest. This becomes a qualifying disclosure and is what makes the act of whistleblowing 'protected' by law. An example of this means the wrongdoing you are reporting must affect others, for example the general public. As mentioned previously as a whistleblower an employee is protected by law - you will not be treated unfairly or lose your job because you 'blew the whistle'.

6. The Eparchy Whistle Blowing Procedure

It is important to the Eparchy that any fraud, misconduct or wrongdoing by employees or officers of the organisation is reported and properly dealt with. The organisation therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the institution or the way in which the institutions operations are run. This procedure sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

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The organisation encourages employees, clergy and associated persons to raise their concerns under this procedure in the first instance. If a employees and associated persons is not sure whether or not to raise a concern, they should discuss the issue with either the priest in-charge at the parish/mission/proposed mission or a member of the Curia at the Eparchy level with assurance that this will be in the strictest of confidence.

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This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should use the organisation's grievance procedure. Whistleblowers should note that they will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.

6.1 **Procedure**

In the first instance, all whistleblowing concerns should be emailed to: **whistleblowing@csmagb.net** or write to Whistleblowing, c/o **Bishop's Office, St. Ignatius Square, Preston, Lancashire, United Kingdom, PR1 1TT**

Commented [PA2]: This is the suggested e-mail ID and who will monitor this mailbox?

Your concern will be acknowledged and passed onto an appropriate person to investigate, within seven days.

The concern(s) can be referred to the Charity Commission at any stage. However, the Charity Commission requires whistleblowing issues to be made to the CSMEGB in the first instance, unless there is a reason why this could not be done. Further information about the role of the Commission can be found on their website – see link below.

Whistleblowers are encouraged to raise their concern(s) in writing where possible, setting out the background and history of their concern(s) (giving names, dates and places where possible) and indicating the reasons for their concerns.

6.1.1. Protecting the Individual Raising the Concern

CSMEGB will take appropriate action to protect the whistleblower from any harassment, victimisation or bullying. Whistleblowers who raise a genuine concern(s) under this policy will not be at risk of losing their post, job or being asked to leave their voluntary role, nor will it influence any unrelated disciplinary action or redundancy procedures (employees only). The matter will be treated confidentially and the whistleblower's name or position will not be revealed without their permission unless CSMEGB must do so by law. If, in other circumstances, the concern(s) cannot be resolved without revealing the whistleblower's identity, the investigating officer will discuss this with them. If the whistleblower agrees for their identity to be disclosed this agreement will be confirmed with them in writing.

6.2 How the Eparchy will Deal with The Concerns

Upon receipt of the concern, within 10 working days, the officer responsible will write to confirm receipt of the concern and that an investigation is taking place.

If the concern(s) relates to a Trustee, the Chair of Trustees will be informed about it. If the concern(s) relates to a member of the clergy, the Bishop will be informed of it. Should the concern(s) relate to an Eparchy employee, the relevant ------------------- will be notified about it. If the concern(s) relates to a potential safeguarding, Data Protection, Finance and Health & Safety issue, it will automatically be forwarded to the relevant service leads for investigation/resolution.

If a meeting is needed, it may be arranged off site if desired, and a friend may accompany the whistleblower. It may be necessary for the whistleblower to subsequently give evidence in disciplinary or criminal proceedings.

CSMEGB will give the whistleblower feedback on the progress and outcome of any investigation wherever possible, subject to third party rights. This will include details on their right to lodge an appeal.

There can be no prescribed time limits for completion of the investigative process, but it will obviously be in the interests of all concerned if the issue is resolved without delay.

If the whistleblower has any concerns about the way in which the investigation is being handled, then he/she should raise this with the designated investigating officer in the first instance. If the concern remains unresolved then the whistleblower may contact the Trustee identified in Section 7 with his/her concerns.

Subject to any relevant legal constraints, the whistleblower will be informed of the action to be taken. If the whistleblower does not agree with the outcome, then he/she will have 10 days in which to make his/her concerns known. This should be done by emailing **whistleblowing@csmegb.net** and the matter will be taken to the appeal stage, in accordance with the process as set out in Section 6.3

If the concern(s) are not proven by an investigation, the matter will be closed. Employees, workers, post-holders and volunteers will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected.

If the concern(s) are proven, the investigating officer may refer the matter on for further action under the relevant policy or procedure.

6.3 Appeal Process

The whistleblower has ten (10) (working) days from notification of the outcome in which to lodge an appeal. In lodging an appeal, the whistleblower should provide the reason(s) why they consider the outcome to be unsatisfactory.

The appeal should be acknowledged within 15 working days of receiving it by the bishops' office. The acknowledgement should say what will be considered as part of the appeal process and when a response will be provided. The bishop will constitute an appeal commission consisting of at least 3 members. If needed, in extraordinary circumstances, it is the discretion of the bishop to appoint more than 3 members into the commission, however the number of members should be in odd numbers. The Syncellus in-charge of the region would the de-facto chair of the meeting and Regional Coordinator will be a member of the commission. One of the members will take the minutes of the proceedings. The appeal commission needs to interview the whistle blower directly.

The appeal commission will prepare an investigation report with their findings and their recommendations and submit to the bishop. Ideally the whistle blower should receive a definitive reply within 30 working days. If this is not possible because, for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

The response letter will normally explain:

- What has been considered as part of the appeal process?
- what records / evidence has been assessed as part of the appeal process?
- The agreed or proposed action to be taken to resolve the problem.
- Time scales where actions are required.
- whether the appeal is upheld partially upheld or not upheld

If on conclusion of the appeal process, the employee or associated person reasonably believes that the appropriate action has not been taken, they should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made.

These include:
• HM Revenue & Customs;
• the Financial Conduct Authority;
• the Competition and Markets Authority;
• the Health and Safety Executive;
• the Environment Agency;
• the Independent Office for Police Conduct; and
• the Serious Fraud Office.

7. Procedure Related to Safeguarding

The CSMEGB adopts the whistleblowing policy published and made available for use by the Catholic Safeguarding Standards Agency (CSSA) which can be accessed by the link below.

National Safeguarding Policy

8. Procedure Related to Data Protection, Finance & Health & Safety.

The Eparchy will follow its general whistleblowing procedure which is set out on section 6 for these areas.

8.1 **Data Protection**.

When an individual makes a disclosure, the CSMEGB will process any personal data collected in accordance with its Data Protection Policy. When an individual makes a disclosure, the organisation will process any personal data collected in accordance with its Data Protection Policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure. Data collected from the point at _which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

9. Policy Review

The Catholic Syro-Malabar Eparchy of Great Britian will review this policy at least once every two (2) years to make any updates needed.

Appendix A

Title of Appendix