



# The Spiritans

British Province  
Congregation of the Holy Spirit

*One Heart  
One Spirit*

## Policy Purpose

The Spiritans are committed to maintaining an open culture and the highest standards of honesty and accountability and takes this responsibility very seriously. This policy outlines what Order's staff member/volunteer/Trustee Board member, etc. should do if they suspect something or someone at the Order is putting them or others in danger or is illegal or unethical.

## Policy Scope

The Spiritans aim to encourage all its people to speak up and report any concern where they have reasonable belief that wrongdoing has occurred, is occurring or is likely to occur.

## The Policy

### What is Whistleblowing?

Whistleblowing is a term used:

- where an individual raises concerns about inappropriate, underhand or illegal practices within their organisation or an associated organisation, in the public interest, or
- when an individual discloses information relating to malpractice or wrongdoing and/or the covering up of malpractice or wrongdoing

Whistleblowing is distinct from complaints, grievances and employment disputes.

The Order's policy offers protection to any of our people who honestly and reasonably believe that underhand or illegal practices are taking place and provides the environment in which to report them, confidentially. Anyone who raises matters or concerns under this policy are protected against detrimental treatment, up to and including dismissal because they have made a disclosure.

The Order will take your concerns seriously, they will be thoroughly investigated and you can be confident there will be no reprisals.

The Order undertakes to comply with all applicable laws relating to the prohibition of retaliation against good faith Whistleblowers, including the [Public Interest Disclosure Act 1988](#).

The types of concerns you may want to raise with us by whistleblowing can include:

- any activity you suspect is criminal (facilitating tax evasion, for example)
- any activity you suspect puts health and safety at risk
- any miscarriage of justice
- any activity you suspect may damage the environment
- any activity you suspect breaches our Bribery policy
- any failure to comply with legal or regulatory obligations
- any failure to meet professional requirements
- any attempt to conceal one or more of these activities.

It is the policy of the Order to

- Protect anyone who whistle blows from any personal claims and from any victimisation, harassment or bullying, resulting from the disclosure.
- Refrain from any disciplinary action; the case of any person should not in any way be harmed or hindered as a result of the disclosure (whether proved to be true or not, providing it was reported in good faith).
- Refrain from any reprisal or similar action against a Whistleblower because he/she made a protected disclosure under this policy (such as potential gross misconduct) which may result in disciplinary action.

Whistleblowing about any form of wrong-doing or unacceptable behaviour is always the right thing to do. Where the nature of a disclosure is not included in the above list, it should be made via the Order's Grievance Procedure.

### **Failure to Disclose Potential Concerns**

Failure to notify the Order when reasonably aware or certain of any occurrence included in the list above is regarded as misconduct.

### **How to Raise a Whistleblowing Concern**

In the event that someone has reason to believe that underhand or illegal practices are taking place in the Order, he/she is encouraged to disclose them immediately to their manager, as follows:

1. The Whistleblower should start by raising the concerns with his/her manager, either face-to-face or in writing.
2. The Whistleblower should communicate verbally or in writing that concerns are being raised under this policy and explain what those concerns are, including all the key facts, dates and names of the people involved.

3. Anonymous disclosures will be considered but are discouraged because anonymity can make it difficult to investigate, protect those concerned, or provide feedback on outcomes.
4. The Whistleblower will be invited to a meeting to discuss his/her concerns and is entitled to be accompanied at this and any subsequent meetings by a colleague or Trade Union representative. Any disclosures between the Whistleblower and representative should be kept confidential before and after the meeting(s) and during any investigation that may follow.
5. After the initial meeting, the Order will investigate the Whistleblower's concerns and may ask him/her to attend further meetings. To investigate properly, we may involve specialists with particular knowledge or experience of the issues raised.
6. The Whistleblower will be kept informed about how the investigation is progressing and how long is it likely to take. He/she may not be given details about the investigation (or any action it leads to) as we may need to protect confidentiality and comply with legal obligations.
7. The Whistleblower's concerns will be addressed fairly by the Order but we cannot guarantee the outcome of our investigation will be the one the Whistleblower wants. If he/she is not satisfied with how we have conducted the investigation, there is scope to take the matter to the Order's Board of Trustees for further consideration.

Should the Whistleblower feel uncomfortable about raising concerns in this way, he/she should approach any individual Order Trustee. If the Whistleblower is still unsure whether this is the appropriate route for raising a concern (or is dissatisfied with the final outcome of any investigation), he/she should contact an external body for advice such as:

- The Charity Commission
- Fundraising Regulator
- Care Quality Commission
- Health and Safety Executive
- Citizens Advice Bureau
- The police (if you suspect illegal activity)

While the Whistleblower is not expected to have absolute proof of malpractice, he/she needs to be able to demonstrate the reasons behind any concerns. Most concerns are raised with good intentions but occasionally someone makes a false allegation out of malice or because they believe they have something to gain. Anyone found doing this will face action under the RLG's Disciplinary Policy and is at risk of being dismissed for gross misconduct.

### **Confidentiality and Anonymity**

The Order will always endeavour to keep a Whistleblower's identity confidential where asked to do so, although we cannot guarantee this and we may need to disclose the Whistleblower's identity to:

- the police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud)
- the courts (in connection with court proceedings)
- another person to whom we are required by law to disclose your identity.

In such instances, the Order will inform the Whistleblower at the earliest opportunity. In the interests of confidentiality and fairness, the Whistleblower must not discuss the matter further.

### **How the Order protects Whistleblowers**

If you raise a genuine concern under this policy, we will support you fully even if we find through our investigations that you made a mistake or that there has been no breach of policy or legal obligation. However, if you feel you have been treated badly as a result of raising a concern, you must tell us straightaway. First, you must inform your manager and if the matter remains unresolved, you must follow the formal process in our Grievance Policy.

All Whistleblowers are given the same protection, so the Order must not threaten or otherwise badly treat others who have raised concerns under this policy. To do so may result in disciplinary action which could include dismissal for gross misconduct. The Whistleblower may also be able to bring legal action against the Order.

You can get further advice on whistleblowing, protecting confidentiality and being protected from reprisals at: [www.protect-advice.org.uk](http://www.protect-advice.org.uk). Protect is an independent charity that also offers an advice line: [020 3117 2520](tel:02031172520).