

Safeguarding:  
Policies and  
Procedures

April 2021



**LICHFIELD**  
CATHEDRAL



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## 1. Introduction

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The following documents include all policies and procedures relating to safeguarding at Lichfield Cathedral

These safeguarding policies and procedures accompany the Safeguarding Handbook and can be found on the shared drive at T:\Public Docs\13. Policies

Relevant documents can also be found on Lichfield Cathedral's website [www.lichfield-cathedral.org](http://www.lichfield-cathedral.org)

The safeguarding policies and procedures aim to be compliant with relevant legislation, statutory guidance, local interagency guidance and Church of England guidance.

The term 'Church Officers' is used throughout the document and refers to any person connected to Lichfield Cathedral including clergy, employees and volunteers.

### [Links to national and local guidance](#)

It should be noted that safeguarding guidance follows a hierarchy with law and statutory guidance highest followed by local interagency guidance, then Church of England. The purpose of agency specific guidance is to make national documents applicable within a local context, fill any gaps and to be accessible.

#### *Government*

[Working Together to Safeguard Children \(statutory guidance\)](#)

[Care and support \(statutory guidance\)](#)

#### *Staffordshire interagency guidance*

[Staffordshire Safeguarding Children Board](#)

[Staffordshire and Stoke on Trent Adult Safeguarding Partnership Board](#)

#### *Church of England*

[Parish Safeguarding Handbook](#)

[Safer Environment and Activities](#)

[Code of Safer Working Practice](#)

[Practice Guidance: Responding to Safeguarding Concerns or Allegations that relate to Children, Young People and Vulnerable Adults \(2018\)](#)

[Practice Guidance: Responding to, assessing and managing concerns or allegations against church officers \(2017\)](#)

[Responding well to domestic abuse \(Policy and practice guidance\) \(2017\)](#)

[Responding well to those who have been sexually abused \(Policy and practice guidance\) \(2011\)](#)

[Practice Guidance: Safer Recruitment \(2016\)](#)

[Practice Guidance: Safeguarding Training and Development \(2019\)](#)

## 2. Code of conduct

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### General code of conduct

The values we will seek to embody

#### *Healing*

Lichfield Cathedral has been, since earliest times, a place where people sought healing. We will seek to be a place where people's desire for health and healing of mind, body, relationships and world can be prayed for; where the sacraments of healing are regularly celebrated; where space is made for quiet prayer and the ministry of intercession is offered and available.

#### *Holiness*

The Cathedral building points people to God through the love of Jesus Christ; the Cathedral community is caught up in the proclamation of the Christian faith and in living out its message. The Cathedral is a holy space through which people can begin to experience God. It is animated by worship and prayer; the building and its history offer an invitation to all to encounter God and God's peace. Music is offered at the highest standard to enhance its feeling of holiness and for people to glimpse God through the holiness of beauty.

#### *Hospitality*

A Christian welcome is the first obligation the Cathedral has to all its visitors; that attitude of hospitality will be further exemplified by the way we trade in the Shop and Café, the way we answer enquiries, by our web presence, notices, communications and marketing. It will be further resourced by our programme of music, tours and visits, events and exhibitions, performance, interpretive literature and display. It will help visitors/pilgrims engage with the Cathedral and open opportunity for prayer and reflection.

#### *Hope*

The Christian faith is about a hope that helps us look forward, confident of what God has achieved in Jesus Christ; that sees us through evil, sin and death; and is resilient in the face of wickedness and suffering. The Cathedral's whole mission is to offer an alternative view of life and, in its approach to people and opportunities, it will seek to inform each with all the patience, energy and wisdom of Christian hope. The Cathedral will seek to serve and understand the challenges and changing needs of our world and society and will work in partnership with the Diocese and other organisations to bring a distinctive note of hope to all our contemporary concerns.

*(Lichfield Cathedral Strategic Vision 2014 – 2023).*

It is the responsibility of all who work or volunteer with the Cathedral to:

- Act within their role description.
- Act in the best interests of Lichfield Cathedral as a whole – considering what is best for the organisation and its beneficiaries always acknowledging the difference between the role of staff and the role of the volunteers and stakeholders (the worshipping community).

- Manage conflicts of interest effectively by abiding by Lichfield Cathedral’s conflict of interest policy which can be found at T:\Departments\HR or which can be requested by contacting the Cathedral office.
- Comply with the Church of England’s Safeguarding responsibilities; including children, young people and vulnerable adults; as well as our commitment to responding well to those suffering from domestic abuse and mental health issues.
- Respect confidentiality – understanding what confidentiality means in practice for Lichfield Cathedral, its governance bodies, staff and volunteers. Any information about Lichfield Cathedral or its employees, volunteers, or its congregation that comes into your possession because of your work with the Cathedral, whether as employee or as a volunteer, is confidential and should remain so at all times.
- Ensure all correspondence either verbal, email or letter is polite, fit for purpose and sent only to the intended recipient.
- Attend meetings and other appointments on time or give timely apologies
- Actively engage in discussion, debate and voting in meetings – contributing positively, listening carefully, challenging sensitively and avoiding conflict.
- Work considerately and respectfully with all – respecting diversity, different roles and boundaries, and avoiding giving offence.
- Work to protect the good name of Lichfield Cathedral and avoiding bringing the organisation into disrepute.
- Adhere to the Safeguarding code of acceptable conduct.

### Safeguarding code of acceptable conduct

In addition to the Cathedral’s general code of conduct, Church Officers must commit to the following safeguarding code<sup>1</sup> in relation to children and vulnerable adults.

The examples in the code should not be seen as exhaustive and it is important that they are upheld in the spirit. Importantly, your actions and behaviours should be guided by asking yourself, ‘whatever my intentions, how would the child, vulnerable person, their family, my colleagues, the Church or wider society perceive my behaviour?’ - if there is any doubt – don’t do it.

### Upholding the Code

All members of staff and volunteers are expected to report any breaches of this code to the Cathedral Safeguarding Officer. Breaches of the code place the onus on the person to explain their behaviour. Staff and volunteers who breach this code may be subject to disciplinary procedures or asked to leave their role. Serious breaches may also result in a referral made to the relevant statutory agency.

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<sup>1</sup> Based on the Church of England’s [Safer Environment and Activities guidance](#) (2019)

All those working on behalf of the Cathedral with children, young people and adults must:

- Treat all individuals with respect and dignity
- Respect people's rights to personal privacy
- Ensure that their language, tone of voice and body language are respectful
- Ensure that children, young people and adults know who they can talk to about a personal concern
- Record and report any concerns about a child, young person or adult and/or the behaviour of another worker with their activity leader and/or the Parish Safeguarding Officer. All written records should be signed and dated
- Obtain written consent for any photographs or videos to be taken, shown, displayed or stored.

In addition, those working with children and young people must:

- Always aim to work with or within sight of another adult
- Ensure another adult is informed if a child needs to be taken to the toilet
- Respond warmly to a child who needs comforting but make sure there are other adults around
- Ensure that the child and parents are aware of any activity that requires physical contact and of its nature before the activity takes place.

All those working on behalf of the Cathedral with children, young people and adults must not:

- Use any form of physical punishment
- Be sexually suggestive about or to an individual
- Scapegoat, ridicule or reject an individual or group
- Permit abusive peer activities e.g., initiation ceremonies, ridiculing or bullying
- Show favouritism to any one individual or group
- Allow an individual to involve them in excessive attention seeking
- Allow unknown adults access to children, young people and adults who may be vulnerable. Visitors should always be accompanied by an approved person
- Allow strangers to give lifts to children, young people and adults who may be vulnerable in the group
- Befriend children, young people and adults who may be vulnerable on social media or give personal contact details
- Take photographs on personal phones or cameras as this means that images are stored on personal devices.

In addition, for children and young people, must not:

- Give lifts to children you are supervising, on their own or your own (unless there are exceptional circumstances e.g., in an emergency for medical reasons or where parents fail to collect a child and no other arrangements can be made to take a child home. In such situations, the circumstances and your decision must be recorded and shared with an appropriate person at the earliest opportunity)
- Smoke, drink alcohol or use illicit substances (or promote their use) in the presence of children and young people
- Arrange social occasions with children and young people (other than events which also include family members/carers) outside organised group occasions.

### Acceptable Touch

Sympathetic attention, encouragement and appropriate physical contact are needed by children and adults. Some physical contact with children, particularly younger children, can be appropriate. However, abusers can use touch that appears safe to 'normalise' physical contact which then becomes abusive. As a general rule, the use of touch between adults in positions of responsibility and those with whom they are working or volunteering should be initiated by the person themselves, and kept to the minimum. In addition to this, always follow the guidelines below:

- Ask permission before you touch someone
- Allow the other person to determine the degree of touch except in exceptional circumstances (e.g., when they need medical attention)
- Avoid any physical contact that is or could be construed as sexual, abusive or offensive
- Keep everything public. A hug in the context of a group is very different from a hug behind closed doors
- Touch should be in response to a person's needs and not related to the worker's needs. Touch should be age appropriate, welcome and generally initiated by the child, not the worker.

### 3. Conflict Of Interest Policy

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#### Preamble

Those responsible for administering a charity (the 'charity trustees') must act in the best interests of the charity. Amongst other things, that requires them to avoid anything that prevents decisions being taken by reference to other considerations. It also follows that charity trustees need to avoid putting themselves in a position in which their duty to act only in the best interests of the charity could conflict with any personal interest they may have.

This has implications in practice for both individual charity trustees and for the charity trustees collectively:

individual charity trustees must identify and declare any conflict of interest on their part; and the charity trustees collectively must ensure that they have arrangements in place that enable conflicts of interest to be identified and dealt with effectively.

The early identification of conflicts of interest is therefore key to ensuring that both individual charity trustees and the charity trustees collectively do what is expected of them.

A conflict-of-interest policy is designed to ensure that the discussions and decisions of the charity trustees are not influenced by any other interests. Its purpose is to make sure that everything that may affect an individual charity trustee's contribution to a decision is identified, dealt with appropriately and recorded. For general guidance to charities, you may find the Charity Commission's guidance on this helpful<sup>2</sup>.

A Cathedral Chapter is in no different a position in these respects from any other charity. Its charity trustees (i.e., all the individual members of the Chapter) are under a legal obligation to act in its best interests. The church does not, however, operate in a vacuum: both it and its members form an integral part of the life of the community. This can give rise to conflicts of interest for individual members of the Chapter where the best interests of the Chapter may be at odds with those of other community organizations. And other conflicts of interest may arise from personal or family circumstances.

Where a conflict of interest is not identified and dealt with appropriately, it can result in decisions or actions that are not in the best interests of the Chapter and/or which, in the case of interests of a personal kind, can confer an unauthorised benefit on one or more members of the Chapter.

Conflicts of interest can take many forms. Some will make it inappropriate for the individual to participate in a discussion or decision; others may simply need to be identified and declared, so allowing the individual to continue to contribute their experience and expertise to the matter at hand.

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<sup>2</sup> <https://www.gov.uk/guidance/manage-a-conflict-of-interest-in-your-charity>

## Policy

1. This policy applies to all members of the Chapter and all other committees or working parties set up by the Chapter, including the Executive Management Team.
2. A conflict of interest is any situation in which a member's personal interests or loyalties could prevent, or could be seen to prevent, the member from making a decision only in the best interests of the Chapter. Such a situation may arise either:
  - (a) Where there is a potential financial benefit to a member, whether directly or indirectly through a connected person (such as a close family member or business partner); or
  - (b) Where a member's duty to the Chapter may compete with a duty of loyalty he or she owes to another organisation or person (e.g., by virtue of being a trustee or committee member of a body which has an interest in the matter); or
  - (c) Where a member's duty to Chapter may be influenced by their personal experience or views (that maybe contrary to Church guidance) or by their relationship with any individual who is subject to a safeguarding concern.
3. In relation to child or adult safeguarding, the overriding principal is that decisions should always be made in the child or vulnerable person's best interests and should not be influenced by any factors that detract from this principal.
4. It is desirable that any conflicts of interest are declared to the Chair of the meeting as soon as the agenda is circulated. They must also be declared at the meeting when the relevant agenda item is reached.
5. Subject to paragraph 6, where a conflict of interest arises in connection with a personal benefit, the member concerned must withdraw from the meeting and not take part in any discussions relating to it (including discussions for the purpose of obtaining any authority from the Charity Commission that would be required to authorize the benefit.
6. Subject to paragraph 6, where a conflict of loyalty arises, the Chapter will consider what level of participation, if any, is acceptable on the part of the conflicted member, having regard to the duty to act in the best interests of the Chapter. However, the normal expectation will be that the conflicted member should withdraw from the meeting during discussion of the item of business in question.
7. A member need not withdraw from a meeting if his or her interest (whether financial or non-financial) is common to a class of persons and is neither (i) significant nor (ii) substantially greater than the interests of other members of that class.
8. The existence of a conflict of interest must be recorded in the minutes, together with the decision as to how it should be dealt with.

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## 4. Disciplinary and performance procedure

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### Purposes and aim

The purpose of this procedure is to ensure consistent and fair treatment of disciplinary and performance issues and help and encourage employees to achieve and maintain appropriate standards of conduct and performance.

The aim of this procedure is to bring about improvements in work and conduct. It is not a mechanism to dismiss employees, although in some cases this may be an outcome of the procedure.

### General principles

The purpose of this document is to set out Chapter's procedure and rules for the handling of disciplinary and performance matters. These rules and procedures may change from time to time to take account of current employment law and practice. The procedure does not confer any contractual rights.

The Line Manager or Executive Director may deal with matters under this procedure, on behalf of Chapter. Instances of misconduct and initial unsatisfactory levels of performance may be dealt with informally, by way of counselling, guidance or instruction. If a problem continues or is judged to be sufficiently serious, this procedure will apply.

Chapter will not dismiss you for a first offence, unless the offence amounts to gross misconduct (see section on gross misconduct below) in which case you will be dismissed without notice or pay in lieu.

Chapter will not take any formal disciplinary action under this procedure without:

- Having carried out a prompt investigation. Chapter will inform you whether any meeting you are asked to attend is investigatory or disciplinary
- Giving or sending you a letter setting out the complaint made against you and possible outcome of the disciplinary hearing. The letter will also inform you that you must attend a disciplinary hearing to discuss the matter and confirm the time, date and location of that meeting. If you have difficulty understanding such a letter you should ask your Line Manager or Executive Director for an explanation
- Providing you with relevant evidence before the meeting
- Giving you, together with any permitted companion (a fellow worker of your choice from within the organisation), a reasonable opportunity to consider your response to that information
- Explaining Chapter's case at the meeting and giving you an opportunity to put your case in respect of the allegations made.

You have the right to appeal against any formal action taken against you under this procedure.

Depending on the seriousness of the misconduct or poor performance, or your disciplinary record taken as a whole, Level 1 or Level 2 of the procedure may be omitted.

Depending on the circumstances, it may be appropriate to suspend you from work on full pay to enable the investigation to take place. Suspension does not amount to a disciplinary sanction.

Chapter has other policies which are relevant to disciplinary matters, such as the dignity at work policy, the health and safety policy, the electronic communications policy. This procedure should be read as incorporating provisions relating to discipline in any other Chapter policies.

Each stage of this procedure will be carried out without unreasonable delay.

Chapter will keep records of any action taken under these disciplinary procedures. These will be treated as confidential.

### Gross Misconduct

The following are (not exhaustive) examples of conduct falling within the definition of gross misconduct and which entitle Chapter to dismiss without notice or payment in lieu:

- Serious failure (e.g., wilful, repeated) to comply with safeguarding policies and procedures
- A 'substantiated' outcome under the 'allegations against Church Officers procedure'
- Securing employment with children or vulnerable adults when barred from working with vulnerable groups
- Falsifying details on application forms, references or Voluntary Declaration Forms or otherwise being untruthful about past safeguarding concerns
- Fighting, physical assault or dangerous horseplay
- Deliberate refusal or wilful failure to carry out a reasonable and lawful direct instruction given by a superior during working hours
- Gross insubordination
- The use of aggressive behaviour or excessive bad language
- Theft or misappropriation of Cathedral property
- Wilful damage or negligence that could or does result in unacceptable loss, damage or injury to property belonging to the Cathedral, its employees, authorised visitors or the general public
- Theft, fraud, falsification of Chapter records or any dishonesty involving Chapter, its employees, customers or authorised visitors or attempts to commit such offences
- Gross immorality
- Deliberate or reckless damage to Chapter's property, its employees, customers or authorised visitors
- Being unfit to work through alcohol or illegal drugs
- Unauthorised disclosure of confidential information
- Breach of safety rules and or/any action likely to endanger seriously the health and

- safety of an employee or any other person
- Knowingly giving false information or deliberately omitting relevant information on the job application form or curriculum vitae
  - Smoking in designated non-smoking areas
  - Unlawful discrimination
  - Inaccurate or fraudulent recording of financial transactions
  - Unauthorised access to or disclosure of any confidential information
  - Bullying/harassment
  - Unauthorised access to any part of the Cathedral's computer data
  - Misuse of e-mail/internet facilities
  - Copying computer software without authorisation
  - Using unauthorised software on Cathedral PCs

### Other misconduct

In other cases, coming within the remit/ambit of this procedure, there will be no dismissal for a first offence. Instead, Chapter may issue a formal warning which may be a Level 1 or Level 2, as appropriate.

### Conduct of meetings under the procedure, including appeals

All disciplinary meetings, including appeals, will be held at a reasonable time and place. If you have been invited to attend a disciplinary meeting you must take all reasonable steps to attend the meeting.

In any disciplinary meetings under the procedure, including appeals, you have the statutory right to request to be accompanied by a fellow worker of your choice, from within the organisation. The companion may address the hearing to put your case, sum up or respond on your behalf, to any view expressed at the hearing. Your companion may also confer with you during the hearing, but does not have the right to answer questions on your behalf, address the hearing if you do not want him or her to, or prevent anyone, including you, from making your own contribution to the hearing.

The Executive Director will conduct meetings and be accompanied by a note taker. If appropriate a member of Chapter will also attend and this will be communicated in advance of the meeting. The case against you will be explained and you will have the opportunity to respond in full. At appeal meetings, you will present your reasons for appealing the decision and the Executive Director will consider these prior to reaching a conclusion.

If matters come to light during a disciplinary meeting which require further investigation, the Executive Director may at their discretion, adjourn any disciplinary meeting to enable further investigation to be carried out.

Where the matter involves the Executive Director, the hearing will be held by the Dean who will be accompanied by a note taker and another member of Chapter.

Should there be a complaint of misconduct against a member of clergy the complaint should be made in writing to the Bishop of Lichfield's office where the process will follow Clergy Disciplinary rules.

### Level 1 warning

Chapter may issue a Level 1 warning if your conduct or performance does not meet Chapter's standards.

Where, at the conclusion of the disciplinary hearing, it is decided to issue such a warning, you will be informed of the following verbally and in writing:

- The reason for the warning
- That it is the first stage of Chapter's disciplinary procedure
- The action or improvement (if any) which is required of you
- If appropriate, the timescale for implementing any such action
- The consequences for you of not implementing the required action or of further misconduct
- When the warning will cease to have effect, subject to satisfactory conduct or performance. This will normally be after six months but a longer period may be stated in exceptional cases
- The right of appeal

### Level 2 warning

Chapter may issue a Level 2 warning if:

- The required improvement is not achieved within any timescale stated in the first warning or
- Further misconduct or poor performance takes place during the currency of a Level 1 warning, whether or not involving a repetition of the conduct or poor performance which was the subject of the first warning *or*
- The seriousness of the misconduct or poor performance merits it regardless of whether a Level 1 warning has already been issued

Where, at the conclusion of the disciplinary meeting, it is decided to issue a Level 2 warning you will be informed of the following verbally and in writing:

- The reason for the warning, including any prior warning(s) taken into account
- That it is the second stage of Chapter's disciplinary procedure
- The action or improvement (if any) which is required of you
- If appropriate, the timescale for implementing any such action
- The consequences for you of not implementing the required action, or of further misconduct, which could be a final warning
- When the warning will cease to have effect, subject to satisfactory conduct or performance. This will normally be after 12 months but a longer period may be stated

- in exceptional cases
- The right of appeal

### Level 3 Dismissal

Chapter may dismiss where:

- The required improvement is not achieved within any timescale stated in a level 2 warning *or*
- Further misconduct or poor performance takes place during the currency of a level 2 warning - whether or not involving a repetition of conduct or poor performance which was the subject of a previous warning *or*
- It is reasonably believed that you have committed an act of gross misconduct.

**Unless dismissal is for gross misconduct, dismissal will be with notice.**

Only the Executive Director, Dean or Chapter may dismiss you. Dismissal will only take place after you have been sent a written invitation to a disciplinary hearing and the disciplinary hearing has been held. Where a decision to dismiss is made you will be informed of:

- The reason for dismissal
- The date on which the dismissal takes effect
- The right of appeal

This will be done as soon as possible after the end of the disciplinary meeting, or as soon as reasonably practicable and will be confirmed in writing.

### Appeals

If you are dissatisfied with a disciplinary decision you may appeal against the decision. Appeals should be in writing, setting out the reasons for the appeal, and should be delivered to the Executive Director or the Dean within five working days of the disciplinary decision. You will then be invited to an appeal meeting, which will normally take place within five working days. The appeal meeting may take place after the disciplinary decision has taken effect.

The appeal will be heard by the Executive Director, Dean or Member(s) of Chapter.

Wherever possible, the decision of the appeal will be communicated to you orally and in writing within three working days of the hearing. The decision is final.

### Safeguarding

Where a person has been dismissed on safeguarding grounds, a referral will be made to the Disclosure and Barring Service (DBS) along with any relevant regulatory body.

Where a person resigns and safeguarding or disciplinary enquiries are ongoing, the disciplinary process will continue with a hearing deciding where the person would have been dismissed. The subject of the hearing will be invited to participate and will be informed of the

outcome. Where it is concluded that a person would have been dismissed, a referral will be made to the DBS and any relevant regulatory body.

Where there is a safeguarding concern, the Cathedral will not enter into a 'compromise' or settlement agreement whereby the subject agrees to resign and the Cathedral agrees not to pursue disciplinary action. Additionally, in these circumstances, the Cathedral will not agree to provide a positive or neutral reference.

Disciplinary hearings will not request that victims give either written or verbal evidence. Rather, where the police or child / adult social care have been involved, there should be a request to use the victim's statements. An adult survivor should be given the option to give evidence but there should be no expectation that they should do so.

## 5. Disclosure and Barring Service (DBS) checks

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### Disclosure and Barring Checks

These are carried out in line with the disclosure and barring check advice in [Practice Guidance: Safer Recruitment \(2016\)](#)

Who is eligible?

There are four types of criminal record checks:

- Basic – This checks for unspent criminal conviction information only. This is currently obtained from Disclosure Scotland.
- Standard - This checks for spent and unspent convictions, cautions, reprimands and final warnings. This is obtained from the DBS.
- Enhanced - This includes the same as the standard check plus any additional information held by local police that's reasonably considered relevant to the role being applied for. This is obtained from the DBS; and
- Enhanced with barred list checks -this is like the enhanced check but includes a check of the DBS barred lists. This is also obtained from the DBS.

Good safeguarding practice requires those who work closely with children and/or adults experiencing, or at risk of abuse or neglect to have an enhanced criminal record check.

The eligibility criteria for enhanced criminal record checks are complicated but put simply one can ask, 'are you over 16 and does the role include activities that allow regular/substantial contact with children or adults experiencing, or at risk of abuse or neglect?'

If the answer is 'Yes' then you may be eligible for an enhanced criminal record check.

Details as regards eligibility for enhanced criminal record checks, as set out in the legislation, can be found at <https://www.gov.uk/government/publications/dbs-workforce-guidance>

Information on how this relates to Cathedral roles can be found below.

Those in self-help groups or family and friends' arrangements are not eligible for an enhanced criminal record check.

### *What does it cost?*

Criminal record checks are free to volunteers (an admin charge is payable to the Diocese) but there is a cost for those in employment or those training for a role where they could be paid e.g., all clergy. The DBS update service, which ensures that DBS checks are up to date attracts an additional annual fee.

### *How long do criminal record checks last in the Church context?*

The House of Bishops has decided that criminal record checks must be renewed every five years. (Should there ever be a delay in obtaining the criminal record check, the person is not approved by the Church to act and must stand down pending completion of the process).

### *Criminal Record Checks outcome*

Only a single paper disclosure certificate is sent to the applicant as individuals have ownership over their own information. They can choose when they want to share and with whom. Employing and volunteering organisations will not receive a copy of the certificate unless the application is in the update service and certain conditions apply.

Lichfield Cathedral will need to ask to see the applicant's copy if this is required. In terms of copying the certificate and retaining copies of certificates, the DBS has stated that where an applicant provides a copy of their DBS certificate to the employing or volunteering organisation they must comply with its obligations under the Privacy Policy (in this document).

### *The electronic criminal records system*

Lichfield Diocese subscribes to an electronic service which allows applicants to apply on-line and for the church to receive the results back electronically. The electronic service is efficient and usually obtains the results in days rather than weeks. It electronically informs the organisation if the disclosure is clear or if the certificate needs to be seen, (i.e., it contains information – for instance, conviction information).

With the electronic system the DBS/criminal records administrator will know when a certificate is clear and can inform the person responsible for the appointment. In such circumstances the certificate does not need to be seen.

If a criminal record disclosure is not clear, the applicant will be asked to present the original disclosure to the person responsible for the appointment. A copy may also be requested but please note a copy must not be requested in substitute for the original, the original disclosure must always be seen. The disclosure must be cross-referenced with the Confidential Declaration to see if there are any discrepancies. The disclosure will be passed to the Diocesan Safeguarding Adviser for a risk assessment. The Diocesan Safeguarding Adviser is qualified to identify and assess the relevance and circumstances of offences and the risk. If the issues are complex, he or she will ask for assistance from the Local Safeguarding Children or Adults Safeguarding Board. In very complex cases the advice of an independent specialist may be required. The Diocesan Safeguarding Adviser will make a recommendation concerning the suitability of the applicant to the person responsible for the appointment in line with the diocese's local arrangements. Should the applicant not wish the confidential declaration and/or the criminal record disclosure to be seen, which is entirely their choice, the application must not proceed further and must be terminated.

**The DBS online update service** can be found at <https://www.gov.uk/dbs-update-service>

For an annual subscription applicants can have their criminal record certificate kept up to date and take it with them from role to role. (However, if the certificate relates to work with children and an individual's role changes to working with adults experiencing, or at risk of abuse or neglect, or vice versa, then a new criminal record application must be made as the basis on which the original certificate was issued has changed.)

To register for the update service an applicant must apply within 30 days of the criminal record certificate being issued. The DBS update service is very useful to those who have multiple roles where a criminal record certificate is required.

The DBS update service can be very useful for organisations to check someone's criminal record certificate status online and receive a result straight away. There is no registration process or fee for organisations to check a certificate online, but organisations must:

- Be legally entitled to carry out a check, (e.g., the role must be eligible for an enhanced/standard (as appropriate) criminal record check) *and*
- Have the individual's permission.

Applying for the annual update services, which carries with it a number of benefits for the individual and the organisation, is a matter of individual choice for the applicant and is currently not funded by the Cathedral.

*For the following appointments a DBS disclosure will be at Enhanced level:*

- Executive Director
- Safeguarding Officer
- Safeguarding Coordinator
- Director of Music
- Assistant Director of Music
- Lay Vicars
- Choral Scholars
- Organ Scholars
- Children's Church leaders and helpers (where appropriate)
- Crèche leaders and helpers (where appropriate)
- Catering and Shop Managers and staff with managership/duty managership responsibilities and who are responsible for supervising or training children under the age of 16 in the course of employment
- Schools and Learning Officer
- Vergers
- Youth Group leaders and helpers (where appropriate)
- Bellringers – Tower Captain and trainers

**Clergy Chapter, Priest Vicars, Honorary Chaplains, Cantors, Assistant clergy and Sunday rota assistant ministers** will be asked to produce an acceptable DBS certificate. Otherwise, a check at Enhanced level will be obtained on appointment.

**For the following appointments a DBS disclosure will be at Basic level:**

- **FARC Committee members**

**For all other Cathedral staff and volunteers:**

All staff and volunteers not requiring an enhanced DBS disclosure will be required to complete a Voluntary Declaration Form.

### *Portability of DBS Checks*

Portability is the term employed for using a criminal record check obtained in one role, for a new role.

### *Portability within the Church of England*

Anyone applying for a new role in a Church of England organisation within the diocese where they currently work or applying for a new role in the cathedral where they currently work does not require a second criminal record check (i.e., their current check will be portable), provided the result of the criminal record check has been seen, does not need renewing and the new role is: -

- With the same 'workforce' (i.e., either working with children or working with adults experiencing or at risk of abuse or neglect) *and*
- Eligible for the same/lower level of criminal record check as the previous role.

### *When will portability not apply within the Church of England?*

Portability will not apply, and a new criminal record check will always be required where:

- A person moving into a role in the Church of England from an external organisation e.g., a volunteer with Scope (the disability charity) wants to volunteer in a church or a youth worker, working in a local authority, applies for a role in the Church *or*
- An individual is seeking ordination, reader or lay ministry training *or*
- A person moves to a new job or role in a new diocese or cathedral *or*
- A person moves roles to work with a different workforce. For example, from working with children to working with adults experiencing, or at risk of abuse or neglect and vice versa *or*
- The level of check required changes to a higher level (e.g., in his/her new role a person is eligible for an enhanced plus barred list check but in his/her previous role he /she was only eligible for an enhanced check without a check of the barred list).

### *Disclosure and Barring Service Code of Practice*

Lichfield Cathedral complies fully with the Disclosure and Barring Service Code of Practice with regard to handling, use, storage, retention and disposal of information. No subject of a disclosure will be unfairly discriminated against on the basis of conviction or any other information revealed.

### *What to do if a positive return is received*

#### **Is it illegal to employ an applicant who has something on their DBS check?**

Lichfield Cathedral must make a sound recruitment decision based on what the DBS certificate presents. Organisations cannot discriminate against an applicant based on what is on the result. However, if an applicant is on the children's or adults barred list, it is illegal for the organisation to employ them in a position near children or adults.

See the [Rehabilitation of Offenders Act](#) to find out the positions which are exempt.

#### **Is Lichfield Cathedral allowed to refuse employment if the applicant has a criminal record?**

Yes it is, providing the convictions are relevant to the applicant's job role and in line with the [Rehabilitation of Offenders Act 1974](#). If the applicant is working in Regulated Activity then it is able to refuse employment based on spent<sup>3</sup> convictions, however the [DBS Code of Practice](#) advises that it is a requirement to treat DBS applicants that have a criminal record fairly and not discriminate against them based on criminal activity that is not relevant to their job role.

### **How does Lichfield Cathedral approach the matter of DBS check results with the applicant once it receives the email saying there is information on it?**

The employer would need to ask to speak with the applicant and to see their certificate. They would then need to discuss the information that is on the certificate. The employer would then use this information as a recruitment tool to make a recruitment decision as to whether or not this person is suitable for the role intended – providing the information on the certificate is relevant to the applicant's position.

### **Will the information on my DBS Check stop me from working?**

Lichfield Cathedral must make a sound recruitment decision based on what your DBS certificate presents. It can decline your employment offer if they feel that any criminal information on the DBS certificate is relevant to the position applied for.

### **What if the applicant won't show their DBS Check?**

It is at the discretion of the applicant as to whether or not they show their DBS check to their employer. However, it is unlikely that the employer would make a recruitment decision without seeing the individual's certificate. It would be in the best interest of the organisation to state in their recruitment policy that the applicant must show their DBS certificate as a requirement of their employment.

### **What if the applicant is already working for Lichfield Cathedral and it finds something on their DBS?**

The process would be exactly the same for existing employees as it would be for new applicants. You are able to terminate employment in line with the [Rehabilitation of Offenders Act](#) & DBS policy on the Recruitment of Ex-Offenders. Providing the convictions or deemed relevant and affect the applicant's suitability for the job, you are able to terminate employment.

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<sup>3</sup> 'Spent' – minor convictions have a rehabilitation period, automatically determined by the sentence, after which the conviction is considered spent and need not be disclosed by the ex-offender when applying for jobs

## 6. Policy statement: Managing DBS and disclosure information

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This document outlines the policy of Lichfield Cathedral on disclosure and is made available to all Disclosure applicants on request.

Disclosure is a document which contains information held by the police and government departments, and which gives details of a person's criminal record including, convictions, cautions, reprimands, final warnings and other non-conviction information. Lichfield Cathedral uses the Disclosure and Barring Service (DBS), an executive agency of the Home Office, as part of its recruitment process to ensure that applicants are suitable for the post for which they are applying. The Disclosure service may also be used to check existing members of staff, where this is considered relevant and appropriate.

### *General Principles*

As an organisation using the DBS Disclosure service, to help assess the suitability of applicants for positions of trust, Lichfield Cathedral complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters below.

### *Storage and Access*

Disclosure information is never kept on an applicant's personnel file, and is always kept separately and securely, in lockable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

### *Handling*

In accordance with s.124 Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. The Cathedral maintain a record of all those to whom Disclosures or Disclosure information has been revealed and the Cathedral recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

### *Usage*

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

### *Retention*

Once a recruitment (or other relevant) decision has been made, the Cathedral do not keep Disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the considered and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights implications before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

### *Disposal*

Once the retention period has elapsed, the Cathedral will ensure that any Disclosure information is immediately suitably destroyed by secure means, i.e., by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g., waste bin or confidential waste sack). The Cathedral will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of the Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

## 7. Domestic abuse policy

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Government guidance<sup>4</sup> defines domestic abuse as:

*Encompassing a wide range of behaviours and may be a single incident or a pattern of incidents. Domestic abuse is not limited to physical acts of violence or threatening behaviour, and can include emotional, psychological, controlling or coercive behaviour, sexual and/or economic abuse.*

*Types of domestic abuse include:*

- Intimate partner violence
- Abuse by family members
- Teenage relationship abuse and adolescent to parent violence.

*Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside of the home.*

*Witnessing the ill-treatment of another person is recognised in law as a form of child abuse. However, living in a household where there is domestic abuse is also harmful to a child even if they do not witness a physically abusive event. Importantly, domestic violence is the physical expression of what is typically an emotionally abusive relationship. It should also be noted that children can experience domestic abuse in their intimate relationships.*

Lichfield Cathedral will fully comply with the Church of England's guidance, 'Responding well to domestic violence' (2017) and asserts that all forms of domestic abuse are harmful and should not be tolerated.

The Cathedral is committed to promoting and supporting safer environments which:

- Ensure that all people feel welcomed, respected and safe from abuse
- Work to protect those experiencing domestic abuse
- Recognise equality amongst people and within relationships
- Refuse to condone or collude any form of abuse
- Enable and encourage concerns to be raised and responded to openly and consistently.

We recognise that:

- Domestic abuse represents an abuse of power within relationships
- All forms of domestic abuse cause emotional, physical and financial harm to the victim
- Domestic abuse, irrespective of whether it is witnessed or overheard by a child, is a form of child abuse

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<sup>4</sup> Working Together to Safeguard Children (2018)

- All survivors (regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity) have the right to equal protection from all types of harm or abuse
- Domestic abuse can occur in all communities
- Domestic abuse may be a single incident, but is usually an ongoing systematic pattern of controlling and emotionally abusive behaviours which escalates in severity and frequency
- Working in partnership with children, adults and other agencies is essential in promoting the welfare of any child or adult suffering abuse.

We will respond to domestic abuse:

**In all our activities by** – valuing, listening to and respecting both survivors and alleged or known perpetrators of domestic abuse, whilst appreciating the need to ensure a distance is kept between the two and refusing to condone or collude with the perpetration or continuation of any form of abuse.

**In our publicity by** – raising awareness about other agencies, support services, resources and expertise, through providing information in public and women-only areas of relevance to survivors, children and alleged or known perpetrators of domestic abuse.

**When concerns are raised by:**

- Responding robustly to allegations of domestic abuse *and*
- Ensuring that those who have experienced abuse can find safety and informed help *and*
- Working with the appropriate statutory bodies during an investigation into domestic abuse, including when allegations are made against a member of the church community.

**To those in our care by:**

- Ensuring that informed and appropriate pastoral care is offered to any child, young person or adult who has suffered abuse and
- Identifying and outlining the appropriate relationship of those with pastoral care responsibilities with both survivors and alleged or known perpetrators of domestic abuse.

We are committed to reviewing our policy and procedures regularly.

## 8. Equal opportunities policy including for the recruitment of ex-offenders

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Lichfield Cathedral is committed to the fair treatment of its staff, potential staff or users of its services, and except where the law permits because of a genuine occupational requirement, we do not discriminate on the grounds of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

- Lichfield Cathedral undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed, unless the conviction is relevant to their role e.g., working with vulnerable groups.
- Lichfield Cathedral can only ask an individual to provide details of convictions and cautions that Lichfield Cathedral is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).
- Lichfield Cathedral can only ask an individual about convictions and cautions that are not protected.
- Lichfield Cathedral actively promotes equality of opportunity for all with the right mix of talent, skills, and potential and welcome applications from a wide range of candidates, including those with criminal records. Lichfield Cathedral selects all candidates for interview based on their skills, qualifications, and experience.
- A Disclosure is only requested where it is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- Where Disclosure is to form part of the recruitment process, Lichfield Cathedral encourages all applicants called for interview to provide details of their criminal record at an early stage in the application process. Lichfield Cathedral requests that this information is sent under separate, confidential cover to a designated person within Lichfield Cathedral and Lichfield Cathedral guarantees that this information is only seen by those who need to see it as part of the recruitment process.
- Unless the nature of the position allows Lichfield Cathedral to ask questions about an entire criminal record we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.
- Lichfield Cathedral ensures that those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. Lichfield Cathedral also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders.

- At interview, or in a separate discussion, Lichfield Cathedral ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- Lichfield Cathedral makes every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and a copy will be made available on request.
- Lichfield Cathedral undertakes to discuss any matter revealed in a Disclosure with the person seeking the position, before withdrawing a conditional offer of employment.

**Having a criminal record will not necessarily bar you from an appointment. This will depend on the nature of the position and the circumstances and background of offences.**

On the 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.

- In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions
- All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded
- You can direct applicants to the guidance and criteria which explains the [filtering of old and minor cautions and convictions](#) which are now 'protected' so not subject to disclosure to employers

## 9. Grievance policy

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### Introduction

The purpose of this procedure is to ensure that you have an opportunity to raise formally with Chapter any grievances relating to your job or complaints regarding Chapter or any of its employees. Chapter's aim is to ensure that your grievance or complaint is dealt with promptly and fairly by the appropriate level of Chapter's management. The procedure does not confer any contractual rights. It only applies whilst you are still employed by Lichfield Cathedral.

It is essential to the proper working of this procedure that any employee raising a grievance should continue to work normally whilst the procedure is being followed.

Where your complaint is of harassment or bullying under the Dignity at Work policy, the receiver should use the Grievance Process to review the allegation. For the sake of clarity, when referencing a 'grievance' below it should be read as an allegation of bullying/harassment.

Where the grievance relates to a disciplinary decision, you should use Chapter's disciplinary appeals procedure.

It will usually be better for all those involved if grievances can be resolved informally. This procedure should only be used where it is not possible to resolve an issue informally in discussion with your Line Manager.

At each stage of the procedure, you may be accompanied by a fellow worker who may address the meeting on your behalf but may not answer questions for you.

Where a complaint or grievance relates to your Line Manager, the Grievance Procedure can be commenced by writing to the Executive Director. Where this may not be possible, the complaint should be sent to the Dean. Should neither the Dean nor the Executive Director be considered appropriate then the complaint should be sent to a member of Chapter.

Chapter will keep records of any action taken under this grievance procedure. These will be treated as confidential.

### Stage 1

If you wish to raise a formal grievance, you should, in the first instance, raise it, in writing, with your Line Manager. You must include a sufficient explanation of the basis for your grievance. For a Dignity at Work allegation please follow reporting process identified in that section.

Where a matter affects a group of employees, Chapter may suggest that you use a spokesperson. You or your spokesperson will be invited to a meeting to consider the matter. The meeting will normally be held within five working days of the formal grievance being raised. The Line Manager will then normally respond to the grievance in writing within five working days of the meeting. You will also be informed in writing of your right to raise your grievance at Stage 2.

## Stage 2

If the matter is not resolved at Stage 1, you or the spokesperson of a group may refer it in writing within five further working days to the Executive Director, the Dean or Member of Chapter depending on the nature of the grievance as outlined in the Dignity at Work section.

You or the spokesperson should set out the grounds for the complaint and the reasons for dissatisfaction with the Stage 1 response. You or your spokesperson will be invited to a meeting to consider the matter within five working days of the request being made.

Following the hearing, the Executive Director, Dean or Member of Chapter will normally respond to the grievance in writing within 10 working days of the meeting.

## 10. Insurance statement

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The Cathedral meets its statutory requirements with regard to both Employers' and Public liability and is insured by Ecclesiastical Insurance Group. The definition of 'employees' under the public and employer's liability sections includes 'authorised volunteers' whilst working for the Cathedral in connection with the Cathedral's business or authorised activities.

In the event of an incident that has insurance implications, Ecclesiastical (EIG) need to be informed at an early stage. This will normally be done through the Executive Director or Office Manager who have regular contact with EIG. Advice should be sought about the insurance position and any steps needed to be taken to safeguard it.

EIG have issued the following statement:

*The Public Liability (Third Party) insurance will protect the interests of the Cathedral if involved in an incident of abuse. It is not EIG's intention to provide an indemnity for the perpetrator of an incident of abuse.*

*Policies of insurance require the insured to take all reasonable steps to prevent injury, loss or damage occurring. Failure to take such precautions may prejudice the insurance arrangements in force. A duty therefore exists upon the insured to research and adopt best practice based upon current and ongoing guidelines.*

*It is also a condition of a policy of insurance that any incident or allegation is notified to the insurer immediately. Failure to comply with this requirement may prejudice any cover provided by the policy.*

*Public liability insurance indemnity limits should be kept under regular review.*

## 11. Internet use policy

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### Introduction

Employees and volunteers of Lichfield Cathedral may be granted internet access where relevant and useful to the role they fulfil for the Cathedral. This internet use policy describes the rules governing internet use at Lichfield Cathedral. It also sets out how staff and volunteers are expected to behave when using the internet at work.

This policy should be read in conjunction with other Lichfield Cathedral policies. The data protection and email policies are especially relevant to staff and volunteers who use the internet at and for work.

### Why this policy exists

The internet is a powerful tool that can bring significant benefits to Lichfield Cathedral. However, it is very important that every person at Lichfield Cathedral who uses the internet at and for work, understands how to use it responsibly, safely and legally. The internet use policy:

- Reduces the online security risks faced by Lichfield Cathedral
- Ensures staff and volunteers know what they can and cannot do online
- Ensures staff and volunteers do not view inappropriate content at work
- Helps Lichfield Cathedral satisfy its legal obligations regarding internet use

### Policy Scope

This policy applies to all staff, contractors and volunteers at Lichfield Cathedral who use the internet at and/or for work. It applies whether internet access is for business or personal reasons and whether use takes place on Cathedral premises, while travelling for work or while working from home. It applies to use of the internet on any device owned by Lichfield Cathedral or that is connected to any Lichfield Cathedral networks or systems.

For example, this policy applies to an employee or volunteer using the internet at their desk, and to employees and volunteers who connect their own tablets, smart phones and laptops to Lichfield Cathedral networks.

### Supporting use of the internet

Lichfield Cathedral recognises that the internet is an integral part of working life. It encourages employees and volunteers to use the internet whenever such use supports the mission and objectives of the Cathedral. For example, staff and volunteers may use the internet to:

- Purchase supplies
- Book work travel
- Perform research
- Identify supporters

There are numerous advantages to using the internet for work purposes and Lichfield Cathedral supports employees and volunteers to explore and take advantage of this.

### Personal Internet Use

Lichfield Cathedral recognises that the internet is interwoven in the daily lives of many of the people it employs or who volunteer with the Cathedral. As such, it allows employees and volunteers to use the internet for personal reasons, with the following stipulations:

- Personal internet use should be of a reasonable level and restricted to non-work times such as breaks and during lunch.
- All rules in this policy apply equally to personal internet use in work time and via work supplied connections and networks. For example, inappropriate content will always be inappropriate, no matter if accessed for business or personal use
- Personal internet use must not affect the internet service available to others at Lichfield Cathedral. For example, downloading a large file could disrupt or impair access for other staff and volunteers.

### Authorised users

Only people who have been authorised to use the internet at Lichfield Cathedral may do so. Authorisation is granted by a staff member or volunteer's line manager or by the Executive Director. It is usually granted to new employees and volunteers when they join the Cathedral and when they are assigned their login in details to access the Cathedral's IT systems.

Unauthorised use of Cathedral internet connections is strictly prohibited. Any employee or volunteer who uses the internet without authorisation or who provides access to unauthorised people, may face disciplinary action up to and including dismissal.

### Internet Security

Used unwisely, the internet can be a source of security problems that can do significant damage to the company's data and reputation. As such, staff and volunteers must not:

- Knowingly introduce any form of computer virus, Trojan, spyware or other malware into Cathedral IT systems.
- Gain access to websites or systems for which they do not have authorisation.
- Upload or share Lichfield Cathedral data via any unapproved service. The Development Director can advise on appropriate tools for sending and sharing large amounts of data.
- Steal, use or disclose someone else's password or login details without authorisation from the Development Director.

Staff and volunteers must always consider the security of Lichfield Cathedral IT systems and data when using the internet. Help and advice is available from the Executive Director.

## Inappropriate content and uses

There are many sources of inappropriate content and materials available online. It is important for staff and volunteers to understand that viewing or distributing inappropriate content is not acceptable under any circumstances and may lead to disciplinary action up to and including dismissal. Staff and volunteers must not:

- Take part in any activities on the internet that could bring Lichfield Cathedral into disrepute.
- Create or transmit material that might be defamatory or incur liability for Lichfield Cathedral
- View, download, create or distribute any inappropriate content or material.  
Inappropriate material includes pornography, racial or religious slurs, gender-specific comments, information encouraging criminal skills or terrorism, or materials relating to cults, gambling and illegal substances. This definition covers any text, images or other media that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristics protected by law.
- Use the internet for any illegal or criminal activities.
- Send offensive or harassing material to others.
- Broadcast unsolicited personal views on social, political, religious or other non-business-related matters,
- Send or post messages or materials that could damage Lichfield Cathedral's image or reputation.

## Copyright

Lichfield Cathedral respects and operates within copyright laws. Staff and volunteers may not use the Cathedral IT systems and connections to share any copyrighted software, media or materials owned by third parties, unless with the permission of that third party. Staff and volunteers must not download illegal copies of music, films, games or other software, whether via files sharing services of other technologies. Staff and volunteers must not use Cathedral IT equipment, software or connections to perform any task which may involve breach of copyright law.

## Monitoring Internet use

Lichfield Cathedral IT and internet resources, including computers, smart phones and internet connections, are provided for legitimate business use. Lichfield Cathedral reserves the right to monitor the use of internet in worktime and via Cathedral equipment, software, equipment and connections, to examine systems and review data stored in those systems. Any such examinations or monitoring will be carried out by authorised staff. Additionally, all data written, sent or received through Lichfield Cathedral IT systems, is part of official Cathedral records. All staff and volunteers need to be aware that, as such, Lichfield Cathedral can be compelled to show that information to law enforcement agencies or other parties.

All staff and volunteers must ensure that business information sent over or uploaded to the internet is accurate, appropriate, ethical and legal.

#### Potential actions for failing to comply with this policy

Knowingly breaching this internet use policy will be treated as a very serious matter. Staff and volunteers who do so will be subject to disciplinary action, up to and including termination of employment or the cessation of volunteering with the Cathedral. Employees, contractors and volunteers may also be held personally liable for violating this policy. Where appropriate, Lichfield Cathedral will involve law enforcement agencies in relation to breaches of this policy.

## 12. Managing concerns about people who work with vulnerable groups

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### Introduction

Lichfield Cathedral takes seriously any concerns raised about Church Officers (clergy, staff or volunteers). All Cathedral Church Officers must report any allegation or concern using these procedures.

### Compliance framework

The Cathedral will always comply with statutory and Church of England guidance:

[Working Together to Safeguard Children 2018](#)

[Practice Guidance: Responding to, assessing and managing safeguarding concerns or allegations against church officers](#)

The Cathedral will also comply with local safeguarding arrangements ([Staffordshire Safeguarding Partnership](#) and [Staffordshire and Stoke on Trent Partnership Safeguarding Adult Board](#) interagency procedures).

### Criteria

These procedures apply whenever an allegation is made or concern raised that a Lichfield Cathedral Church Officer has:

- Behaved in a way that has harmed<sup>5</sup>, or may have harmed a child/vulnerable adult
- Possibly committed a criminal offence against, or related to, a child/vulnerable adult
- Behaved towards a child or children or vulnerable adult in a way that indicates they may pose a risk of harm to children/vulnerable adults
- Behaved in a way that indicates they may not be suitable to work with children/vulnerable adults.

It should be noted that the procedure also covers all allegations of domestic abuse, irrespective of whether a child is involved, made against Church Officers who work with children or vulnerable adults.

A Church Officer is anyone employed or acting as a volunteer with Lichfield Cathedral, including clergy.

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<sup>5</sup> It should be noted that, the threshold for action is 'harm' rather than 'significant harm' which, along with the criteria above, is lower and broader than the threshold for statutory intervention with families.

## Process

Any concern that indicates that a child or adult is in imminent risk, must be reported to the police using 999.

Safeguarding enquiries often have three independent though interconnected strands:

- Criminal (Police)
- Civil (Local authority Child or Adult Social Care enquiries)
- Disciplinary

Investigations undertaken by statutory agencies must always take precedence over disciplinary procedures. Lichfield Cathedral will not take any actions which could potentially undermine a statutory investigation.

All concerns will be reported immediately to the Cathedral Safeguarding Officer (CSO) or Diocesan Safeguarding Advisor (DSA)<sup>6</sup>. The CSO / DSA will decide, within the same working day, whether the concern should be reported to statutory services (Staffordshire Police / Children or Adult Services). However, there is an assumption that all concerns will be reported.

The decision to report a concern to statutory services rests solely with the CSO / DSA. Where a concern is not reported to statutory services, the CSO / DSA should record their reasons for their decision.

The key point of contact for any concerns involving a child is the statutory Local Authority Designated Officer (LADO). Unless there is an imminent risk, all concerns and allegations regarding a child should be reported to the LADO who will coordinate any response and provide advice on what action the CSO / DSA should take. Where the alleged victim is local to Lichfield the LADO contact number is 0800 1313126.

Concerns relating to vulnerable adults should be reported to the appropriate Adult Social Care who will provide advice to the CSO / DSA on what actions should be taken. Where the alleged victim is local to Lichfield the contact number is 0345 6042719 (office hours) or 0345 6042886 (out of hours).

Allegations relating to employees of external organisations who use the Cathedral (schools etc), should be reported to the employer's relevant safeguarding lead by the CSO or DSA. Where there is no safeguarding lead or, the allegation relates to the safeguarding lead, the relevant local authority should be contacted.

Lichfield Cathedral will not undertake any investigations or speak to the alleged person before seeking advice from statutory services. Unless advised otherwise, the Cathedral's role is to support any enquiries undertaken by the police or Children and Adult Social Care.

Lichfield Cathedral will cooperate fully with any enquiries undertaken by statutory agencies and will attend all meetings or Court hearings, as required.

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<sup>6</sup> The decision as to whether a concern is reported to the CSO or DSA is dependent on availability or where the concern relates to either the CSO or DSA.

## Outcomes

A determination should be reached by the LADO, in relation to children, as to whether an allegation is:

- Substantiated – on the balance of probabilities the allegation was more likely than not to have occurred.
- Unsubstantiated – the alleged event could not be proved or disproved on the balance of probabilities
- Unfounded – on the balance of probabilities it can be proved that something happened but it may have been misunderstood or misinterpreted.
- False / malicious – on the balance of probabilities the alleged event is proved not to have occurred with the possibility that the motivation for making the allegation was malicious.

## Record keeping

Lichfield Cathedral will keep a secure, clear and comprehensive record of:

- The concern or allegation
- Details of the actions taken including all contacts with other agencies
- Decisions and outcomes.

## Suspension

A decision whether to suspend the alleged person should only be made following advice being sought from the police or children and adult services (if involved). Suspension should be viewed as a neutral act and only undertaken to protect a vulnerable person, the integrity of any enquiries or the welfare of the alleged person.

## Disciplinary action

The instigating of disciplinary enquiries must be based on the advice of the police and/or children and adult social care. Where disciplinary proceedings are initiated, they will follow Lichfield Cathedral's disciplinary policy.

## Standards of proof guidance

It is important to understand the different burdens of proof used in criminal proceedings (beyond all reasonable doubt) and civil processes e.g., civil courts, disciplinary hearings, safeguarding processes (on the balance of probabilities).

Where a person has been found guilty in a criminal court, they must be deemed to have committed the offence at a disciplinary hearing. However, a not guilty verdict does not necessarily equate to the alleged person not having committed the offence, rather that the prosecution could not prove it, beyond a reasonable doubt. As such, whilst the Court's

judgement should be carefully considered, the disciplinary process should continue and reach a judgement based on all the facts.

It should be noted that in safeguarding (other than where the alleged event is deemed to be criminal) and disciplinary cases that the civil burden of proof is used – *on the balance of probabilities*. This means that something is proved if the evidence is assessed as showing that an event, more than likely occurred. It should also be noted that, criminal and civil proceedings (including disciplinary) have different rules determining the admissibility of evidence e.g., unlike criminal proceedings, civil processes can accept third party / hearsay evidence.

Where a statutory (LADO) process has reached an outcome (on the balance of probability), the disciplinary process should give considerable weight to that outcome. Where a different determination is reached by a disciplinary hearing, the decision should be reported to either the LADO or Adult Social Care.

Where the concern relates to a volunteer, a similar process should be followed to that of an employee unless the outcome of the statutory enquiries substantiates the concern – in which case, the person's services should be terminated.

Where an allegation relates to a member of the clergy, the Church of England's Clergy Disciplinary Measures (CDM) should be instigated.

Disciplinary hearings should not expect victims to give either written or verbal evidence. Rather, where the police or child / adult social care have been involved, there should be a request to use the victim's statements. An adult survivor should be given the option to give evidence but there should be no expectation that they should do so. Where a survivor chooses to give evidence, support must always be offered / provided.

Any person who is dismissed on safeguarding grounds, whether clergy, employee or volunteer should be referred to the Disclosure and Barring Service (DBS) and any other relevant regulatory agency.

### Resignations and 'settlement agreements'

If someone resigns from their post or refuses to cooperate with the process, this must not prevent an allegation being followed up.

'Settlement agreements' (where a person agrees to resign and the employer agrees not to pursue disciplinary action) **must not be used** in cases of alleged abuse.

### Support

Appropriate support should always be offered to the child, vulnerable adult and their family, subject to advice from the police and the LADO (or Adult Social Care). Communication with the child, adult and their family regarding the allegation or enquiries, unless otherwise agreed, is the responsibility of the statutory agencies.

Support should be offered to the alleged person although this should always be independent of any Church Officer who is involved in the case. The support offered may be employee

support through their line manager or emotional support from the clergy or elsewhere as appropriate.

### Confidentiality

Confidentiality of all parties must be maintained. Failure to maintain confidentiality may result in disciplinary action.

### Congregation members

Where the alleged person is a member of the Cathedral's congregation and where a concern is substantiated or there remains a concern following enquiries, the Church of England's guidance on undertaking a risk assessment should be followed.

Where the alleged person is a member of another congregation (irrespective of denomination), the relevant safeguarding officer should be informed.

### Quality assurance

The CSO / DSO will provide an annual report to the Cathedral Safeguarding Committee of all allegations against Church Officers (including cases that were not referred to statutory services). The report should include an anonymised summary of cases, actions taken and outcomes (including referrals to DBS, regulatory bodies or subject to restrictions resulting from a Church risk assessment).

Where an allegation is substantiated, and the issue relates to the Cathedral, it is important to consider whether there are any lessons that can be learnt. This should include:

- Considering any factors that may have contributed to or failed to prevent abuse occurring
- Reviewing safeguarding measures to ensure ongoing vigilance
- Making changes to organisational policies and procedures as necessary.

In some cases, a case review may be appropriate. This may involve an independent reviewer assessing whether there are lessons for the Cathedral or that should be shared within the Church to improve safeguarding practice.

## 13. Privacy policy and Safeguarding Privacy Policy

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### Lichfield Cathedral's privacy notice

Lichfield Cathedral is committed to protecting and respecting your privacy.

This Privacy Policy sets out how we, Lichfield Cathedral, collect and use your personal data and why, both when you visit this web-site and when we provide to you our wider services. It also sets out the rights you have to control how your data is used.

The Cathedral is made up of a group of connected companies and charities which helps us to deliver our work in an efficient way. This Privacy Policy relates to all of the companies and charities that make up our cathedral community, as well as the Lichfield Cathedral Enterprise Company.

For data protection purposes, Data Controller means the person or organisation who determines the purposes for which and the manner in which any personal data is processed. We, Lichfield Cathedral are the Data Controller.

Our **Data Protection Officer** is Simon Warburton who can be contacted at [simon.warburton@lichfield-cathedral.org](mailto:simon.warburton@lichfield-cathedral.org).

### What Data we gather

In providing a wide-range of services and activities, the Cathedral processes personal data for a number of reasons. These can include managing the Cathedral congregational roll, managing specific events and bookings (for example when you book tickets for an event or use the Cathedral for a wedding, baptism or funeral), informing you of upcoming events at the Cathedral (such as exhibitions, concerts and talks) and our fundraising activities which help us to maintain and support the cathedral and our other historic buildings.

Our legal bases for handling your personal data are therefore to enable us to perform a contract with you and/or processing the data is necessary for the purposes of our legitimate interests in ensuring we can provide you with the services you want us to provide to you.

We may therefore collect personal data such as your name and job title, contact information, including your telephone number, address and email address, any other personal information you might give us when you book an event or make a payment to us.

We may also keep information contained in any correspondence you may have with us by telephone, post, email or other communication.

When you use our web-site, we collect information about you using cookies.

### Cookies on our website

#### *What is a cookie?*

A cookie is a small file placed on a visitor's computer hard drive. It allows the Cathedral website to identify the visitor's computer as they view different pages on our website. This enables websites and applications to store each visitor's preferences in order to present

content, options or functions that are specific to them. They also allow the Cathedral to see information such as how many people use the website and what pages they tend to visit.

### *How does the Cathedral use Cookies?*

The Cathedral may use cookies to:

- Analyse web traffic using analytics packages. Such data helps us to improve the website structure design, content and functions.
- Test content on our website
- Store information about visitor preferences so that each visitor can be presented with content that is relevant and interesting to them.
- To recognise when a visitor returns to our website so that relevant content can be shown to them or to provide the functionality they used on a previous visit

Cookies do not provide the Cathedral with access to a visitor's computer or any information about them, other than what they have chosen to share with us.

### *Controlling Cookies*

A visitor can use their web browser's cookie settings to determine how the Cathedral website uses cookies. If a visitor does not want our website to store cookies on their computer or device, they should set their web browser to refuse cookies. However, it should be noted that this may affect how our website may function. It may mean that some services and pages will not be accessible. Unless a browser has been set to refuse cookies, the Cathedral website will issue cookies to all who visit it.

### *Links from our website*

Our website contains links to other websites. Please note that we have no control of websites outside the [www.lichfield-cathedral.org](http://www.lichfield-cathedral.org) domain. If an individual provides information to a website to which we link, Lichfield Cathedral is not responsible for the protection and privacy of such information. Individuals should always take care when submitting data to any website.

### *How we collect your Data*

We collect personal data from you when:

- You consent to receiving information and marketing material from the Cathedral. This could be when you fill in a form during your visit, or via our website
- You complete a Gift Aid envelope and consent to join our mailing list
- You book to attend an event, workshop or talk
- You hire the Cathedral for a ceremony or private event
- You make a donation to the Cathedral
- You contact us to request further information
- You volunteer with us

Where you make a payment to us by credit card we will hold this data to process the donation. In order to meet our financial reporting requirements, we securely store card details for transactions and donations made onsite at the Cathedral for 7 years. After this time, we will securely destroy this information. Transactions made online are processed by a third party. The Cathedral does not receive or store the card details for these transactions.

### How we Process your Data

As well as being a place of excellence in worship, the Cathedral hosts a wide range of events and activities, including exhibitions, concerts, talks and educational courses. We offer a newsletter service so that we can keep everyone up-to-date with the things that interest them.

All our communications will include information about how to unsubscribe or update your preferences should you ever change your mind about what information you wish to receive from the Cathedral, and how you wish to receive this information. You can of course update your contact details and preferences at any time.

If you attend one of the many events the Cathedral arranges, we will process your personal data in order to manage the event and may share your personal data with third parties purely to enable the event to go ahead. We explain below how we will process your data in these circumstances.

If you hire the Cathedral for a specific event, then we will process your personal data to manage your booking, which may include all the necessary arrangements involved in that booking.

When you make a donation to the Cathedral, we will use the personal data you provide to us to process and record your donation. We will also use your information to thank you for your gift and to send you information showing you the impact you have had. This may include inviting you to see the work first-hand or sending written updates on the work you have supported.

If you enable us to claim Gift Aid, we will also use your personal data to submit our return to HMRC, and this will include your name, address, donation amount and donation date. The data will then be used by HMRC for their tax purposes.

### Sharing data with Third Parties

Lichfield Cathedral will never sell your data to third parties. In order for us to fulfill the activities we have described in this policy, however, we will, from time to time, need to share your data with selected third parties. Whenever your data is shared with a third party we will take all reasonable steps to ensure that the relevant third party only uses the personal data for the purpose for which it has been shared and that the data will be transferred securely to that third party.

For example, we may share data with any one or more of the following categories of third parties:

- **Event partners** – for the vast majority of our events we work in partnership with an events organisation and it is therefore necessary to share the names and contact

details of people attending the event with them for the purposes of managing and delivering the event, from processing payments (where applicable) to issuing tickets, managing admittance and seating during the event and contacting you regarding any changes to the event.

- **Mailing providers** – we work with third parties to print and process our mailings and e-newsletters.
- **Payment processors** - we use third party service providers to manage our financial processing and accounting. Data is shared to process payments to the cathedral, including event and ticket bookings, donations and venue hires.

## Marketing

Where contact details have been provided for a specific purpose (such as inviting you to an event), we will ask if you would like to continue to receive information from us.

At each event you will have the opportunity to opt-in to receive information about future events to ensure you never miss out. We will not contact you directly if you choose not to opt-in and if we do not hear from you, or if you tell us that you would not like to receive any further information, we will remove you from our mailing list.

Even if you have given us specific consent to be contacted for marketing purposes, you will always have the option to opt-out of further communications from the Cathedral at any time.

Where your details have been provided by a third party, we will inform you how we received your data when we first contact you. We will also ensure you are made aware of our Privacy Policy.

## How long will we hold your data for?

We keep information only for as long as is necessary in order to fulfil our services to you taking into account our need to meet any legal, statutory and regulatory obligations with which we are bound to comply.

You will have the opportunity to opt out or update or delete personal data at any point should you need to do so and details are set out in this policy as to how to achieve this.

Our need to use your personal information will be reassessed on a regular basis and we will dispose of personal data which we no longer require.

Access to your information, correction and deletion- your rights

When it comes to your personal data you have a number of rights, protected by data protection law, about the personal data that we hold about you.

You therefore have the right to request a copy of the information that we hold about you. If you would like a copy of some or all of your personal information, please email or write to us at the following address: [reception@lichfield-cathedral.org](mailto:reception@lichfield-cathedral.org) marked for the Data Protection Officer's attention.

We want to make sure that your personal data is accurate and up to date. You may ask us to correct or remove without delay any information about you that you think is inaccurate by

emailing us at [reception@lichfield-cathedral.org](mailto:reception@lichfield-cathedral.org) or writing to us at The Chapter Office, 19 The Close, Lichfield, WS13 7LE.

You also have the right to receive your personal data in a structured, commonly used and machine-readable format and have the right to ask us to transmit it to another controller if technically possible.

You have the right to seek a restriction of the processing of your personal data in certain circumstances. Further, you have the right to lodge an objection if you feel that one of the grounds relating to your particular situation apply. When you exercise your right to object, we must stop any processing unless we can show compelling legitimate grounds for the processing, which override your interest, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.

Should you wish for us to completely delete all information that we hold about you, you should please contact [reception@lichfield-cathedral.org](mailto:reception@lichfield-cathedral.org) or writing to us at The Chapter Office, 19 The Close, Lichfield, WS13 7LE

Where you have provided consent for us to process your data, you have the right to withdraw consent at any time.

We shall respond promptly to any request about your personal data and in any event, within one month from the point of receiving the request and all necessary information from you. In certain circumstances, we may make a small charge for this service. Our formal response will include details of the personal data we hold about you, including the following:

- Sources from which we acquired the information
- The purposes for processing *and*
- The persons or entities with whom we are sharing the information.

You can find out more about your rights by visiting the Information Commissioner's Office website - [www.ico.org.uk](http://www.ico.org.uk).

Should you have a complaint about the way we are processing your data, we encourage you to contact us in the first instance and we will investigate it. To make a complaint, to request a change to the way we process your data or to exercise any of your rights, please contact [reception@lichfield-cathedral.org](mailto:reception@lichfield-cathedral.org) marked for the Data Protection Officer's attention.

We will make every effort to address your concerns. However, if you are not satisfied with our response you can make a complaint to the Information Commissioner's Office - <https://ico.org.uk/concerns/>

### Transferring your information outside of Europe

We currently do not transfer your personal data outside the EEA. If in the future we transfer your personal data, in accordance with the terms of this Policy outside of the EEA, we will make sure that the party receiving the data agrees to provide the same or similar protection that we do and that the information they receive is used only in accordance with our instructions.

If you use our services while you are outside the EEA, your information may be transferred outside the EU to give you with those services.

### How to contact us

Please contact us if you have any questions about our privacy policy or information, we hold about you:

- By email: [reception@lichfield-cathedral.org](mailto:reception@lichfield-cathedral.org)
- Or write to us at: The Chapter Office, 19 The Close, Lichfield, WS13 7LE

### Updating our Privacy Policy

We keep our privacy policy under regular review and we will place any updates on this web page. This privacy policy was last updated on November 2019.

### Lichfield Cathedral safeguarding privacy notice

Lichfield Cathedral is committed to protecting your personal data. Personal data is any information relating to an identified or identifiable person.

This privacy notice explains what to expect when Lichfield Cathedral collects your personal information. There are several policies and procedures which support this privacy notice, these are listed in **Section 11** below.

### Data controller(s)

Lichfield Cathedral is the data controller.

### *Why we collect and use your personal data*

We collect and use your personal information to carry out our safeguarding responsibilities including the following activities:

- Ensuring the safety of those that work for or are employed by the institutional Church of England, including contractors and office holders, members of the Church of England and the public
- Investigating safeguarding allegations
- Maintaining records and case files regarding safeguarding incidents and/or investigations
- Providing training
- Providing support to individuals involved in safeguarding cases
- Providing advice to Church of England bodies regarding managing safeguarding incidents or cases
- Liaising with public, statutory and regulatory enquiries (including legal and independent reviews and inquiries), local authorities and courts and tribunals
- Being involved in litigation, dispute resolution and judicial process (including liaison with external advisers)

- Publishing resources, reports and reviews
- Undertaking research and statistical analysis
- Managing archived records for historical and research reasons, including the management and administration of access to our collections

#### *The categories of personal data we collect:*

The types of information we process include:

- personal details
- contact information
- family details
- lifestyle and social circumstances
- employment and education details
- housing needs

We also process ‘special categories’ of information that may include:

- race
- ethnic origin
- politics
- religion
- trade union membership
- health
- sex life *or*
- sexual orientation
- criminal allegations, proceedings or convictions.

We process personal information about:

- current, retired and prospective clergy
- employees (see wording below)
- volunteers
- complaints of misconduct and unlawful acts
- individuals involved in or connected with legal claims, inquiries, reviews and dispute resolution
- professional advisers and consultants
- children and parents
- individuals whose safety has been put at risk

#### *The lawful basis for using your information*

We collect and use personal data as explained below.

- **Legitimate interest** – we may need to process your information to undertake safeguarding tasks, including doing all that we reasonably can to ensure that no-one is

at risk of harm during Church of England activities.

### Legitimate Interest Assessment

We have undertaken a Legitimate Interest Assessment which sets out why we have a legitimate interest.

We have a specific purpose with a defined benefit	The consideration of matters which are brought to our attention in order that, amongst other things, we can identify any potential wrongdoing, inappropriate behaviour, or unlawful conduct, and put in place a safer way of working across the Church of England.
The processing is necessary to achieve the defined benefit.	Unless we properly appreciate the detail of the matters to which you refer, we cannot take steps to ensure that we have provided the most appropriate safeguarding response.
The purpose is balanced against, and does not override, the interests, rights and freedoms of data subjects.	There is the risk of significant and/or serious harm to others if unsuitable individuals are appointed. This risk is greatest where allegations are not properly addressed. This is balanced against, and does not override, your interests, rights and freedoms.

For a copy of the full Legitimate Interest Assessment, please contact our Data Protection Officer, whose contact details are set out at section 10 below.

- **Legal obligation** – we may need to process your information in order to comply with a legal obligation, such as under the Inquiries Act 2005 which may compel us to provide personal data for the purposes of a statutory inquiry, or a referral to the Disclosure and Barring Service under the Safeguarding Vulnerable Groups Act 2006, or an order of a court or tribunal.

### Special categories & criminal information

- **Substantial public interest** (protecting the public against dishonesty etc.) – we may need to process your information where necessary for the protection of members of the public generally against seriously improper conduct, and from any failures in connection with, the Church of England’s activities, or for safeguarding purposes.

This lawful basis is applied in the UK only, with reference to the GDPR Article 9(2)(g), and the Data Protection Act 2018 Schedule 2, paragraph 11. For those based outside the UK in other jurisdictions, they will have to ensure that their Member State law provides similar or equivalent use of 9(2)(g).

- **Legal claims** – we may need to process your information where there is a legal claim, or in connection with a judicial process.
- **Archiving** - we may keep your information for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

### Who we collect from or share your information with:

Where necessary (or required), we collect from or share information with:

- Parishes e.g., Parochial Church Councils (PCCs) and relevant PCC members, diocesan bodies, bishops' offices and cathedrals.

Links to these documents can be found in Section 11.

- Candidates, prospective employees, employees or other staff members (including contractors, workers, consultants and volunteers, including members of any 'Core Group')
- Legal representatives
- Parties and individuals involved in or connected with legal claims, inquiries, reviews and dispute resolution (including mediation and arbitration)
- Healthcare, social and welfare organisations or providers of health, social care or welfare services
- Educational institutions
- Governance bodies and committees
- 3<sup>rd</sup> party data processors
- Local and central government
- Both houses of parliament and members of parliament
- Regulatory and statutory bodies
- Law enforcement and prosecuting authorities
- Courts and tribunals and providers of legal services
- Members of the judiciary
- Charitable, religious and voluntary organisations
- Survey and research organisations
- Statutory, public, regulatory or other legal or independent reviews or inquiries, including any 'lessons learned' reviews

Once your information has been collected by Lichfield Cathedral it may be used by other National Church Institutions (NCIs), where necessary, to provide a complete service to you, and we do this on the lawful bases listed above. It is for this reason that we link your information together, for example, to save you providing your information more than once.

*Your personal data will not be sent to countries outside the EEA without your consent, and with necessary safeguards.*

Lichfield Cathedral will not share your information with countries outside of the UK or EEA without your consent and necessary safeguards.

*How long do we keep your information?*

There's often a legal and/or business reason for keeping your information for a set period, as stated in our retention schedule within the Privacy Policy and Safeguarding Privacy Policy.

## Security

We are committed to ensuring that your personal data is secure. We limit access to data on a need-to-know basis and test our security practices and technologies.

Employees and temporary workers are required to follow policies and procedures and complete mandatory annual training to understand data protection and information security.

If a data breach does occur, we will do everything in our power to limit the damage. In the case of a high-risk data breach, and depending on the circumstances, we will inform you about the breach and any remedial actions to prevent any further damage. We will also inform the Information Commissioner's Office of any qualifying data breaches.

**Your personal data will not be used for any automated decision making without access to human intervention.**

## Your rights

You have the following rights regarding your personal data, subject to exemptions:

1. The right to request a copy of your personal data
2. The right to rectify your data if you think it is inaccurate or incomplete
3. The right to request that your data being erased, in certain circumstances
4. The right to restrict processing of your data, in certain circumstances
5. The right to request that we transfer your data to you or another organisation, in certain circumstances
6. The right to object to our processing of your data if the process forms part of our public tasks, or is in our legitimate interests

To exercise these rights please contact the Data Protection Officer using the contact information provided below.

## Complaints or concerns

If you have any concerns or queries about how Lichfield Cathedral handles your personal data, please contact the Data Protection Officer at:

[reception@lichfield-cathedral.org](mailto:reception@lichfield-cathedral.org)

or

The Chapter Office, 19a the Close, Lichfield, WS13 7LE

You have the right to make a complaint at any time to the Information Commissioner at <https://ico.org.uk/concerns/> or Information Commissioner's Office, Wycliffe House, Water Lane Wilmslow Cheshire SK9 5AF, Tel: 0303 123 1113.

## Reference documents

For further information on Lichfield Cathedral please go to:

<https://www.lichfield-cathedral.org/downloads/privacy-policy-update.pdf>

<https://www.lichfield-cathedral.org/about-us/safeguarding>

For further information on the NCIs please go to:

<https://www.churchofengland.org/about/leadership-and-governance/national-church-institutions>

For further information on our safeguarding policy, please see Promoting a Safer Church policy statement 2017:

<https://www.churchofengland.org/sites/default/files/2019-05/PromotingSaferChurchWeb.pdf>

For further information on retention please see Safeguarding Records Retention Toolkit December 2015:

[Records management guides | The Church of England](#)

<https://www.churchofengland.org/sites/default/files/2017-10/Safeguarding%20Records-%20Retention%20Tool%20kit%20-Dec%2015.pdf>

For further information on our safeguarding duties and responsibilities, please see

Practice Guidance: Safer Recruitment 2016 policy:

[https://www.churchofengland.org/sites/default/files/2017-11/safeguarding%20safer\\_recruitment\\_practice\\_guidance\\_2016.pdf](https://www.churchofengland.org/sites/default/files/2017-11/safeguarding%20safer_recruitment_practice_guidance_2016.pdf)

Practice Guidance: Responding to, assessing and managing safeguarding concerns or allegations against church officers (2017):

<https://www.churchofengland.org/sites/default/files/2017-12/Responding%20PG%20V2.pdf>

Responding to Safeguarding Concerns or Allegations that relate to Children, Young People and Vulnerable Adults Practice Guidance (2018):

<https://www.churchofengland.org/sites/default/files/2018-11/Responding%20to%20Safeguarding%20Concerns%20or%20Allegations%20that%20relate%20to%20Children%2C%20Young%20People%20and%20Vulnerable%20Adults.pdf>

## 14. Safeguarding Complaints Procedure

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This procedure is for anyone wishing to complain about how a safeguarding issue has been handled.

**It is not the procedure for making a safeguarding referral.** If you think a child or vulnerable adult may be at risk of harm you should report it to the Cathedral Safeguarding Officer as a matter of urgency on 01543 306105. If you consider a child or vulnerable adult to be at risk of IMMEDIATE harm you should contact the Police on 999 or Staffordshire County Council's Adult/Children's Services on the numbers below. This should be followed up by contacting the Cathedral Safeguarding Officer within 24 hours.

Staffordshire County Council – First Response - Children	0800 131 3126 or 0345 604 2886 – out of hours
Staffordshire County Council - Adults Safeguarding	0345 604 2719 or 0345 604 2886 out of hours

Lichfield Cathedral takes complaints about our work and quality of service in all aspects of safeguarding seriously. We view complaints as an opportunity to learn and improve the support that we offer. If you are not satisfied with the service you have received, please follow the process below.

### Our aims are:

- to provide a fair procedure which is clear and easy to use
- to be open about how we will deal with complaints
- to ensure that all complaints are investigated fairly in a timely and proportionate way to resolve complaints
- to gather information in order to improve our service

### What is a complaint?

For the purpose of these procedures, a complaint is any expression of dissatisfaction about any aspect of the safeguarding service provided to you by Lichfield Cathedral. A complaint made under this procedure should set out how national or Cathedral safeguarding policy or guidance has not been followed. *Disagreement with professional decisions will not usually be grounds for a complaint unless, the judgement can be demonstrated to be perverse or fails to comply with accepted safeguarding principles*

### Who can make a complaint?

The complainant must be the person directly affected by the issue or an interested party to the person affected (eg a close relative), and not an unrelated third party or wider observer.

#### How will the complaint be dealt with?

All information will be handled sensitively, sharing information on a 'need to know' basis and in accordance with the Cathedral's privacy notice.

Overall responsibility for this procedure and its implementation lies with the Dean of Lichfield.

These procedures will be reviewed periodically as required.

#### This complaints procedure cannot be used:

- by an employee of Lichfield Cathedral. Employees should use the grievance and whistleblowing procedures set out in the Employee Handbook

This complaints procedure is for issues where national or Cathedral safeguarding policies and procedures have not been followed.

If the complainant believes that Lichfield Cathedral or any of their employees has committed a criminal offence they should report this to the police immediately.

## Complaints procedure

### Informal Resolution

In many cases, a complaint is best resolved between the complainant and the person responsible for the issue that is being complained about. We expect that all reasonable efforts will have been made to resolve the issue swiftly on an informal basis if possible and appropriate.

However, we appreciate that this isn't always possible or appropriate and therefore have the following three stage process in order to deal with formal complaints raised.

Please note that Lichfield Cathedral reserves the right to extend any timeframes without requiring a reason.

### Formal Resolution

#### Stage One

Initially, the complaint should be made to the Director of Fundraising or Director of Finance and Operations. This can be in writing or by telephone and must include:

- Your full name and contact details
- What you think went wrong and how it affected you
- The outcome you are seeking, i.e. what you think should be done to put matters right

All telephone conversations will be recorded in writing and shared with the complainant to ensure accuracy and transparency. The complaint will be acknowledged and responded to within 10 working days and a copy of this complaints procedure will be supplied.

The Director will do the following:

- initiate discussions with the complainant to fully understand their issue, seek clarity and be clear on what would constitute a resolution for them
- form a view and decide who the best person to respond to the complaint would be make a decision as to the appropriate action and communicate this to all parties

It is hoped that an acceptable resolution can be found and the complaint can be concluded to the complainant's satisfaction at this level. However, if this is not the case, the complainant must inform the Director involved within 10 working days of their decision to initiate stage two, which will be progressed as follows:

### *Stage Two*

At stage two, the details of the complaint and actions taken at stage one will be passed to the Diocesan Safeguarding Advisor (DSA). The DSA will:

- acknowledge receipt of the stage two complaint
- make it clear when a response can be expected (within 10 working days)
- review all documentation and the actions taken so far
- discuss with the complainant the situation from their perspective and why resolution could not be reached. All conversations will be recorded in writing and shared with the complainant for accuracy and transparency
- discuss the same with the Director involved in Stage one
- consider what, within the framework of Cathedral policy and if necessary, the law, could be a way forward to resolve the issue at hand

It is hoped that an acceptable resolution can be found at this stage and the complaint can be concluded to the complainant's satisfaction at this level. However, if this is not the case, the complainant must inform the Director involved within 10 working days of their decision to initiate stage three, which will be progressed as follows:

### *Stage Three*

At stage three, the details of the complaint and actions taken at stage one and two will be passed to the Independent Chair of the Diocesan Safeguarding Scrutiny Panel (DSSP). The Independent Chair will:

- acknowledge receipt of the stage two complaint
- make it clear when a response can be expected (within 10 working days)
- review all documentation and the actions taken so far
- discuss with the complainant the situation from their perspective and why resolution could not be reached. All conversations will be recorded in writing and shared with the complainant for accuracy and transparency
- discuss the same with the Director involved and DSA
- consider what, within the framework of Cathedral policy and if necessary, the law, could be a way forward to resolve the issue at hand
- where necessary, take advice from the Diocesan Secretary/Registrar in order to formulate a response for the complainant and any necessary action

The reply to the complainant will inform them of the action(s) taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

The only additional complaint can be due to an issue with the process and not a complaint against the decision made.

### External

If, despite all stages of the procedure having been followed, the complainant remains dissatisfied, they may choose to escalate their concerns to The Church of England's National Safeguarding Team and request an independent assessment of the complaint.

## Recording, monitoring and learning

### Recording Complaints

The Cathedral Safeguarding Officer/Executive Director will keep a record of all safeguarding complaints (see Appendix A) to include the following information:

- date complaint(s) received
- name and status of complainant
- brief description of complaint(s)
- summary of the outcome of the complaint(s) and how and when this was communicated to the complainant
- any actions taken

Records of complaints will be kept for a maximum of two years following a final outcome being communicated to the complainant.

### *Monitoring and Learning from Complaints*

The number and outcome of any complaints will be reported at least annually in the Cathedral's Annual Report to the Bishop to identify any trends which may indicate a need to take further action.

## Appendix A: Sample Safeguarding Complaints Record Form

### Lichfield Cathedral Safeguarding Complaints Record Form

#### *Instruction for completion*

**Ref No:** The reference number should chronologically increase from 1.

**Date:** Date the complaint was made.

**Name and status of the complainant:** Name and title of the complainant.

**Nature of complaint:** Include brief details of the complaint.

**Person who recorded complaint:** Who received the complaint.

**Owner of complaint:** Who has taken over the management of the complaint.

**Resolution:** Include brief details of the resolution.

**Resolved:** Record Y = yes / N = no.

**Date resolution was communicated to complainant:** Date the resolution was communicated to the complainant.

**Any actions taken:** Details of any further action taken.

<u>Ref No</u>	<u>Date</u>	<u>Name and status of complainant</u>	<u>Nature of Complaint</u>	<u>Person who recorded complaint</u>	<u>Owner of the complaint</u>	<u>Resolution</u>	<u>Resolved (Y/N).</u>	<u>Date resolution was communicated to complainant</u>	<u>Any actions taken</u>

## 15. Safeguarding training

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### **How is the training delivered?**

The House of Bishops' Safeguarding Policy states that the Church 'will train and equip church officers to have the confidence and skills they need to care and support children, young people and vulnerable adults and to recognise and respond to abuse.'

The Church of England's [Safeguarding Training and Development Practice Guidance](#) outlines the core safeguarding training that is available from the diocese and implemented in Lichfield Cathedral.

#### Training timescales

All new volunteers and committee members are required to complete CO training followed by additional training as required because of their position, within 3 months of starting as Cathedral volunteers.

All new members of staff to be trained within 1 month of commencing employment.

All training to be renewed every 3 years unless the role changes and additional training is required.

#### How is the training delivered?

All in-house training (Safeguarding Awareness) is delivered by 2 trainers in accordance with the guidance from the Church of England. Lichfield Cathedral delivers the Safeguarding Awareness course as the basic training.

Safeguarding Awareness and Foundations online training is available for those not able to attend a face-to-face course. Please visit:

<https://safeguardingtraining.cofeportal.org/login/index.php>.

Leadership training is delivered by Lichfield Diocese.

Safeguarding Senior Leadership Pathway training is delivered nationally.

#### Not sure which training is required?

If unsure about the level of training required, please ask the Cathedral Safeguarding Officer or Coordinator.

Training level	Detail
Safeguarding Awareness	Recommended for anyone who needs a basic level of awareness of safeguarding. This online/face to face module is also a pre-requisite for attendance at any other core training module.
Foundations	Required for anyone who has safeguarding responsibilities/contact with children and/or vulnerable adults. Available online.
Leadership	Required for anyone who has safeguarding leadership responsibilities and/or leads activities involving children and/or vulnerable adults. Delivered by the Diocese.
Safeguarding Senior Leadership Pathway	Senior staff and clergy who have key roles in safeguarding policy, strategy and practice. Delivered nationally.

Additional Core Training Requirements				
Role (example)	Safeguarding Awareness	Foundations	Leadership	Safeguarding Senior Leadership Pathway
The Dean, Resident Clergy	√	√	√	√
Non-Clergy Chapter Members	√	√	√	x
Cathedral Staff or Volunteers working with children/vulnerable adults	√	√	√	x
Cathedral Safeguarding Officer	√	√	√	√
Vergers	√	√	x	x
Leaders/supervisors of work with children/vulnerable adults (paid or volunteer)	√	√	√	x
Children's Church helpers	√	√	x	x
Bell ringers – Tower Captain and Assistant	√	√	√	x
Pastoral Visitor	√	√	√	x
Directors of Music	√	√	√	√
Assistant Organist	√	√	√	x
Organ Scholar	√	√	√	x
Lay Vicars	√	√	x	x
Deputy Lay Vicars	√	x	x	x

Cathedral staff (not working with children/vulnerable adults)	√	x	x	x
Volunteer Guides, Stewards, Welcomers, Servers, Vergers, Bell ringers, Holy Dusters, Gardeners, Flower Guild, Café Assistants, Shop Assistants, Office Assistants, Lesson readers, Refreshment rota, Chalice Administrants, Embroiderers, Diocesan Digest Sound Magazine	√	x	x	x

## 16. Safer recruitment procedures

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Lichfield Cathedral will follow the procedures set out in the Church of England's [Safeguarding Guidelines to Safer Recruitment](#) when appointing staff and volunteers to work with children and vulnerable adults.

### Safer Recruitment Procedures

At least one of those involved in the recruitment of staff should have undertaken a Safer Recruitment Course which can be completed online.

Please read the information on pages 6-9 of the above guidance noting the following:

#### Finding and recruiting

It is a criminal offence for an individual who is barred from working with vulnerable groups to apply for a regulated activity role and it is a criminal offence for an organisation to appoint a barred person to a regulated activity role.

#### Be clear about who is responsible for appointments

Responsibility can be delegated but it is important that the person to whom it is delegated is capable, competent and trained in safer recruitment and is also able to keep personal matters confidential. You must seek advice if it is unclear who has the responsibility for appointments.

#### Have a policy statement on the recruitment of ex-offenders

Applicants for paid and volunteer positions must be clear about how they will be treated if they are ex-offenders. See 'Equal Opportunities Policy' on page 24 of this document.

#### Ensure that there are safeguarding policies in place

The Church of England has a range of national safeguarding policies. The joint statement of safeguarding principles, which appears in all national safeguarding policies must be used in

the recruitment process to ensure the applicant is aware of the safeguarding approach of the Church of England:

- Have a clear job description or role, which sets out what tasks the applicant will do and what skills are required.
- The job description or job role will also say whether it is eligible for and requires a criminal records check, and if so the level of the check.
- If it is a paid role this must be a formal job description/person specification.
- If it is a voluntary role, a simple role description may be used.

### Job/role description and Criminal Record Checks

In broad summary, it is the policy of the Church of England that all those who work regularly with children and/or adults experiencing, or at risk of abuse or neglect, including those on a rota, must have, where appropriate, an enhanced criminal record check (with/without a check of the barred list, as appropriate). In addition, those who work only occasionally with vulnerable groups will also be asked to apply for enhanced checks, provided they are eligible. Those who manage or supervise those who work with vulnerable groups and those in a leadership capacity who carry responsibility for safeguarding, will also be required to obtain enhanced check, provided they are eligible.

### Application form/references

An application form will always be necessary in a paid role to assess the person's suitability for the role. An application form will also be good practice when recruiting for a voluntary role. Always ask for and take up references. Ask referees specifically about an individual's suitability to work with vulnerable people. Ensure that you carefully examine application forms and references and make sure that the information that has been provided is consistent and the organisation is provided with a satisfactory explanation for any discrepancies and/or any gaps in an applicant's personal history and/or career. Generic references should be discouraged and any reference should be completed by a person who had direct knowledge of the applicant's practice. If anything is unclear, or indicates a concern in the reference, contact the referee to clarify the position.

The information provided in support of applications is kept in confidence and will only be used for the purpose of personnel management. If an application is unsuccessful, it will be destroyed after 6 months.

### The Confidential Declaration

At the start of the process, where an individual is going to work or volunteer with vulnerable people, ask them to complete a 'Confidential Declaration' which, in broad summary, asks if there is any reason why they should not be working with children and adults experiencing, or at risk of abuse or neglect. It can also help to identify any issues that might need resolving at an early stage. Having a criminal record may not necessarily be a bar to working with children or adults experiencing, or at risk of abuse or neglect. The Diocesan Safeguarding Adviser is there to provide advice to the person responsible for the appointment and must be contacted if an applicant discloses any information in the Confidential Declaration. Should

the applicant not wish to complete the Confidential Declaration, which is entirely their choice, the application must not proceed further and must be terminated.

### Interview/discussion

Have a face-to-face interview or discussion with pre-planned and clear questions to assess a person's suitability for a role. Check the Confidential Declaration and the references. In paid roles (and sometimes in volunteering roles) the candidate's identity will need to be checked by asking them to bring photographic ID as well as evidence of their relevant qualifications.

The interview/discussion should include questions about:

- An applicant's values, attitude to working with children and adults experiencing, or at risk of abuse or neglect and motives for wanting to engage in such work.
- If they know of any reason why they should not be working with children or adults experiencing, or at risk of abuse or neglect or if there are any pending cases/issues which could affect them or their ability to carry out the role.

If the applicant discloses any matter during the interview that relates to children and/or adults experiencing, or at risk of abuse or neglect and which may affect the applicant's suitability for the role, then this must be referred to the Cathedral Safeguarding Officer / Diocesan Safeguarding Adviser for advice.

### Asking for a Disclosure and Barring Service (DBS) Check

If the person/chair of the interview panel conducting the interview/discussion is minded to recommend approval then the applicant must be asked to carry out an appropriate DBS check. Special arrangements apply to overseas applicants. Provided they are eligible, an enhanced DBS must always be required in relation to people sent abroad to work with vulnerable groups (children or adults experiencing, or at risk of abuse or neglect) as part of the UK recruitment process. Should the applicant not wish to apply for a DBS check, which is entirely their choice, the application must not proceed further and must be terminated.

### Overseas applicants

If a candidate/applicant etc. for a position that is eligible for a DBS check is coming from overseas who, either has never lived in the UK or spent a period of time (i.e., lived abroad), the person making the appointment should request an additional check and ask the applicant to obtain a criminal record check (also known as a certificate of good conduct/character) from their relevant embassy/high commission (or police force). This means that in addition to the DBS check, the candidate/applicant must seek this additional check to cover the time they spent abroad. (Further advice can be found on the Home Office website). If such information is not available from the embassy/high commission etc. or if there are concerns about the reliability of the information provided, the person(s) making the appointment should take extra care when taking up references and checking any previous employment record. In such cases, additional references should be sought and at least one reference from a previous employer should be contacted by telephone as well as by letter.

### Approval

The decision to appoint to voluntary or paid work must be made only by those who have that responsibility. The start date or appointment must not be confirmed until the relevant criminal record check is received and examined. While local practice may vary, most criminal record checks are received and examined by the criminal records (i.e., DBS) administrator. Criminal record checks that are not clear (i.e., which contain information of, for instance, criminal convictions or cautions or additional information such as arrests) must always be referred to the Diocesan Safeguarding Adviser for advice. All paid posts will receive a letter of appointment. It is also good practice for volunteers to receive a letter of appointment, which can set out both an organisation's commitment to its volunteers and what it hopes from its volunteers. Included with the appointment letter should be a copy of the 'Statement of Safeguarding Principles' and a copy of the 'What to do if you come across a safeguarding incident...' guidance.

### Induction

All new employees and volunteers will be required to read the Cathedral's safeguarding policy within the first week of employment. They should sign to agree that they will comply with the guidance and that they are aware of what steps to take if they have a safeguarding concern. All new employees and volunteers should read and agree the general and safeguarding code of conduct within the first week of starting.

Employees or volunteers whose roles involve working with children and adults experiencing, or at risk of abuse or neglect must receive relevant safeguarding training from the Diocese after starting their role, regardless of previous experience. They must also attend regular updates every three years.

### Probationary/settling in Period

It is good practice to have a period of probation, (for instance, 6 months) for any paid role or a settling in period for volunteers when the volunteer and the organisation can see whether the volunteer is suited to the particular role. During these periods relevant training can be planned, and support can be arranged. In addition, regular meetings with the supervisor can be organised to discuss any issues etc. that arise. For paid roles, at the end of the probationary period a person must be confirmed in his/her role in writing.

### Supervision and regular review

All paid posts will be subject to management, regular supervision and appraisal. For all volunteer posts, working with children and adults experiencing, or at risk of abuse or neglect, supervision will be provided and reviewed regularly, as the role requires, (e.g., annually) so that volunteers feel supported and issues can be discussed and/or resolved.

### Checklist for Recruitment

- ✓ Prepare job description
- State if a DBS is required
- ✓ Advertise the role
- State if a DBS is required

- All applications should be on a Cathedral application form – CVs alone are not accepted.
- A voluntary declaration/disclosure form should be completed.
  - ✓ Shortlist ready for interview
- Are there any gaps or questions arising in the in the employment history? – be prepared to ask why at interview
- Are any special requirements/adaptations needed for the interview?
  - ✓ Prepare interview questions
- For all roles ask about safeguarding and for those specifically involved with children and vulnerable adults ensure specific questions are asked.
  - ✓ Interview
- Use set questions as above
- Query any employment gaps – don't accept waffle.
- Check we can contact referees – any job offer will be subject to satisfactory references.
- Explain the timeline for a response to the interview.
  - ✓ Decision time
- Based on the interviews and the application forms select the preferred candidate.
- Offer them the position subject to satisfactory references.
- Write/email referees – include the job description and a set of questions.
- Carry out checks to ensure they are eligible to work in the UK (see Section 10 on application form)
  - ✓ Job offers
- On receipt of references confirm the job offer with a letter, job description and terms of employment together with the Payroll authorisation form, Payroll Options form and medical questionnaire – these can be emailed for speed and then posted to the successful candidate.
- All the above documents to be returned signed and completed.
- DBS forms to be completed if required.
- Start date to be agreed dependent on a satisfactory DBS check if required.
  - ✓ Starting date
- Bring their passport as proof of right to work in the UK.
- If not an EU or Swiss citizen then alternative documents to be provided.
- A copy of this document to be taken and signed with the following statement: The date on which this right to work check was made:
- Conduct an induction and then set targets for completion over the next few weeks and months.
- Arrange a date for face-to-face safeguarding training or the online version at the appropriate level.
- DBS certificate to be obtained prior to starting work. A certificate with a positive return must be referred to the Diocesan Safeguarding Advisor.

## 17. Whistleblowing policy

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We are committed to conducting our work with honesty and integrity, and we expect all staff and volunteers to maintain high standards. However, 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 or to address them when they do occur.

The aims of this policy are:

- To encourage staff and volunteers to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- To provide staff and volunteers with guidance as to how to raise those concerns.
- To reassure staff and volunteers that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

### What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work.

This may include:

- Criminal activity
- Safeguarding concerns
- Miscarriages of justice
- Danger to health and safety
- Damage to the environment
- Failure to comply with any legal or professional obligation or regulatory requirements
- Financial fraud or mismanagement
- Unauthorised disclosure of confidential information
- The deliberate concealment of any of the above matters.

A whistle-blower is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.

This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Procedure or Dignity at Work Policy as appropriate

If you are uncertain whether something is within the scope of this policy you should seek advice from your Line Manager.

### Raising a whistleblowing concern

We hope that in many cases you will be able to raise any concerns with your Line Manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Executive Director.

However, where the matter is more serious, or you feel that your Line Manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- The Executive Director
- The Dean

We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

### Raising a safeguarding whistleblowing concern

Matters of safeguarding should be referred immediately to the Safeguarding Officer or, in their absence the Safeguarding Coordinator or Diocesan Safeguarding Advisor. If the concern is connected with either of these people or where you feel that your concern has not been acted upon and a child or vulnerable adult may be at risk then, and only then, the matter should be referred to the Dean or an external body such as the National Safeguarding Team or NSPCC's Whistleblowing Advice Line.

Diocesan Safeguarding Advisor	01543 306030
Church of England National Safeguarding Team	safeguarding@churchofengland.org
NSPCC's Whistleblowing Advice Line	0800 028 0285

Important: Where you believe a child or vulnerable adult is at imminent risk of harm you must call 999.

### Confidentiality

We hope that staff and volunteers 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.

We do not encourage staff and volunteers 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 and have been made in good faith. Whistle-blowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the other contact points listed above and

appropriate measures can then be taken to preserve confidentiality. If you are in any doubt, you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

### External disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are below.

Telephone	Whistleblowing Advice Line: 020 7404 6609
Email	UK advice line: <a href="mailto:whistle@pcaw.org.uk">whistle@pcaw.org.uk</a>

Whistleblowing concerns usually relate to the conduct of our staff and volunteers, but they may sometimes relate to the actions of a third party, such as a customer, supplier or service provider. The law allows you to raise a concern in good faith with a third party, where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, we encourage you to report such concerns internally first.

### Investigation and outcome

Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.

In some cases, we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If we conclude that a whistle-blower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistle-blower will be subject to disciplinary action.

### If you are not satisfied

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts detailed above. Alternatively, you may contact a member of Chapter.

### Protection and support for whistle-blowers

It is understandable that whistle-blowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

Staff and volunteers must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Executive Director immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

Staff and volunteers must not threaten or retaliate against whistle-blowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

### Responsibility for the success of this policy

Chapter has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

The Executive Director has day-to-day operational responsibility for this policy and must ensure that all Line Managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

All staff and volunteers are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

Staff and volunteers are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Executive Director.