



THE FACULTY OFFICE OF THE ARCHBISHOP OF CANTERBURY NOTARIES

Whistleblowing Policy

Introduction

The Faculty Office appoints and regulates public notaries in England and Wales. It is responsible for taking action when a notary has been found out to have committed misconduct. It is also the supervisor for anti-money laundering within the notarial profession.

Concerns about notaries

If you wish to make a complaint against a notary please read the Faculty Office [guide](#). In the first instance, a complaint will normally be made to the notary in question, but if that is not appropriate for some reason please contact the Faculty Office where advice can be given about how to further pursue your complaint.

Some concerns about notaries are difficult to raise openly, particularly when it is a member of staff of the notary who is concerned. If you have a concern about the activity of a notary or someone working for or with a notary about serious misconduct or recklessness which you cannot raise directly with the notary, the Faculty Office may be able to help you. We strongly encourage responsible and lawful reports to us of serious misconduct and serious risks at the earliest possible stage. Your prompt report could be vital in protecting the public from reckless or dishonest behaviour.

You may contact us by letter, phone or [email](#) using the contact details listed on the Faculty Office website. Write to or ask to speak to the Chief Clerk, the Registrar or the Deputy Registrar.

If your concern relates to the proceeds of crime or terrorist financing you should report this directly to the [National Crime Agency](#) and about any criminal matter more generally, to the police. You can also raise your concerns with the Faculty Office. The Faculty Office will then refer your concerns to the National Crime Agency or to the police, in which case it will seek to respect your wish for (but cannot guarantee) anonymity insofar as it is legally allowed or it is possible to do so.

How we will deal with your report

We will deal with your report sensitively and if information is provided to us on a confidential basis we will take appropriate steps to protect your identity. It would be our expectation that information normally be provided to us openly as to withhold the source of the information or something about it can hinder a transparent and thorough investigation. However, if you wish your report to remain confidential please tell us. Normally this will be because you are an employee of a notary and would be fearful of being dismissed or otherwise disadvantaged by raising a concern openly. Protections against dismissal and other detriment are also available under the Public Interest Disclosure Act 1998 for employees who raise certain concerns with their employer.

In some cases we will need to discuss with you whether you are prepared to be identified at some stage. For example, depending upon the facts of the case, we may have difficulty in taking enforcement or disciplinary action without formally and openly relying upon evidence from you.

Notaries who we regulate are required to report such matters to us in any event. However, if you are a notary and are concerned about whether you may be investigated for your own part in any wrongdoing, reporting the issues and co-operating with us could constitute significant mitigation. This is particularly so where issues are reported to us at an early stage. Late reports could, however, also constitute mitigation. We would rather see notaries and those working in notarial practices providing information late than not at all. Although we cannot guarantee that we will not take any action against you, bringing the information to us is likely to help your position considerably.

Where information is clearly untrue, or is being disclosed for personal gain rather than to address a genuinely held concern which requires the help and intervention of the regulator we reserve the right to take no further action. We may also not be able to tell those who bring forward concerns and information what action we will be taking, where an investigation is ongoing and would be prejudiced by telling the person who provided the information what is happening. Otherwise we shall seek to keep the person informed either from time to time or at the end of the investigation.

Last updated: 4th April 2019