

Whistleblowing Policy Statement

Introduction

Employees, and others who we deal with, are often the first to realise that there may be something seriously wrong with the Authority but do not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Authority. They may also fear harassment or victimisation. In those circumstances they may decide that it is easier to ignore the concern than report it. After all, they might be wrong! That is an understandable reaction but it is not the correct one. Even if it is just a suspicion employees should feel free to draw attention to anything that might put the reputation of the Authority at risk.

The Authority is committed to the highest possible standards of openness, probity and accountability. Accordingly, the Authority expects and indeed encourages anybody who has serious concerns about any aspect of the Authority's work to come forward and voice those concerns. Any matters raised will be treated in strict confidence and anybody who raises legitimate concerns can be assured that there will be no reprisals.

This policy statement makes it clear that any referral can be made without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the Authority rather than overlooking a problem or 'blowing the whistle' outside.

The policy applies to all employees, contractors, suppliers or third parties who have a relationship with the Authority.

These procedures are in addition to the Authority's complaints procedures.

You may wish to refer to the Public Disclosure Act 1998 when considering this policy.

Aim and Scope of the Policy Statement

This policy aims to:

- Encourage you to feel confident in raising serious concerns about any methods or practice you observe.
- Provide avenues for you to raise those concerns and receive feedback on any action.
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The Confidential Reporting Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Conduct which is an offence or a breach of law.
- Health and safety risks, including risks to the public as well as other employees.
- Damage to the environment.
- The unauthorised use of public funds.
- Possible fraud and corruption.
- Breaches of the Authority's Code of Conduct and other personnel policies.
- Other unethical conduct.

In other words, any serious concerns that you have about any aspect of service provision or the conduct of officers or members of the Authority or others acting on behalf of the Authority can be reported under the Confidential Reporting Policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Authority subscribes to;
- is against the Authority's Standing Orders and policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

This policy does not replace the corporate complaints procedure.

Safeguards

Harassment or Victimisation

The Authority is committed to good practice and high standards and wants to be supportive of employees.

The Authority recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true you should have nothing to fear. You will be doing your duty to your employer and those to whom you are providing a service.

The Authority will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern.

If you are already the subject of other employment procedures e.g. disciplinary or redundancy, those procedures will not be halted or suspended.

Confidentiality

All concerns will be treated in confidence and if you don't want your identity revealed every effort will be made to ensure that it isn't. However, it must be appreciated that in the interests of natural justice, any investigation process is likely to reveal the source of the information and a statement by you is likely to be required as part of the evidence.

Anonymous Allegations

Notwithstanding the above commitment, the Authority will encourage you to put your name to your allegation whenever possible because concerns expressed anonymously are much less powerful. Nevertheless, anonymous referrals will be considered at the discretion of the Authority.

In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issues raised.
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Untrue Allegations

The Authority's intention in having this policy is to encourage employees to raise legitimate concerns. If an employee makes an allegation, but it is not confirmed by the investigation, no action will be considered or taken against them. However, if an employee makes false, malicious or vexatious allegations this will be treated as a serious disciplinary offence and disciplinary action will be taken. The law only offers protection from dismissal or detriment if the worker reasonably believes their disclosure was made in the public interest.

How to raise a concern

As a first step, you should normally raise concerns with your immediate manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that line management is involved, you should approach the Clerk, the Monitoring Officer or Internal Audit.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- the background and history of the concern (giving relevant dates).
- the reason why you are particularly concerned about the situation.

The earlier you express the concern the easier it is to take action.

Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

Advice and/or guidance on how to pursue matters of concern may be obtained from:

Contact	Telephone Number
Clerk	01226 773301
Monitoring Officer	01226 775799
Internal Audit	01226 775799

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

If the issue you want to raise concerns fraud or misuse of public money you may want to go directly to the Authority's external auditor who's contact details can be found through the link below:

<https://www.psa.co.uk/appointing-auditors/list-of-auditor-appointments/>

You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

How the Authority will respond

The Authority will respond to your concerns . Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

Where appropriate matters raised may:

- be investigated by management, internal audit, or through the disciplinary process.
- be referred to the Police.
- be referred to the external auditor.
- form the subject of an independent enquiry.

In order to protect those accused of misdeeds, or possible malpractice, initial enquiries will be made to establish whether an investigation is appropriate and, if so, what form it should take. In reaching that decision the Authority will, at all times, consider what is in the public interest. Concerns or allegations which fall within the scope of specific procedures (for example harassment or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within fifteen working days of a concern being raised the Clerk will write to you:

- acknowledging that the concern has been received.
- indicating how we propose to deal with the matter.
- giving an estimate of how long it will take to provide a final response.
- telling you whether any initial enquiries have been made.
- supplying you with information on staff support mechanisms, and
- telling you whether further investigations will take place and if not, why not.

The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary the Authority will seek further information from you.

Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a friend.

The Authority will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Authority will arrange for you to receive advice about the procedure.

The Authority accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

The Responsible Officer

The Clerk has overall responsibility for the maintenance and operation of this policy. The Clerk maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Authority.

How the matter can be taken further

This policy is intended to provide you with an avenue within the Authority to raise concerns. The Authority hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the Authority, the following are possible contact points:

- the external auditor.
- your trade union.
- your local Citizens Advice Bureau.
- relevant professional bodies or regulatory organisations.
- a relevant voluntary organisation.
- the Police.
- Protect (formerly Public Concern at Work) – 020 3117 2520 – www.protect-advice.org.uk An independent charity that provides free advice for employees who wish to express concerns about fraud or other serious malpractice.

If you do take the matter outside the Authority, you should ensure that you do not disclose confidential information. Check with the contact point about that.

Corporate reporting and monitoring

Internal audit keeps a register that contains all concerns brought to its attention on behalf of the Monitoring Officer. The contact point or initial contact must ensure that the Monitoring Officer is fully aware of concerns raised so that they may be recorded in the register.

The Monitoring Officer will produce an annual report for the Audit Committee. The report will not identify individual employees but refer only to the concerns raised.

The Register and annual report will be available for inspection by external audit but only after the removal of any items requested by employees to remain confidential.

This policy will be reviewed annually.

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