

# Whistleblowing Policy

December 2024

### Document Control Information

Document title	Whistleblowing Policy
Version	December 2024
Status	For Review of Audit & Governance Committee
Owner	Head of Governance & Corporate Services
Department	Resources
Publication date	12 December 2024
Approved by	Authority
Next review date	December 2026

### Version History

Version	Date	Detail	Author
1	September 2019	Original Policy	Fund Director
2	December 2024	Full review and revision.	Head of Governance and Corporate Services

## 1. Introduction

- 1.1 South Yorkshire Pensions Authority (the Authority) is committed to the highest possible standards of honesty, openness, probity, and accountability. It seeks to conduct its affairs in a responsible manner, to ensure that all the Authority's activities are open and effectively managed, and that the Authority's integrity and principles of public interest disclosure are sustained.
- 1.2 In line with that commitment, we encourage, and indeed expect, employees, those working on behalf of the Authority and others that we deal with, who have 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.
- 1.3 Employees working for the Authority are often the first to realise that there may be something seriously wrong. However, they may 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. Each person working for the Authority needs to realise that they not only have the right, but also a duty, to report any improper actions or omissions.
- 1.4 The Authority also recognises and appreciates that employees who raise concerns regarding malpractice or wrongdoing are an asset to the Authority, and not a threat. This Whistleblowing policy is intended to encourage and enable staff to raise serious concerns.
- 1.5 This policy makes it clear that any referral can be made without fear of victimisation, subsequent discrimination, or disadvantage. It is intended to encourage and enable employees to raise serious concerns within the Authority rather than overlooking a problem or 'blowing the whistle' outside.
- 1.6 These procedures are in addition to the Authority's complaints procedures.
- 1.7 You may also wish to refer to the Public Disclosure Act 1998 when considering this policy.

## 2. Policy Objectives

- 2.1 This policy aims to:
  - i. Promote a culture of openness in order to protect the ethical reputation of the Authority.
  - ii. Provide safeguards to enable individuals to raise genuine concerns in confidence and without fear of repercussions.
  - iii. Provide avenues to raise those concerns and receive feedback on any action taken.

- iv. Ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied.

### 3. Scope

- 3.1 There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. This Whistleblowing (Confidential Reporting) Policy is intended to cover major concerns that fall outside the scope of other procedures. Examples of concerns covered by this policy 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.
- 3.2 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 Whistleblowing 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.

### 4. Safeguards

#### *Harassment or Victimisation*

- 4.1 The Authority is committed to good practice, high standards and to supporting its employees.
- 4.2 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.
- 4.3 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.
- 4.4 If you are already the subject of other employment procedures e.g., disciplinary or redundancy, those procedures will not be halted or suspended.

### *Confidentiality*

4.5 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 understood 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*

4.6 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.

4.7 In exercising this discretion, the factors to be considered would include:

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

### *Unfounded / Untrue Allegations*

4.8 The Authority's intention in this policy is to encourage employees to raise legitimate concerns. A disclosure or allegation made in good faith which is not confirmed by subsequent investigation will not lead to any action against the person making it. However, individuals making allegations which are found by subsequent investigation to be malicious and/or vexatious may be subject to disciplinary or other appropriate action.

## **5. How to raise a concern**

5.1 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 Director, the Head of Governance & Corporate Services (who is the Authority's Monitoring Officer), or Internal Audit.

5.2 Concerns may be raised verbally or in writing. Employees 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 reasons why you are particularly concerned about the situation.

5.3 The earlier you express the concern, the easier it is to act. 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.

5.4 Advice and/or guidance on how to pursue matters of concern may be obtained from the Director, the Head of Governance & Corporate Services or from the Governance team or HR team – whose contact details are all available through the Authority's SharePoint system. The Authority's internal audit service is provided by BMBC's Corporate Assurance team – whose contact details are as follows:

Head of Corporate Assurance – [SharonBradley@barnsley.gov.uk](mailto:SharonBradley@barnsley.gov.uk)

Corporate Assurance Manager – [CarolineHollins@barnsley.gov.uk](mailto:CarolineHollins@barnsley.gov.uk)

5.5 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.

5.6 If the issue you want to raise concerns about relates to fraud or misuse of public money, you may wish to contact the Authority's external auditor directly. Their contact details are available from the Authority's finance team or can be obtained from Public Sector Audit Appointments Ltd at the following link: [Auditor appointments - PSAA](#)

5.7 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.

## 6. How the Authority will respond

6.1 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.

6.2 Where appropriate matters raised may be:

- i. Investigated by management, internal audit, or through the disciplinary process.
- ii. Referred to the Police.
- iii. Referred to the external auditor.
- iv. Form the subject of an independent enquiry.

6.3 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 always 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.

6.4 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.

6.5 Within 15 working days of a concern being raised the Director 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.
  - Telling you whether further investigations will take place and if not, why not.
- 6.6 The amount of contact with you that will be made by the officers considering the issues 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.
- 6.7 Where any meeting is arranged, this will be off-site if you so wish, and you can be accompanied by a union or professional association representative or a work colleague.
- 6.8 The Authority will take steps to minimise any difficulties which you may experience because 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.
- 6.9 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.

## 7. Responsible Officer

- 7.1 The Director has overall responsibility for the maintenance and operation of this policy.

## 8. External contacts / sources of guidance

- 8.1 The Authority hopes that this policy gives you the reassurance to raise matters internally within the organisation. Whilst we would prefer you to raise your concern internally, we do recognise that there may be circumstances where you may wish to raise matters with outside organisations or regulators. In fact, we would rather you raised a matter with an appropriate outside organisation or regulator than not raise it at all.
- 8.2 If you are unsure whether to use this policy or you want confidential advice at any stage, the independent charity **Protect** provides free, confidential advice for employees on whistleblowing. Contact via:
- Telephone: 020 3117 2520
  - Webform: [Contact Our Advisors](#)
  - or via: [Protect - Speak up stop harm - Whistleblowing Homepage](#)
- 8.3 Employees also have access to free and confidential advice through the

Employee Assistance Programme – details are available through the Authority's internal SharePoint system.

8.4 Other possible contacts external to the organisation include:

- The [Pensions Regulator](#)
- The [Health and Safety Executive](#)
- Authority's external auditor (details provided in section 5 of this policy).
- Your trade union.
- Relevant professional bodies or regulatory organisations.
- Your local Citizens Advice Bureau.
- the Police.

## 9. Monitoring

- 9.1 Internal audit will maintain a register of all whistleblowing referrals under this policy and monitor the outcome of these cases. The contact point or initial contact must ensure that details of any allegation should be reported to internal audit.
- 9.2 The Head of Governance & Corporate Services, as the Authority's Monitoring Officer, will ensure that a report is provided to the Audit & Governance Committee and/or the Authority on activity carried out under this policy as required – the report will not identify individuals, only the nature of the concerns raised.
- 9.3 The Director retains responsibility for ensuring the maintenance and implementation of the Authority's Whistleblowing Policy and process. The Audit & Governance Committee retain oversight of the effectiveness of these arrangements.