

# **Whistleblowing Procedure**

**Human Resources & Organisational Development**

## Whistleblowing Procedure

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<b>Related Forms</b>		
Confidential Reporting Form (CRF1)		

# Whistleblowing Procedure

## 1. Scope of the Whistleblowing Procedure

The Whistleblowing Procedure is intended to cover those concerns that fall outside the scope of other Council's Policies and Procedures. However, if anyone is in doubt as to whether the Whistleblowing Policy and Procedure applies, they should seek advice from Human Resources & Organisational Development or the Director: Governance & Assurance (or the authorised representative), their trade union, or any relevant external advisor (such as those listed in Appendix 1 and 2 of the Whistleblowing Policy).

## 2. How to raise a Concern

Employees are encouraged to first raise their concern(s) with their line manager or senior manager (where possible) using the Confidential Reporting Form (CRF1) (which is available on the Council's Intranet) or alternatively the line manager or senior manager should record details of the concern(s) raised using form CRF1 if the employee only wishes to raise their concerns verbally.

Whether or not an employee is able to discuss their concern(s) with their line manager or senior manager may depend upon the seriousness and sensitivity of the issues involved and the person(s) against whom the concern(s) have been raised. If, for example, an employee has previously attempted to raise their concern(s) with their line manager/senior manager with little success or their concern(s) involves their own line manager/senior manager, then they should raise their concern(s) directly with one of the Designated Officers below:

- Corporate Director for Business Management
- Corporate Director for Economic & Housing Growth
- Corporate Director for Delivery Services / Assistant Chief Executive
- Corporate Director for Children's Services
- Corporate Director for Strategy & Partnerships
- Director: Governance & Assurance (Monitoring Officer)
- Director for (Adult) Health & Care
- Director of Change & Organisational Design
- Director of Finance & Investment
- Lead Commissioner - All Age Independence (Adult Safeguarding)
- Head of Children's Safeguarding

*This list of Designated Officers will be reviewed on a regular basis. See Appendix 1 for contact details.*

In the event that an employee is unable to raise their concern(s) with any of the Designated Officers mentioned above, then the employee should raise their concern(s) (using form CRF1) directly with the Director: Governance & Assurance (the Monitoring Officer).

If an employee's concern(s) relates to the Director: Governance & Assurance (the Monitoring Officer), then in such circumstances the employee should raise their concern(s) (using form CRF1) directly with the Chief Executive. The Chief Executive may consult with the Chairperson of the Audit and Risk Management Committee if they consider it appropriate.

### **3. How will the Council respond?**

Where an employee has raised a concern in accordance with the above, the line manager or senior manager or Designated Officer (as applicable) will, no **later than 5 working days** from the date the CRF1 form is received, acknowledge receipt of the form CRF1 and provide a copy of it to the Director: Governance & Assurance (Monitoring Officer) (or the authorised representative).

Upon receipt of the CRF1 form by the Director: Governance & Assurance (Monitoring Officer) (or the authorised representative) they shall either undertake a preliminary assessment of the concern(s) raised or appoint a Designated Officer to do so.

Where the Director: Governance & Assurance (Monitoring Officer) considers it appropriate they may also refer any concern(s) raised to the Council's Internal Audit, Legal Services, Human Resources and/or External Audit or the Police (or any other appropriate person or body) for consideration and/or specific action.

Within **ten working days** (or as soon as practicable possible) of the CRF1 form being received by the Director: Governance & Assurance (the Monitoring Officer), they will write to the employee who has raised the concern(s) to confirm:

- details of the appointed Designated Officer with responsibility for progressing further the concern(s) raised;
- the person or body who will undertake the investigation into the concern(s) raised (Investigating Officer/Body”);
- details of how the concern(s) raised will be dealt with; and
- where applicable, an estimate of how long it will take to conclude and provide details of the outcome of the investigation; and details of any support facilities and mechanisms available to the employee

The Designated Officer should maintain regular contact with the employee who has raised the concern to advise of progress and if there is any change to indicative timescales or the investigation process.

If an employee requires regular communication during the investigation, they must provide contact details, to enable the Designated Officer to comply with the paragraph above.

If the individual raising the concern is not an employee or wishes to remain anonymous, they must also provide contact details if they wish the Designated Officer to comply with the above.

It may be recommended that no further action be taken, for example, no malpractice has been found, or there is insufficient evidence to take the concern(s) raised any further;

Any document, report or recommendation prepared in relation to the concern(s) raised will not reveal the identity of the employee who raised the concern(s) unless:

- it is necessary for the Council to obtain legal advice;
- the employee who raised the concern(s) has consented to the disclosure in writing; and/or
- the Council is under a legal obligation or duty to do so.

#### **4. What employees need to know when raising a concern**

The Council is committed to handling concern(s) raised under this Whistleblowing Policy properly and promptly; and to ensuring appropriate impartial oversight of the operation of the Whistleblowing Policy and all concern(s) raised under it.

In all instances, employees can raise a concern(s) verbally, by telephone or in a face to face in a meeting. The Council acknowledges that raising a concern(s) about wrong-doing can be difficult, and as such, a trade union representative or work colleague may raise a concern(s) on the employee's behalf (where that employee is the Whistleblower), accompany the employee to speak with the line manager/senior manager or a Designated Officer to raise the concern(s), or to any other meeting where the concern(s) is to be more fully discussed.

The earlier a concern is expressed and the more information an employee can provide, the easier it is for the concern(s) to be investigated and for appropriate action to be taken. It is not advisable for an employee to take it upon themselves to investigate any concern(s) they may have, nor should any employee wait until they have 'proof' supporting a concern they may have. However, the Council does expect the employee to explain (as comprehensively as possible) the circumstances giving rise to the concern being raised.

When employees raise a concern, they are encouraged to confirm their identity and provide details of how the Council can contact them (please see Anonymous Allegations above). By doing so, it becomes easier for the Council to properly examine the concern(s) raised, seek further information and provide an Outcome Letter (see above). If employees have any personal interest in the concern(s) or any worries about their own position, they should make that clear from the outset.

If, during the investigation, an employee is concerned about the progress being made, require support or reassurance, or feel they may be being victimised or harassed or otherwise disadvantaged as a result of making the disclosure, they should contact the appointed Designated Officer immediately.

## 5. External Disclosures and Independent Advice

It is the aim of the Whistleblowing Policy and Procedure to give employees the reassurance and information they need to raise their concern(s) internally. The Council recognises that there may be circumstances where the employee is dissatisfied with the outcome or response to the issue raised. In this case they may raise concerns with the Chief Executive or Chair of Audit and Risk Management or they may wish to report a concern(s) to an outside body at any stage.

Should an employee wish to raise a concern with an external body they may wish to seek advice from their Trade Union or from Protect. The Council's ultimate aim is that the concern is raised and heard.

The Council has subscribed to Protect which is an independent charity which provides confidential advice to anyone concerned about wrong-doing at work. Protect can be contacted by telephone on 020 3117 2520 or by email [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk) and more information about what they do can be found by visiting [www.protect-advice.org.uk](http://www.protect-advice.org.uk)

Document Ownership	
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Version Control Table			
All changes to this document are recorded in this table.			
Date	Notes/Amendments	Officer	Next Scheduled Review Date
29 November 2013	Reviewed and Reformatted	Tony Williams, HR Manager	November 2016
July 2014	Legislative updates and audit recommendation	Tony Williams, HR Manager	July 2017
June & October 2015	Audit recommendation	Tony Williams, Senior Manager Human Resources	July 2017
6 June 2016	Update to procedure in relation to anonymous disclosures and contact with Designated Officer.	Tony Williams, Senior Manager Human	July 2017

		Resources	
23 March 2017	Moved into procedure template. Job titles of senior officers updated to reflect new operating model. 'his/her' changed to 'their'.	Jess Bayley, Graduate Officer/ Andrea Morrell-Foulkes, HR Officer	March 2020
23 July 2018	Job title Assistant Director: Law and Governance, (Monitoring Officer) changed to Director: Governance & Assurance to reflect senior management structure wef 1 July 2018 Designated Officers job titles updated.	Andrea Morrell-Foulkes, HR Officer	July 2021
10 <sup>th</sup> September 2018	Section 5. The organisation Public Concern at Work changed to Protect wef 10/9/18. Name and contact details updated.	Andrea Morrell-Foulkes, HR Officer	September 2021