

## **Whistleblowing Policy**

### **1.0 INTRODUCTION**

1.1 The Council is committed to achieving the highest possible standards of openness, probity and accountability in all of its practices. This policy has been introduced to help you raise a concern you may have in the right way without fear.

1.2 We all have, at one time concerns about what is happening at work. Usually these concerns are easily resolved. However, when the concern is about such malpractice, it can be difficult to know what to do. You may feel worried about raising an issue and decide to keep the concern to yourself, perhaps feeling that it is none of your business or only a suspicion. Or you may feel that raising the matter may be disloyal to colleagues, managers or the Council itself. Perhaps you have tried to raise the matter, but found you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

1.3 The Council would prefer you to raise any concern about malpractice when it is just a concern, rather than wait for proof. This policy has been introduced to help you raise any concern about malpractice in the right way. It explains the routes open to all Council staff, including employees, temporary workers, agency staff and people working for contractors. This policy does not replace the Council's complaints procedure which is open to all members of the public.

1.4 If you have a concern about fraud or corruption, please see the AntiFraud and Corruption Policy. If, however, you want to bring a complaint or grievance about your employment or the way you have been treated, please use the Grievance Procedure. This whistleblowing policy is primarily for a serious concern, which affects the interests of others, such as service users, the public, colleagues or the Council itself.

**If in doubt – please raise it!**

### **OUR ASSURANCES TO YOU**

The Council is committed to this policy

#### Your safety

1.5 We recognise it may be difficult to raise a concern.

1.6 If you raise a genuine concern under this policy you will not be at risk of losing your job or suffering any reprisal as a result. Provided that you raise the matter honestly, it does not matter if you are mistaken. Of course we do not extend this assurance to someone who

maliciously raises a concern they know is untrue. Any such conduct may be liable to disciplinary action.

1.7 If disciplinary action or redundancy procedures have already started, raising a concern will not in itself halt them.

#### Your confidence

1.8 We will not tolerate the harassment or victimisation of anyone raising a genuine concern. However we recognise that there may be some circumstances when you would prefer to speak to someone in confidence under this policy. If this is the case please say so at the outset. If you ask us not to disclose your identity, we will not do so without your consent unless required by law. You should understand that there may be circumstances when we are unable to resolve a concern without revealing your identity (for instance where your personal evidence is essential) and in such cases we will discuss with you whether and how best we can proceed

#### Anonymity

1.9 Please remember that if you do not tell us who you are it will be much more difficult for us to look into the matter. We will not be able to protect your position or to let you know the outcome. We will not be able to provide you with the same support and assurances if you report a concern anonymously.

1.10 If you are unsure about raising a concern openly or in confidence, you can get independent advice from Public Concern at work on 0207 404 6609.<sup>1[1]</sup>

## **2.0 HOW TO RAISE A CONCERN**

2.1 Please remember that you do not need to have firm evidence of malpractice before raising a concern. However, we do ask that you explain as fully as you can the information or circumstances that gave rise to your concern. Remember the earlier you raise a concern the easier it is to resolve it.

### **Option One**

We hope that you will feel able to raise your concern openly with your manager. This may be done orally, or if you prefer, in writing.

<sup>1[1]</sup> *Public Concern at Work (PCAW)* is a charity that promotes individual responsibility and organisational accountability. PCAW strives to ensure that genuine concerns about wrongdoing in the workplace are raised and dealt with constructively. They offer confidential advice, provide professional services to organisations and promote public interest Whistleblowing.

## **Option Two**

If you feel unable to raise the matter with your manager for whatever reason, or if you think the concern has not been properly addressed, please raise it with a senior manager in your area or one of the following officers:

Kay White HR Manager (023 9283 4196) email [Kay.White@portsmouthcc.gov.uk](mailto:Kay.White@portsmouthcc.gov.uk)

Lyn Graham Internal Audit Manager (023 9283 4668) email:

[Lyn.Graham@portsmouthcc.gov.uk](mailto:Lyn.Graham@portsmouthcc.gov.uk)

Michael Lawther, Monitoring Officer (023 9283 4123) email:

[Michael.Lawther@portsmouthcc.gov.uk](mailto:Michael.Lawther@portsmouthcc.gov.uk)

These people have been given special responsibility and training in dealing with whistleblowing concerns.

## **3.0 HOW WE WILL HANDLE THE MATTER**

3.1 Once you have told us of your concern, and if it is not anonymous we will confirm to you in writing that we have received it. We will then assess it and consider what action may be appropriate. We will write to you summarising your concern and setting out how we propose to handle it. If we have misunderstood the concern, or there is any information missing, please let us know. While we cannot guarantee that we will respond to all matters in the way that you might wish, we will handle the matter fairly and properly. By using this policy you will help us to achieve this.

3.2 If you have any personal interest in the matter, we do ask that you tell us at the outset. If we think your concern falls more properly within the Grievance Procedure, we will tell you.

3.3 We accept that you may want to be assured that the matter has been properly addressed and whenever possible, we will give you feedback on the outcome of any investigation. Please note, however, that we may not be able to tell you about disciplinary or other action, when it infringes a duty of confidence we owe to third parties.

## **4.0 INDEPENDENT ADVICE**

4.1 If you are unsure whether to use this policy or you want independent advice at any stage, free advice is available from:

Your Trade Union, if applicable

Public Concern at Work either by telephone on 020 7404 6609 or by email at [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk)

4.2 If you want advice from other sources, you will have to meet any expenses incurred.

## **5.0 EXTERNAL CONTACTS**

5.1 While we hope this policy gives you the reassurance you need to raise a concern internally, we recognise that there may be circumstances where you can properly report matters to outside bodies, such as the Audit Commission or other appropriate regulators, or in very serious situations, to the police.

5.2 Public Concern at Work (or, if applicable, your union) will be able to advise you on such an option and on the circumstances in which you may be able to contact an outside body safely.

## **6.0 ADMINISTRATION**

6.1 If you have any questions about the whistleblowing policy and how it applies, you can contact the HR Manager or the Monitoring Officer who will be pleased to answer your questions.

6.2 The Monitoring Officer has overall responsibility for the maintenance and operation of this policy and will report to the Standards Committee annually on the application of this policy. The Monitoring Officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger staff confidentiality).

6.3 This policy was drafted in consultation with Public Concern At Work, taking into account the Public Interest Disclosure Act which provides employment protection for staff who raise genuine concerns about malpractice.

6.4 This policy will be reviewed annually by the Standards Committee.

See also: -

The Anti Fraud and Corruption Policy and Response Plan

The Complaints Policy

The Code of Conduct

The Staff Code of Conduct

The Council's Grievance Procedure