



Whistleblowing - an officer's guide

Document owner	Richard Boneham, Head of Governance and Assurance
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Introduction

The Whistleblowing Policy makes it clear that you can express your concerns without fear of victimisation, subsequent discrimination or disadvantage. This appendix to the Policy is intended to give guidance on the whistleblowing mechanism for both officers who make disclosures, and those who receive them.



This Guidance forms an Appendix to the Whistleblowing Policy and should be read in conjunction with that Policy.

How to raise a concern

As a first step, you should normally raise concerns with your immediate manager, Headteacher 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 management is involved, you should approach the Chief Executive, the Monitoring Officer, the Strategic Director – Resources or the Head of Governance and Assurance. The contact details for these officers are given in the section Contact Details on page 6.

If you are in any doubt about how to raise a concern, you should consult your trade union who will be able to advise you how to proceed.

This Policy encourages you to put your name to your allegation whenever possible. If you voice suspicion in the public interest but it is not confirmed by the investigation, no action will be taken against you.

Concerns may be raised orally or in writing. If you wish to make a written report you should use the following format:

- The background and history of the concern (giving relevant dates if possible).
- 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.

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.

What will happen after your disclosure

You may be invited to attend a meeting or an interview, so that your concerns can be discussed in detail. 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.

The Council 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, the 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 inquiry.
- Be referred to the Standards Board if a member is the subject of the allegation.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Council will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures, such as child protection 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 ten working days of a concern being raised, the Director of Legal and Democratic Services, or one of the other officers mentioned above where appropriate, will write to you:

- Acknowledging that the concern has been received.
- Indicating how he proposes 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.

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 Council 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 Council will take all practical steps to minimise any difficulties which you may experience either at the time, or in the future as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Council will arrange for you to receive advice about the procedure and will arrange for someone to attend for support if you have not arranged your own support.

The Council 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.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Council. In exercising this discretion, the factors to be taken into account would include the:

- Seriousness of the issues raised.



- Credibility of the concern.
- Likelihood of confirming the allegation from attributable sources.

Do note, however, that if you make an allegation anonymously you will not have the protection outlined in the Breaches and Non-Compliance section below, if we do not know who has made the allegation, certain steps outlined below will not be possible.

This policy is intended to provide you with an avenue within the Council to raise concerns. The Council 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 Council, the following are possible contact points:

- The external auditor (Grant Thornton).
- Your trade union.
- Your local Citizens Advice Bureau.
- Relevant professional bodies or regulatory organisations (including the Ombudsman).
- A relevant voluntary organisation (including the Public Concern At Work Helpline, tel: 020 7404 6609).
- The Police.

This does not prevent you from taking your own legal advice.

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

Breaches and non-compliance

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

The Council 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 because you will be doing your duty to your employer and those for whom you are providing a service.

The Council will not tolerate any harassment or victimisation, including informal pressures, from whatever source within the Council, and will take appropriate action to protect you when you raise a concern in the public interest. Any employee who causes detriment, bullying or harassment to someone who makes a disclosure under this Policy will be subject to disciplinary proceedings.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you. If the investigation concludes that you

- did not have a reasonable belief that your allegations tended to show the wrongdoing, or



- did not make your allegations (whether they are true or not) in the public interest, the allegations may not be pursued and/or disciplinary action may be taken against you

Receiving a whistleblowing declaration

If you receive any information, written, oral or e-mailed, the subject of which falls into one or more of the following categories:-

- Conduct which is an offence or a breach of law.
- Disclosures related to miscarriages of justice.
- 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.
- Sexual or physical abuse of clients.
- Other unethical conduct.

You **MUST** immediately contact one of the following officers:-

- Chief Executive: Tel. 643546
- Strategic Director – Resources: Tel. 643552
- Director of Legal and Democratic Services (Monitoring Officer): Tel 643616
- Head of Governance and Assurance: Tel. 643280

Do not attempt to deal with the disclosure yourself.

Information and training

You can get more information on this policy and how it affects you from either the Director of Legal and Democratic Services or the Head of Governance and Assurance.

Contact information

You can get advice/guidance on how to pursue matters of concern from either the Director of Legal and Democratic Services or the Head of Governance and Assurance.

The officer responsible for this Policy is the Council's Monitoring Officer, the Director of Legal and Democratic Services.

Help messages



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