



## Staffordshire Moorlands District Council & High Peak Borough Council **WHISTLEBLOWING POLICY**

### INTRODUCTION

All of us at one time or another have a concern about what is happening at work. Usually these are easily resolved. However, when the concern feels serious because it is about a possible fraud, danger or malpractice that might affect others or the organisation itself, it can be difficult to know what to do.

You may be worried about raising such a concern and may think it best to keep it to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

The Cabinet / Executive and Chief Executive of the Council are committed to running the organisation in the best way possible and to do so we need your help. We have introduced this policy to reassure you that it is safe and acceptable to speak up and to enable you to raise any concern you may have at an early stage and in the right way. Rather than wait for proof, we would prefer you to raise the matter when it is still a concern.

This policy promotes and supports the requirements of the Public Interest Disclosure Act 1998. It applies to all those who work for us; whether full-time or part-time, contractors, employed through an agency or as a volunteer. If you have a whistleblowing concern, please let us know.

If something is troubling you which you think we should know about or look into, please use this policy. If, however, you wish to make a complaint about your employment or how you have been treated, please use the Council's Grievance Policy or Bullying and Harassment Policy available on the Intranet or from your manager or Human Resources Business Partner. If you have a concern about financial misconduct or fraud, please see the Council's Counter-Fraud & Corruption Strategy. This Whistleblowing Policy is primarily for concerns where the public interest is at risk, which includes a risk to the wider public, customers, staff or the organisation itself.

***If in doubt - raise it!***

## OUR ASSURANCES TO YOU

### Your safety

The Cabinet / Executive and Chief Executive are committed to this policy. Provided you are raising a genuine concern, it does not matter if you are mistaken. Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue.

If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment or victimisation of anyone raising a genuine concern and we consider it a disciplinary matter to victimise anyone who has raised a genuine concern.

### Your confidence

With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone confidentially first. 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 times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such cases, we will discuss with you whether and how the matter can best proceed.

Please remember that if you do not tell us who you are (and therefore you are raising a concern anonymously) it will be much more difficult for us to look into the matter. We will not be able to protect your position or to give you feedback. Accordingly you should not assume we can provide the assurances we offer in the same way if you report a concern anonymously.

If you are unsure about raising a concern you can get independent advice from Protect (see contact details under Independent Advice).

## HOW TO RAISE A CONCERN INTERNALLY

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.

### Step one

If you have a concern about malpractice, we hope you will feel able to raise it first with your manager or team leader. This may be done verbally or in writing.

### Step two

If you feel unable to raise the matter with your manager, for whatever reason, please raise the matter with the Head of Audit 01538 395695 or e-mail [whistleblowing@staffs Moorlands.gov.uk](mailto:whistleblowing@staffs Moorlands.gov.uk)

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

If you want to raise the matter confidentially, please say so at the outset so that appropriate arrangements can be made.

### **Step three**

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact the Chief Executive 01538 395622 or, if you feel the Chief Executive may be personally involved, the Leader of the Council.

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

We will acknowledge receipt of your concern within ten working days. We will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal investigation. We will tell you who will be handling the matter, how you can contact them, and what further assistance we may need from you. If you ask, we will write to you summarising your concern and setting out how we propose to handle it and provide a timetable for feedback. If we have misunderstood the concern or there is any information missing please let us know.

When you raise the concern it will be helpful to know how you think the matter might best be resolved. 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 our Grievance, Bullying and Harassment or other relevant procedure, we will let you know.

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 the precise actions we take where this would infringe a duty of confidence we owe to another person.

While we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and properly. By using this policy you will help us to achieve this.

If at any stage you experience reprisal, harassment or victimisation for raising a genuine concern please contact a Human Resources Business Partner.

## **INDEPENDENT ADVICE**

If you are unsure whether to use this policy or you want confidential advice at any stage, you may contact the independent charity Protect on 020 3117 2520 or by webform at <https://protect-advice.org.uk/contact-protect-advice-line/>. Their Advisors can talk you through your options and help you raise a concern about malpractice at work.

You can also contact your union or professional body (where applicable) for advice.

## EXTERNAL CONTACTS

While we hope this policy gives you the reassurance you need to raise your concern internally with us, we recognise that there may be circumstances where you can properly report a concern to an outside body. In fact, we would rather you raised a matter with the appropriate regulator – such as the Health & Safety Executive, External Auditor or the Police - than not at all. Protect (*or, if applicable, your union*) will be able to advise you on such an option if you wish.

## MONITORING / OVERSIGHT

The Audit Committee is responsible for this policy and will review it periodically. The Audit Service will monitor the daily operation of the policy and if you have any comments or questions, please do not hesitate to let one of their team know.

## DATA PROTECTION

We will keep a confidential record of your concern in a secure access restricted network location. This will be held in accordance with relevant data protection legislation.

## ELECTED COUNCILLORS

If an elected Councillor wishes to report any suspicions of malpractice, they should raise their concerns with the Chief Executive or, if the elected Councillor feels the Chief Executive may be personally involved, with an Executive Director. If the elected Councillor feels it would not be appropriate to raise with an Executive Director, then the issue should be raised with the Head of Audit 01538 395695 or e-mail [whistleblowing@staffs Moorlands.gov.uk](mailto:whistleblowing@staffs Moorlands.gov.uk)