

# WHISTLEBLOWING POLICY

## 1. ABOUT THIS POLICY

- 1.1 The Council is committed to the highest standards of honesty, integrity and accountability in carrying out its functions. All staff are expected to maintain high standards. Any suspected wrongdoing should be reported as soon as possible.
- 1.2 This policy covers all employees, officers, consultants, contractors, casual workers and agency workers and explains the protection and support that is available for 'whistleblowers'.
- 1.3 The Council also has 'Speak Up' which is available to all of the above but also includes others such as elected Members and volunteers. 'Speak Up' should only be used when this policy does not apply.
- 1.4 Any prospective 'whistleblower' can seek support from their Trade Union either before raising a concern or at any time during a concern being considered under this policy.

## 2. WHAT IS WHISTLEBLOWING?

Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to any activities that the Council is engaged in. It covers the following specific wrongdoing/practices:

- A criminal offence.
- Breach of any legal obligation
- A miscarriage of justice.
- Danger to the health and safety of any individual.
- Damage to the environment.
- The deliberate concealment of information about any of the above.

Whistleblowing is for disclosures that are in the public interest, it is not to be used for raising complaints relating to their own personal circumstances or treatment at work. In those cases, employees should use the grievance procedure or other appropriate Human Resources procedure.

### **3. APPLICATION OF THIS POLICY TO SCHOOLS**

- 3.1 It is expected that governing bodies of all community and voluntary controlled schools would adopt this Policy and the procedures contained in it. Foundation and voluntary aided schools are encouraged to do the same.
- 3.2 Where this Policy has been adopted by a school, references to “the Council” should be read to mean the school and references to Managers are to the Headteacher or member of the Senior Leadership Team nominated by the Headteacher.
- 3.3 Schools are encouraged to provide an alternative person, such as the Chair of Governors, to whom concerns may be reported if the employee believes the Head Teacher is involved in the wrong doing or has failed to take appropriate action when the matter has been raised previously.
- 3.4 For Voluntary Controlled and Community Schools, employees may seek advice from the Council’s Monitoring Officer if they feel unable to report their concerns to the Head Teacher or Chair of Governors, however the Council will not investigate or determine any complaint on behalf of the School.
- 3.5 It is expected that community and voluntary controlled schools will notify the Council’s Monitoring Officer of any disclosures made under this Policy. All schools should maintain their own records of the report, investigation and outcome.

### **4. HOW TO RAISE A CONCERN**

- 4.1 A Whistleblowing concern should be raised with your line manager or if this is not possible, your line manager’s manager. If there are specific reasons why you are unable to report your concerns within your own line management chain, there are named contacts at the end of this policy to whom you may make a referral. You must advise the person you report to that you are making a disclosure under the Council’s Whistleblowing policy. A record of all whistleblowing concerns is maintained by the Monitoring Officer.

- 4.2 The person receiving your referral will arrange a meeting with you as soon as possible to discuss your concern. You may bring a companion (eg work colleague or union representative) to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation. The concern will then be investigated under this policy.

## **5. CONFIDENTIALITY**

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. Completely anonymous disclosures are often very difficult to investigate. If you want to raise your concern confidentially, we will make every effort to keep your identity secret and only reveal it where necessary to those involved in investigating your concern or if required for legal reasons.

## **6. EXTERNAL DISCLOSURES**

- 6.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.
- 6.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external. "Protect" operates an independent and confidential helpline. Their contact details are at the end of this policy.

## **7. PROTECTION AND SUPPORT FOR WHISTLEBLOWERS**

- 7.1 The Council aims to encourage openness and will support whistleblowers who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 7.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a genuine concern. If you believe that you have suffered any such treatment, you should inform the Senior Manager for People Management or Monitoring Officer immediately.
- 7.3 You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct, you may be subject to disciplinary action.

7.4 If you make an allegation in good faith, but it is not confirmed by an investigation, no action will be taken against you. However, if you make a false allegation maliciously, disciplinary action may be taken against you.

7.5 “Protect” operates a confidential helpline providing support and advice. Their contact details are at the end of this policy.

**8. A COLLECTIVE RESPONSIBILITY TO REPORT CONCERNS**

8.1 There is a responsibility for all officers to notify and report any issues of serious concern. Failure to do so may have a negative impact on the delivery of council services, negatively impact on the Council’s reputation or impact on the conduct of an individual. As a result, failure to declare or report such concern could be considered a disciplinary matter.

**9. CONTACTS**

<b>Monitoring Officer</b>	Iolanda Puzio, Chief Legal Officer Tel: 07919 298368 Email: <a href="mailto:Iolanda.puzio@cumbria.gov.uk">Iolanda.puzio@cumbria.gov.uk</a>
<b>Section 151 (Chief Finance) Officer</b>	Julie Crellin, Director of Finance Tel: 01228 221062 Email: <a href="mailto:Julie.crellin@cumbria.gov.uk">Julie.crellin@cumbria.gov.uk</a>
<b>Head of Internal Audit</b>	Emma Toyne / Peter Usher Tel: 01228 226261 Email: <a href="mailto:emma.toyne@cumbria.gov.uk">emma.toyne@cumbria.gov.uk</a> or <a href="mailto:peter.usher@cumbria.gov.uk">peter.usher@cumbria.gov.uk</a>
<b>Protect</b> (Independent whistleblowing charity, formerly “public concern at work”)	Helpline: (020) 7404 6609 E-mail: <a href="mailto:whistle@protect-advice.org.uk">whistle@protect-advice.org.uk</a> Website: <a href="http://www.protect-advice.org.uk">www.protect-advice.org.uk</a>