

Whistleblowing Policy

Date: May 2024

We aim to make our policies easily accessible – however if you need this policy in any other font or format please email ContactUs@gloucestershire.gov.uk or call 01452 425888 (selecting option 3)

Quick Glance

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1. Summary

We are committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards in accordance with Gloucester City Council's Code of Conduct. This policy sets out the arrangements for staff to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated as appropriate and that their confidentiality will be respected. The policy seeks to reassure staff that they should be able to raise genuine concerns without fear of reprisal, even if they turn out to be mistaken, providing they have reasonable belief that they have raised a concern in the public interest.

2. This policy applies to the following employees

The policy applies to all employees, Members, apprentices, consultants, contractors, volunteers, interns, casual workers, temporary employees, partner organisations and agency workers.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

3. Policy Statement

We are committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards in accordance with Gloucester City Council's Code of Conduct. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring

illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

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, corruption or malpractice or maladministration (the term used when the council has done something wrong which affects a member of the public) which might affect others or the Council 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 Council. You may worry about raising the issue to the wrong person or in the wrong way. This policy will help you with all of those scenarios.

Elected Members and senior managers of Gloucester City Council are committed to running the organisation in the best way possible and to do so we need your help.

IT IS ALWAYS SAFE AND ACCEPTABLE TO SPEAK OUT ABOUT YOUR CONCERNS.

We have updated 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 about malpractice at an early stage and in the right way. Any reported concern will be taken seriously. Rather than wait for proof, we would prefer you to raise the matter when it is still a concern. If something is troubling you which you think we should know about or look into, if you are not sure which is the right route, or if you want to speak to someone in confidence, please read on.

4. What are the aims of the policy?

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- To provide staff with guidance on how to raise those concerns; and
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken, providing they have reasonable belief that they have raised a concern in the public interest.

5. Responsibility for the policy

The Monitoring Officer has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

The Monitoring Officer has day-to-day operational responsibility for this policy, and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

The Monitoring Officer, in conjunction with The Audit and Governance Committee should review this policy from a legal and operational perspective at least once a year.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected irregularity, danger or wrongdoing.

6. What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected irregularity, wrongdoing or dangers at work. This may include, but is not excluded to:

- Criminal activity;
- Failure to comply with any legal or professional obligation or regulatory requirements;
- Miscarriages of justice;
- Danger to health and safety;
- Safeguarding issues;
- Damage to the environment;
- Bribery;
- Financial fraud or mismanagement;
- Negligence;
- Breach of our internal policies and procedures including our Code of Conduct;
- Conduct and/or inappropriate behaviour likely to damage our reputation;
- Unauthorised disclosure of confidential information;
- The deliberate concealment of any of the above.

A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected irregularity affecting any of our activities (a whistleblowing concern) you should report it under this policy.

If you are uncertain whether something is within the scope of this policy you should seek advice from the Monitoring Officer whose contact details are at the end of this policy.

7. Raising a whistleblowing concern

We hope that in many cases you will be able to raise any concerns with your line manager, in person or in writing, and early enough to prevent the matter escalating into something more serious. They may be able to agree a way of resolving your concern quickly and effectively. In some cases they may refer the matter to the Monitoring Officer.

However, where the matter is more serious (relating to one or more categories set out above) or you feel that your line manager has not addressed an existing concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- a) The Monitoring Officer;
- b) Head of Finance (Section 151 Officer);
- c) Head of Internal Audit and/or Counter Fraud Team (Audit, Risk and Assurance);
- d) Head of Service.

Your whistleblow concern will be referred onwards to the **ARA Counter Fraud Team (CFT)** which provides independent and confidential counter fraud services to GCC.

The ARA CFT separately offers:

- Whistleblowing hotline:
01452 427052 (24hr answerphone service)
- Whistleblowing form:
<https://report-fraud.co.uk/Gloucester/SelfReport>
- Whistleblowing form to refer a concern reported to you
<https://report-fraud.co.uk/Gloucester/Managers>
- Direct email contact:
internalauditmanagement@gloucestershire.gov.uk (mailbox restricted to CFT)
- Direct telephone contact:
Carolyne Wignall, Principal Fraud Investigator - 01452 328887
Alison Bell, Principal Fraud Investigator - 01452 427032
Bill Johnson, Senior Fraud Investigator - 01452 328889

All CFT reporting channels can be used anonymously, however, this may hinder an investigation if additional information is needed. Please see section 9, Confidentiality, for guidance

However a whistleblow is reported, the following important information is required:

- the background and history of the concern;
- how it affects or could potentially affect the Council, its services or the public;
- relevant dates and persons involved; and
- details of supporting evidence.

These reporting routes are also available for reporting any external frauds, for example by suppliers, contractors or service users.

8. How the council will respond

Once you have raised a concern, the CFT will carry out an independent initial assessment against its Case Acceptance Criteria to determine the requirement for and scope of any investigation. During this triage stage the CFT will:

- Notify the Monitoring Officer and/or Section 151 Officer that a whistleblow has been received, naming the directorate;
- Engage with the Monitoring Officer, Section 151 Officer and/or Head(s) of Service should any risks warrant immediate intervention;
- Notify the Monitoring Officer of the outcome of its assessment; and
- Notify you of the outcome of its assessment, if you have provided contact details.

If you do not provide your own or anonymised contact details then the CFT will be unable to contact you to obtain further information or notify you of any outcomes. This may also hinder the CFT's ability to fully investigate the reported issue(s).

Following triage, the CFT may recommend that it undertakes an independent investigation, that the matter is dealt with locally (with advice on the composition of the investigation team) or that no further action is required.

All CFT officers are professionally accredited investigators with significant experience in both internal/external criminal and misconduct investigations. The CFT has a track record of successful and confidential investigations, which includes protecting the identity of whistleblowers.

Completed investigations may make recommendations for change to minimise the risk of future wrongdoing. The overriding principle which the Council will take into account is public interest; however, the Council has a zero tolerance attitude to any fraudulent activity.

Appointed investigators will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential and not discuss it with any colleagues, friends or family.

Within 10 working days of a concern being raised, the Monitoring Officer will write to the employee concerned at their private address:

- acknowledging that the concern has been received;
- indicating how s/he proposes to deal with the matter;
- telling the employee whether any initial enquiries have been made; and
- telling the employee whether further investigations will take place and, if not, why not.

A representative of a trade union recognised by the Council or workplace colleague may accompany an employee during any stage of an investigation conducted under this Procedure. Your companion must respect the confidentiality of the disclosure and any subsequent investigation.

The Council will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, where an employee is required to give evidence in criminal or disciplinary proceedings the Council will arrange for them to receive advice about the procedures involved.

The Council accepts that employees need to be assured that matters of concern have been properly addressed and therefore, subject to legal constraints, employees will be informed of the outcome of any investigation.

If we conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.

The Monitoring Officer will keep a record of reported whistleblowing concerns (whistleblowing record) under their obligations. This responsibility is delegated to the ARA Counter Fraud Team under its agreed terms of service. All line managers, persons listed on the back of this policy and investigator(s) are responsible for updating the Monitoring Officer and/or CFT with the necessary details for maintaining the whistleblowing record.

9. Confidentiality

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. The CFT is independent and well versed in preserving confidentiality.

If it is necessary to provide your identity beyond CFT, this will be discussed with you.

We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the CFT, Monitoring Officer or one of the other contact points listed at the end of this policy, and appropriate measures can then be taken to preserve confidentiality.

If you are in any doubt you can seek advice from **Protect**, the independent whistleblowing charity, who offer a confidential helpline via 020 3117 2520. Their website is www.protectadvice.org.uk and they are staffed by a team of trained legal advisers who can talk you through your options and help you raise a concern about malpractice at work.

10. If you are not satisfied

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts in the contacts section. Alternatively, you may contact our external auditors (who may liaise with officers of the Council). Contact details are set out at the end of this policy.

11. External disclosures

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.

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. It will very rarely, if ever, be appropriate to alert the media.

We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity **Protect** (www.protectadvice.org.uk) operates a confidential helpline via 020 3117 2520. They also have a list of prescribed regulators for reporting certain types of concern, such as health and safety, financial conduct, etc. Their contact details are also listed at the end of this policy.

Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a customer, supplier or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first. You should contact your line manager or one of the other individuals set out in the contacts section for guidance.

12. Protection and support for whistleblowers

It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff that raise genuine concerns under this policy, even if they turn out to be mistaken.

Whistleblowers must not suffer any detrimental treatment as a result of raising a concern.

Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern.

If at any stage you experience reprisal, harassment or victimisation for raising a genuine concern please contact the HR Advice Line via Contact Us on 01452 425888. Choose the HR option which is staffed by HR professionals. You may also wish to contact your trade union representative (if you are a trade union member).

If you believe that you have suffered any such treatment, you should also inform the Monitoring Officer immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

Staff must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action.

14. Contacts

- **Monitoring Officer:**
Jane Cryer | 07708 345857 | jane.cryer@gloucester.gov.uk
- **Head of Finance (Section 151 Officer):**
Greg Maw | 01452396422 | greg.maw@gloucester.gov.uk
- **Head of Internal Audit (Audit Risk Assurance (ARA))**
Piyush Fatania | 01452328883 | piyush.fatania@gloucestershire.gov.uk
- **GCC Counter Fraud: ARA Counter Fraud Team (CFT)**
24hr whistleblowing hotline: 01452 427052
internalauditmanagement@gloucestershire.gov.uk
Whistleblowing form (to make a report):
Whistleblowing form (to refer something reported to you):
- **External auditors: Bishop Fleming**
0117 910 0250
www.bishopfleming.co.uk
- **Protect** (independent whistleblowing charity)
Helpline: 020 3117 2520
Website: www.protect-advice.org.uk

Additional Information

This Whistleblowing Policy complements the fraud response plan located in the Council's [Counter Fraud & Corruption Policy Statement & Strategy 2024-26](#).

This Policy and Guidance is entirely non-contractual. It may be amended, withdrawn, suspended or departed from at the discretion of the Council at anytime. All employees must ensure that they are familiar, comply with and support the Council's policies, procedures and guidance.

The Internal Audit service, CFT, HR, Recruitment, Payroll and Pensions Service for Gloucester City Council is provided by Gloucestershire County Council and as such Gloucestershire County Council is the data processor for the personal information collected from you with Gloucester City Council being the data controller.

Gloucestershire County Council processes personal data collected in accordance with its data protection policy on processing special categories of personal data. Data collected in relation to this policy is held securely and accessed by, and disclosed to, individuals only for the purposes of managing your employment and/or where the council is otherwise under a statutory obligation to do so. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the council's Information Security Incident Management Policy immediately to informationsecurity@gloucestershire.gov.uk or via 01452 324000. It may also constitute a disciplinary offence, which will be dealt with under the council's disciplinary procedure.

You can find Gloucester City Council's privacy notice on the intranet via the HR A-Z index and Data Protection tab.

This policy will be reviewed periodically; at least every two years. When statutory law changes the policy is held automatically to have been amended by that change and will be updated as soon as practically possible.

Further Support and Guidance

Email: ContactUs@gloucestershire.gov.uk

Telephone: 01452 42 5888

Policy History:

Date adopted: March 2019

History of most recent policy changes – must be completed.

Date	Change
May 2024	New Template
August 2024	CFT referral routes added ARA / CFT points of contact updated Section 8 'Council Response' updated

Author and owner: Monitoring Officer – Gloucester City Council