



**NEWCASTLE·UNDER·LYME**  
**BOROUGH COUNCIL**

# **WHISTLEBLOWING POLICY**

**2016 - 17**

**NEWCASTLE UNDER LYME BOROUGH COUNCIL**

**WHISTLEBLOWING POLICY**

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## **WHISTLEBLOWING POLICY**

### **1. WHAT TO DO IF YOU HAVE CONCERNS?**

Newcastle Borough Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment it encourages employees and others working with us to raise any concerns they may have about any aspect of the Council's work and come forward and voice those concerns.

We recognise that individuals will sometimes want to express their concerns in confidence.

We would rather be made aware of a problem and deal with it than allow it to lie and become worse.

Council employees and others can raise serious concerns within the Council without fear of reprisal or victimisation. This is usually preferable to any external route.

This policy applies to all employees, agency workers and contractors working on Council premises (for example, cleaners, builders and drivers). It also covers suppliers and those providing services under a contract with the Council in their own premises.

### **2. AIMS AND SCOPE OF THE POLICY**

2.1 This policy aims to:

- provide avenues for you to raise concerns and receive feedback on any action taken,
- allow you to take the matter further if you are dissatisfied with the Council's response, and
- reassure you that you will be protected from reprisals or victimisation for whistle blowing, and will be supported throughout the process.

2.2 There are existing procedures in place to enable you to lodge a grievance relating to your concerns. That concern may be about something which:-

- is unlawful,
- is a breach of Health and Safety,
  - is a safeguarding issue,
- is against the Council's Contract Procedures, Financial Regulations or other policies,
  - falls below established standards or practices, or
  - amounts to improper conduct.

2.3 This policy supports the Councils Anti-Fraud and Anti-Corruption Framework, Corporate Health and Safety Policy, and the Safeguarding Children and Vulnerable Adults Policy.

## **3 SAFEGUARDS**

### **3.1 HARASSMENT OR VICTIMISATION**

The Council recognises that a decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Council will not tolerate harassment or victimisation and will take action to protect you when you raise a concern.

### **3.2 CONFIDENTIALITY**

The Council will treat all concerns in confidence, and if you wish to remain anonymous we will make every effort to keep your identity confidential. However, in certain cases, we may not be able to deal with an issue unless you are prepared to be a witness.

### **3.3 ANONYMOUS ALLEGATIONS**

This policy encourages you to put your name to an allegation. Concerns expressed anonymously are much less powerful, but they will be considered in an appropriate manner.

In exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issues raised,
- the credibility of the concern, and
- the likelihood of confirming the allegation from attributable sources.

## **4.0 NOTIFYING A RESPONSIBLE PERSON OF YOUR CONCERNS**

- 4.1** You can raise any concerns initially with Internal Audit on 01782 742122. Correspondence should be addressed to the Audit Manager & Monitoring Officer, Newcastle under Lyme Borough Council, Civic Offices, Newcastle under Lyme, Staffordshire, ST5 2AG and marked 'private and confidential'. Concerns may also be sent to [whistleblowing@newcastle-staffs.gov.uk](mailto:whistleblowing@newcastle-staffs.gov.uk).
- 4.2** Concerns are best raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your particular concern in writing, you can telephone or meet with an Auditor. The Auditor notified of individuals concerns must record those concerns taking a statement where they feel it appropriate.
- 4.3** The earlier you express the concern, the easier it is to take action, and although you will not be expected to prove the truth of the allegation, you will need to be able to demonstrate to the person contacted that there are sufficient grounds for your concern.
- 4.4** Disclosures may lead to disciplinary procedures and criminal investigations.

## **5.0 RESPONDING TO YOUR CONCERNS**

- 5.1** The Council will, where possible, protect the identity of a notifying individual and not reveal their source at any time during the investigation
- 5.2** The action taken by the Council will depend on the nature of the concern. The matters raised may:-
- be investigated internally,
  - be referred to the Police,
  - be referred to First Response at Staffs County Council in respect of safeguarding issues,
    - be referred to the external auditor, or
    - form the subject of an independent investigation.
- 5.3** In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example suspected housing benefit fraud) will normally be referred for consideration under those procedures.
- 5.4** Some concerns may be resolved by agreed action without the need for an investigation.
- 5.5** Within 10 working days of a concern being received, the Council will write to you:-
- acknowledging that the concern has been received,
  - indicating how it 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, and
  - telling you whether further investigations will take place, and if not, why not.
- 5.6** The amount of contact between the officers considering the issues and you, will depend upon the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.
- 5.7** The Council may ask you to attend a meeting to explore the issues surrounding the concern raised.
- 5.8** The Council will take steps to minimise any difficulties that you may experience as a result of raising a concern
- 5.9** The Council accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcomes of any investigations.

## **6.0 HOW THE MATTER CAN BE TAKEN FURTHER**

- 6.1** This policy is intended to provide you with an avenue to raise concerns with the Council. The Council hopes that you will have confidence in using the Whistle-blowing procedure, however, if you are not, and if you feel it is right to take the matter outside the Council, the following are possible contact points:-

- External Audit, Grant Thornton, Colmore Plaza, 20 Colmore Circus, Birmingham, West Midlands, B4 6AT,
  - The Police, or
- Public concern at work, 0207 404 6609 are a registered charity set up to give free independent advice to anyone who may have concerns. They have qualified legal staff to give help and advice.

## **7.0 THE RESPONSIBLE OFFICER**

The Monitoring Officer has overall responsibility for the maintenance and operation of this policy. A record will be maintained of all concerns raised together with the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Council.

## **8.0 REVIEW OF THIS POLICY**

It is important to keep this policy up-to-date with developments in the law and professional practice. The Audit Manager will review this every two years, and report this to the Audit and Risk Committee.

Should any urgent need arise that requires updates to the existing policy then, this will be conducted promptly rather than at the end of the two years.