



Whistleblowing Policy

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Introduction

All of us at one time or another may have concerns about what is happening at work. Usually these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public or the environment, it can be difficult to know what to do.

Arun District Council has introduced this procedure to enable you to raise your concerns about such suspected malpractice at an early stage and in the right way.

This policy and procedure has been written to take account of the Public Interest Disclosure Act 1998, which protects workers making disclosures about matters of concern when they have reasonable grounds for believing they are true. In 2013, the Enterprise & Regulatory Reform Act emphasised that a whistleblowing claim will only be valid in relation to a matter that is genuinely 'in the public interest'. This will, for example, exclude breaches of individuals' employment contracts.

If you are aggrieved about your personal employment position, you should use the Council's Grievance Procedure. This may be found in the Staff Zone area on SharePoint, or is available from your HR Officer.

Our assurances to you

Your safety:

The legislation provides protection for an employee making a valid whistleblowing claim from any detrimental action by their employer and any such action may be referred to an employment tribunal.

Arun District Council is committed to this policy and if you raise a genuine concern, you will not be at risk of losing your job or suffering any form of retribution as a result. Provided you are acting in the public interest, it does not matter if you are mistaken. (However, any allegation found to be made maliciously or for personal gain will not be upheld and may be considered as a disciplinary matter).

Your confidence:

We will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, we recognise that you may nonetheless want to raise a concern in confidence under this policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you how we can proceed with the matter.

Remember that while you do not have to identify yourself, if you do not tell us who you are, it will be much more difficult for us to investigate the matter or to give you feedback.

How we will handle the matter

Once you have told us of your concern, we will look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation. We will inform you who is handling the matter, whether your further assistance may be needed and make any necessary arrangements for the investigator to contact you. Please remember, investigations take time because we need to ensure that all appropriate information and evidence has been obtained and is accurate.

When you raise the concern you may be asked how you think the matter might best be resolved. If you do have any personal interest in the matter, we ask that you tell us at the outset so that we may advise you if your concern falls more properly within the Council's Grievance Procedure.

How to raise a concern internally

Concerns may be raised verbally or in writing. Please state if you wish to raise the matter in confidence so that the person receiving the concern can make appropriate arrangements.

Step one:

If you have a concern about malpractice, we hope you will feel able to raise it first with your manager, or if it relates to a danger to the public / environment with the appropriate area of the Council.

Step two:

If you feel unable to raise the matter with your manager, for whatever reason, please raise the matter with internal audit:-

- either directly via ext 37561
- or via the direct-dial whistleblowing voicemail number (01903) 737556, where a message may be recorded.

Whoever you chose to tell will take appropriate action and also respect your position. Where a meeting is arranged, off-site if you so wish, you can be accompanied by a friend or union representative.

Independent advice

If you are unsure whether to use this procedure or you want independent advice at any stage, you may contact:-

- the Unison Direct on 0800 085 7857
- the independent charity Protect on 020 3117 2520 or via their website www.protect-advice.org.uk. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work
- the independent charity Crimestoppers on 0800 555 111 or via their website www.crimestoppers-uk.org. They provide information and advice about fraud and the facility to give information anonymously
- for matters relating to failures to comply with environmental law the Office for Environmental Protection is now the prescribed body for investigations and can be contacted via their website whistleblowing@theoep.org.uk or on 0330 236 92109.

External contacts

While we hope this policy gives you the reassurance you need to raise such matters internally, we recognise that there may be circumstances where you would wish to report matters to outside bodies, such as regulators or the police. Public Concern at Work or Unison will be able to advise you on such an option and on the circumstances in which you may be able to contact an outside body safely.

If you are dissatisfied

Where practical, we will provide feedback on the outcome of the concern. If you are unhappy with our response, remember you can go to the other levels and bodies detailed in this policy. While we cannot guarantee that we will respond to all matters in the way that you might wish, we are committed to taking your concerns seriously and dealing with the matter fairly and properly. By using this policy, you will help us to achieve this.