

NORTH WILTSHIRE DISTRICT COUNCIL

WHISTLE BLOWING POLICY

1. Introduction

- 1.1. Employees are often the first to realise that there is something wrong within the Council. However, they may not express concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore concern rather than report what may just be a suspicion of malpractice.
- 1.2. The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we encourage employees and others with serious concerns about any aspects of the Council's work to come forward and voice those concerns. This policy document makes it clear that staff can do so without fear of reprisals. This Policy is intended to encourage and enable staff to raise serious concerns within the Council rather than overlooking the problem or "blowing the whistle" outside the organisation.

2. Who does the policy apply to?

- 2.1 The policy applies to all employees (permanent, temporary and casual), contractors and those in partnership roles working for the Council on Council premises. It also covers suppliers and those providing a service under a contract with the Council in their own premises.

3. The Policy

- 3.1 This Policy covers situations where an employee is concerned about the actions of others within the Council which might be unlawful or constitute serious malpractice. Examples of such actions are listed below:
 - Unlawful or unethical conduct
 - Financial malpractice
 - Health & Safety failings
 - Fraud
 - Corruption
 - Environmental damage
- 3.2 North Wiltshire District Council has introduced this whistle blowing policy to enable you to raise concerns about such malpractices at an early stage and in the right way. We would rather that you raised the matter when you have a genuine concern rather than wait for proof. Please don't raise your concerns outside the Council before you have voiced your concerns internally, since doing so may weaken the protection given to you under the Public Interest Disclosure Act 1998. The Council would welcome the opportunity to enquire into your concerns first.

- 3.3 If something is troubling you that you think a senior manager should know about or look into, please follow the procedure in Paragraph 4 – “How to Raise your Concerns”. It is better to tackle the situation early rather than let it get out of hand.
- 3.4 If you have an employment grievance, then please use the Council’s Grievance Procedure. A copy is available under Policies Procedures in the Employee Handbook.
- 3.5 The Whistle Blowing Procedure is primarily for concerns where the interests of others or of the organisation itself are at risk.
- 3.6 A direct telephone line is available to the Housing Benefits Investigation Team for reporting suspected Benefit fraud.

4. How to Raise your Concerns

4.1 If you have a concern about unlawfulness or serious malpractice, please raise it with your line manager first. This may be done orally or in writing.

4.2 If for whatever reason, you feel unable to raise the matter with your line manager, please raise your concern with one of the following:

- Chief Executive
- Section 151 Officer
- Internal Audit Manager
- Monitoring Officer
- Head of Human Resources
- Any member of the Corporate Management Board

Please contact the Head of Human Resources for details of the current post holders for the above mentioned posts. If you are a member of the Trade Union you may wish to consult your local representative.

4.3 This policy encourages you to disclose concerns within the Council. External disclosures to other bodies should only be made in exceptional circumstances, for example if you have already raised your concern and no action has been taken or if you reasonably believe your disclosure will not be appropriately investigated. You are encouraged to seek advice before making an external disclosure as it may affect the protection offered to you by this Policy.

4.3 In such circumstances workers can make disclosures to the following bodies:

- Your Trade Union
- The Audit Commission
- The Police
- The Health and Safety Executive
- Public Concern at Work
- Relevant regulatory or Professional bodies.

4.4 Workers of the Council have a duty not to undertake any action which may bring the Council into disrepute. If you do decide to report your concerns outside the Council, you must have a very good reason for doing so, as outlined in paragraph 4.3 above, and you must not disclose confidential information. Workers should raise their concerns with the organisations listed above and not with the press.

5. What the Council will do if you raise a Concern

5.1 Once you have expressed your concern, the matter will be looked into by the Monitoring Officer to assess what action should be taken initially. Should the Monitoring Officer be unable to discharge this duty, the Chief Executive will undertake the role. This may involve an internal inquiry or a more formal investigation. You may be asked how you think the matter might best be resolved. If you do have any personal interest in the matter, please say so at the outset. You will be advised if your concern falls more properly within the Grievance Procedure or the Anti-Fraud, Theft and Corruption Policy.

5.2 Within five working days you will be informed by the Monitoring Officer (or Chief Executive):

- Who is investigating the matter
- How you can contact him/her
- Whether your further assistance may be needed

5.3 The Monitoring Officer (or Chief Executive) will set out what is likely to happen next. You will be advised in advance before they make any contact with the alleged wrongdoer.

5.4 You may be contacted by the investigating officer. This will depend on the need to clarify issues, You will be given the opportunity to have a friend (who is not directly involved in the work relating to the concern) or a representative from the Trade Union or a Professional Association to be present at any interviews.

6. Following the Investigation

6.1 Once the investigation is completed, you will be advised of the outcome in writing. Please note that it may not be possible to tell you the precise action taken where this would infringe a duty of confidence owed to someone else.

6.2 If you are not satisfied with the outcome of the investigation, the Council recognises the lawful rights of employees and ex-employees to make disclosures to those bodies identified in paragraph 3.4.

7. The Council's Assurances to You

7.1 The Council is committed to this policy. If you raise a concern in good faith, you will not be at risk of losing your job or suffering any form of retribution as a result. Of course the Council does not extend this assurance to someone who maliciously raises a matter they know is untrue, and may take disciplinary action against the individual depending on the severity of the case.

- 7.2 The Council will not tolerate the harassment or victimisation of anyone raising a genuine concern. In cases of harassment or victimisation the Council will rigorously apply its Disciplinary Procedures. The Council recognises that you may nonetheless want to raise a concern in confidence under this policy and, therefore, if you ask us to the Council will do its best to protect your identity. It must be appreciated that the investigation process may reveal the source of the information and the statement by you may be required as part of the evidence. If your identity does need to be divulged then the Council will make provisions to support you throughout the process.
- 7.3 The purpose of this policy is to encourage employees to express their concerns and give them protection from any adverse consequences of doing so. Concerns expressed anonymously will be investigated, but do not carry the same weight as those that people have put their name to.

8. Policy Communication Review

- 8.1 This policy will be brought to the attention of all new employees during induction courses and will be subject to review on an annual basis.

Document History Whistle Blowing Policy.

Status Approved

Creation Date	Created By	Date of Review	Action
January 2004	Bernard Rymer and Paul Taylor	May 2006	Policy reordered and additional information included
May 2006	Rob Granger	May 2007	Titles changed & responsibilities given to Monitoring Officer and Chief Executive

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Committee Decisions This document has been approved by the following Committees

Date	Committee	Approval	Version
			1
			2
	Local Joint Consultative Committee	Agreed minor amendments	3
3 September 2007	Personnel, Licensing & Administration Committee		3

Revision History

Revision date	Previous revision date	Summary of Changes	Revised by	Changes marked
May 2007		2.1 who the policy applies to	Rob Granger	
May 2007	May 2006	4.2 the removal of names and the amendment of job titles	Rob Granger	
May 2007		5.2 & 5.3 insertion of titles of persons who keep the whistle blower informed	RG	
May 2007		5.4 investigation process	RG	
May 2007		Flowchart provided as guidance	RG	

Whistle blowing Flowchart

