

Huntingdonshire District Council Whistleblowing Policy

Introduction

Huntingdonshire District Council recognises that those that it employs and provides services to are often in the best position to know when the interests of the public are being put at risk. They can act as an early warning system on matters of health and safety or help to uncover fraud and mismanagement.

The Council also recognises that these people may not wish to express their concerns for a number of reasons. They may think it is disloyal to do so or they may fear reprisals, or they may not expect any action to be taken, or they may not know the best way to proceed. They may therefore find it easier to ignore their own concerns, or to “blow the whistle” to someone outside the Council.

The Council wants to build an environment of trust and openness so that people are prepared to whistle blow knowing that their concern will be treated confidentially and investigated appropriately. This Policy has been prepared in response to the Public Interest Disclosure Act 1998 and other legislation¹ and has been formally adopted by the Corporate Governance Panel on behalf of the Council.

Policy Statement

The Council is committed to the highest possible standards of openness, probity and accountability and to dealing with all fraud and other forms of malpractice reported.

Any employee, contractor, member of the public or any other organisation with serious or sensitive concerns about any aspect of the Council’s work shall be encouraged to come forward and voice those concerns at an early stage without fear of victimisation, subsequent discrimination or disadvantage. These concerns may relate to issues that are occurring now, took place in the past, or are likely to happen in the future.

All concerns received will be treated in confidence, examined and investigated in accordance with this policy.

Any employee or contractor who raises a concern shall be treated as though they are making a ‘protected disclosure’ (within the meaning of employment legislation)², if the concern is connected with any of the areas listed under the following section and has been raised in the public interest.

¹ Enterprise and Regulatory Reform Act 2013

² Employment Rights Act 1996

Concerns covered by the Policy

The policy is intended to deal with genuine concerns of a serious or sensitive nature ~~concerns~~ about wrongdoings in the following areas:-

- fraud and corruption
- any customers that we deal with, particularly children, being mistreated or abused
- ~~unauthorised use of Council money~~
- an unlawful act
- ~~any danger to the~~ health and safety ~~of any individual has been, or is likely to be endangered~~
- damage to the environment
- discrimination of any kind; ~~or the~~
- ~~the deliberate breaching of a Council policy or official code or regulation;~~
~~and~~
- deliberate concealment of any information that falls into any of the areas above.

~~This list is indicative, not exhaustive.~~

Concerns not covered by the policy

The Council wants all serious or sensitive concerns to be raised.

Any concern that falls under another Council policy or procedure will be investigated in accordance with that policy, for example the grievance or complaints procedure. Concerns involving Councillors will be referred to the Council's Monitoring Officer.

If the concern refers to an issue that is not in the public interest, not covered by this policy or any other Council policy or procedures (e.g. an employee not performing their duties correctly whilst under the influence of alcohol or non-prescribed drugs) it will be investigated as though it was received under this policy.

Implementing the Policy

The Council shall take appropriate action to publicise the policy so that all potential whistleblowers:

- feel confident that they are able to contact the Council and raise their concerns about Council practices
- realise that concerns should be raised about any employee, councillor, supplier or anyone who provides services to the public on the Council's behalf
- are aware of the different ways they can inform the Council of their concerns
- understand that concerns will be received in good faith and taken seriously
- are aware that anonymous concerns may not be investigated

- understand that they will receive a response to their concerns and are aware of how to pursue them further if they are not satisfied with the response
- are reassured that they will be protected from victimisation, subsequent discrimination or disadvantage

A guidance note shall be made available setting out the actions that will normally be taken when a concern is received.

Investigating Officer

All whistleblowing concerns received under this policy shall be reported immediately to the Audit & Risk Manager. He will be responsible for reviewing the concern, deciding upon the action to take, leading and directing investigations, preparing any subsequent reports and liaising with the person raising the concern.

Safeguards

The identity of the person raising the concern will remain confidential. If disclosure is required for any reason then this will be discussed with the person concerned.

The Council will not tolerate the harassment or victimisation (including informal pressures) of any person who has raised a concern. The Council's disciplinary procedures will be used against any employee who is found to be harassing or victimising the person raising the concern or who has disclosed the name of a whistleblower to any person other than the Audit & Risk Manager or the Managing Director of the Council.

Whistleblowing Externally

Whilst the Council would like all concerns to be raised with it initially, it recognises that the Public Interest Disclosure Act 1998 allows for concerns to be made to "prescribed persons". The guidance note will provide information on external whistleblowing.

Monitoring and Review

The Head of Legal and Democratic Services will be responsible for monitoring the implementation and effectiveness of the Policy and the guidance note. This will include an annual review, and an annual report to the Chief Officers' Management Team and the Corporate Governance Panel.

End.