

WHISTLEBLOWING POLICY

THREE RIVERS DISTRICT COUNCIL WATFORD BOROUGH COUNCIL

1 INTRODUCTION

- 1.1 Employees are often the first to realise that there may be something seriously wrong within the Councils but may find it difficult to know what to do about it. They may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Councils. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion.
- 1.2 The Councils have jointly introduced this Policy to reassure staff that it is safe and acceptable to speak up and to enable them to raise any concern they may have at an early stage.
- 1.3 Both Councils are committed to the highest possible standards of openness and accountability and have adopted a zero tolerance approach to fraud and corruption. We encourage any Council employee with serious concerns about any aspect of the Councils' work to come forward and express those concerns. These may relate to another Council employee, contractor, supplier, elected Member or representative of any other body supported by or working for or on behalf of the Councils.
- 1.4 The Councils will encourage all organisations working with them or on their behalf to adopt their own Whistleblowing arrangements.
- 1.5 These procedures are designed to ensure the greatest possible degree of confidentiality and protection for any member of staff who finds it necessary to use them.
- 1.6 Whilst intended primarily for Council employees, the reporting arrangements set out in this policy are also open to any member of the public, elected Member or representative of any organisation associated with either Council. The Councils also have Complaints Procedures which may be followed by members of the public.

2 AIMS OF THE POLICY

- 2.1 Provide avenues for you to raise concerns and receive feedback on any action taken in cases where you feel that you cannot use the normal complaints procedure.
- 2.2 Reassure you that we will do everything possible to protect your confidentiality and to protect you from reprisals or victimisation.
- 2.3 Ensure that your concerns are taken seriously and are swiftly acted upon.
- 2.4 Allow you to take the matter further if you are dissatisfied with either Council's response.

3 SCOPE

3.1 Whilst the policy is a key feature of our joint Anti-fraud and Corruption Strategy, its use is not restricted to fraud related issues. It covers a wide range of topics including:

- fraud, corruption or any other unlawful act
- maladministration and mismanagement
- breach of any statutory code of practice
- breach of the Councils' procedure rules or policies
- actions which are likely to cause physical danger or risk of damage to property
- failure to report and/or rectify any situation which is likely to cause significant avoidable cost or loss of income
- misuse of information which could seriously prejudice or compromise either Council
- abuse of power or the use of the Councils' powers and authority for any unauthorised or ulterior purpose.

3.2 The policy is not intended to cover staff complaints about harassment, discrimination, victimisation or other similar matter. These complaints are dealt with by other Council policies/procedures.

3.3 You may call the Fraud Hotline (Freephone 0800 458 9200) rather than use this process if that is easier for you.

4 SAFEGUARDS

4.1 Confidentiality

The Councils will do their best to protect your identity when you raise a concern and do not wish your name to be disclosed. It must be appreciated however that there may be times when it is not possible to resolve a concern without revealing your identity e.g. where your personal evidence is essential. This will be discussed with you in advance of any action being taken. You will be given all necessary support if your name has to be revealed.

4.2 Harassment or Victimisation

The Councils recognise that the decision to report a concern can be a difficult one to make not least because of the fear of reprisals from those responsible for the alleged malpractice. The Councils will not tolerate harassment or victimisation and will take action to protect you if the concern is raised in good faith.

This does not mean that if you are already the subject of disciplinary or redundancy procedures that those procedures will be halted as a result of your whistleblowing.

4.3 False Allegations

If you make an allegation in good faith but the investigation fails to support your concern, no action will be taken against you. However, any abuse of this process by employees maliciously raising unfounded allegations will be dealt with under the Councils' disciplinary arrangements.

Anonymous Allegations

You are encouraged to put your name to any issue raised. Anonymous concerns are much less powerful and are often difficult to follow up, especially if further information is required. Each case will be considered however and will be investigated depending on:

- the credibility of the concern
- the seriousness of the issue
- the possibility of verification from other sources.

5 HOW TO RAISE A CONCERN

5.1 You should normally report any concerns to your immediate manager or his/her superior for the matter to be dealt with in accordance with standard Council procedures. Line Managers must not investigate any suspected case of fraud or corruption but must refer it immediately to one of the two Chief Finance Officers, the Chief Executive (Three Rivers) or the Managing Director (Watford) who will decide what further action is to be taken.

5.2 If you feel unable to do this, e.g. you feel that your manager may be implicated or you have already done so but do not feel that the matter has been properly dealt with; you can then use the Whistleblowing process to report any concern.

5.3 Concerns should be reported to either:

**The Chief Executive (Three Rivers)
The Managing Director (Watford)
Either of the two Councils' Chief Financial Officers.**

These officers will decide the most appropriate method for dealing with your concern.

5.4 The earlier you express concern the easier it is to take action.

5.5 Do not try to investigate the matter yourself but pass on as much evidence or information you may have. You are not expected to prove the truth of the allegation but you will need to demonstrate that there are sufficient grounds for your concern.

5.6 You may invite your staff or trade union representative or a friend to act on your behalf.

5.7 The Councils have the resources and expertise to investigate any concern internally. If you feel it right to raise the matter externally, or have raised it internally but feel that it has not been properly investigated, there are a number of possible contact points, for example:

- your local Council Member
- the External Auditor (Grant Thornton)
- a relevant professional or regulatory body
- the Police
- the Ombudsman
- the Audit Commission (Whistleblowing Hotline – 0845 052 2646)
- the Health and Safety Executive
- Standards Board for England (matters relating to elected members).

6 THE COUNCIL'S RESPONSE

- 6.1 All concerns will be taken seriously and acted upon immediately.
- 6.2 After an initial review a decision will be taken on whether to take the matter further by way of a confidential investigation, to refer the matter to the Police, to arrange for an independent inquiry (e.g. by the external auditor) or to take no further action.
- 6.3 Some concerns may be resolved by agreed action without the need for a detailed investigation.
- 6.4 You may be approached for further information. At any meeting you may be accompanied by your representative or a friend.
- 6.5 We will ensure that you receive the necessary support/advice should the matter result in disciplinary or legal action at which you are required to give evidence.
- 6.6 Within ten working days of the concern being received the Councils will write to you (subject to any restrictions arising from the Data Protection Act):
- acknowledging that the concern has been received
 - indicating how it is proposed 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 whether further action is proposed.
- 6.7 As you need to be assured that the matter has been properly addressed you will receive information about the outcome of any investigation, subject to any legal or confidentiality constraints.

7 THE RESPONSIBLE OFFICER

The Chief Executive (Three Rivers) and the Managing Director (Watford) have overall responsibility for the maintenance and operation of this policy. It will be reviewed on an annual basis in accordance with arrangements in place at each authority.