



# Whistleblowing Policy

A guide on how to speak up and raise concerns at Swale Borough Council and the Council's commitment to provide a range of processes and support to enable all staff to report issues promptly and in ways they are comfortable with. It particularly describes the protections given to whistleblowers by the Public Interest Disclosure Act 1998

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**Mid Kent Audit**

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# Introduction

We set high standards for ourselves and the way in which we provide services to residents. We're also governed by various rules, regulations and laws.

Like all organisations, there is a risk that things may sometimes go wrong and that something illegal or unethical may be happening.

If you become aware of this, we need to know. Speaking up when you have a concern is essential. Your concerns will be taken seriously and in confidence.

You may feel worried about raising a concern and we understand this. But please don't be put off. We will look into what you say and offer you any support you may need.

We will not tolerate any harassment or victimisation of someone raising a concern, nor any attempt to bully you into not raising a concern. If this happens you should report it to me or any senior officer you feel comfortable with.

The policy aims to:

- Encourage staff, Members, contractors and partners to speak up on suspected wrongdoing as soon as possible in the knowledge their concerns will be taken seriously and investigated, including respecting confidentiality.
- Tell you how to raise concerns.
- Reassure you that you can raise genuine concerns without fear of reprisals even if you are mistaken.

Our people are our best asset and our best defence. By speaking up you can help us continue offering the best service we can to the people of Swale.

# Who can raise concerns?

Anyone who works at and for all levels of the Council. This includes people working with the Council in partnership (including Mid Kent Services and external contractors), temporary and fixed-term employees, Members and volunteers. This group is collectively referred to as **staff** in this policy.

# What concerns can I raise?

You can raise a concern about any **risk, malpractice** or **wrongdoing** you think is harming the service we deliver. The Public Interest Disclosure Act 1998 sets out some examples (known as protected disclosures):

- Criminal activity (for example, theft or fraud)
- Miscarriages of justice (for example, wrongly cancelling a parking ticket)
- Dangers to health and safety (for example, faulty protective equipment)
- Damage to the environment (for example, wrongful waste disposal)
- Breaching legal requirements
- Covering up or concealing any of the above

A person who raises a genuine concern relating to any of the above is referred to as a *whistleblower* by the Act. If you have concerns you should raise them using this policy.

Don't wait for proof. We want you to raise the matter while it is still a concern. **If in doubt, speak up.** It doesn't matter if you turn out to be mistaken as long as you are genuinely troubled.

This policy is not for people with concerns about their employment that affect only them – please see our *grievance policy*.

If your concern relates to the safety or wellbeing of a child or vulnerable adult please see our *Safeguarding Policy*.

# Confidentiality and anonymity

We hope you feel comfortable raising a concern openly, but we also appreciate you may wish to raise the matter confidentially. This means that, although the person you are reporting to will know your identity we will not disclose it to anyone else unless required by law (for example, to the police). We will assume matters are being raised in confidence unless you tell us otherwise.

You can choose to raise your concern anonymously, without giving your name, but that may make it more difficult for us to investigate thoroughly, give you feedback on outcomes and give you advice and support.

We will investigate all matters raised, whether openly, confidentially or anonymously.

## Who should I raise concerns with?

In most cases, we hope you will be able to raise concerns in the first instance with your line manager, formally or informally. If for any reason you don't think it is appropriate to raise with your manager, or your manager has not addressed your concerns you can use any of the options set out below.

- The Head of Audit Partnership (or member of the Audit Team)
- The Chief Executive, or any Director

Contact details are at page 8 of this policy

This policy aims to provide an internal route for staff to raise concerns. However, we recognise it may sometimes be appropriate to raise the matter externally and we provide a range of contact details on page 8. We strongly encourage you to seek advice before reporting externally, especially before contacting the media, and avoid divulging confidential or personal sensitive information.

# What will we do?

We are committed to listening to our staff, learning lessons and improving our services. When we receive a concern raised through this policy, it will be recorded and you will receive an acknowledgement within 2 working days. We will also note the date the concern was received, whether you have requested confidentiality, a summary of the matters raised and dates where we have provided updates or feedback.

Where we have been unable to resolve the matter quickly via your line manager, we will carry out a suitable, proportionate and independent investigation led by trained staff which will reach a conclusion within a reasonable timescale (that we will notify you of). The investigation will be objective and produce a report focussing on identifying and remedying any issues, including lessons to prevent problems recurring.

We will treat you with respect and thank you for raising concerns. We will also keep you informed on progress (while respecting the confidentiality of others) which may require your further assistance.

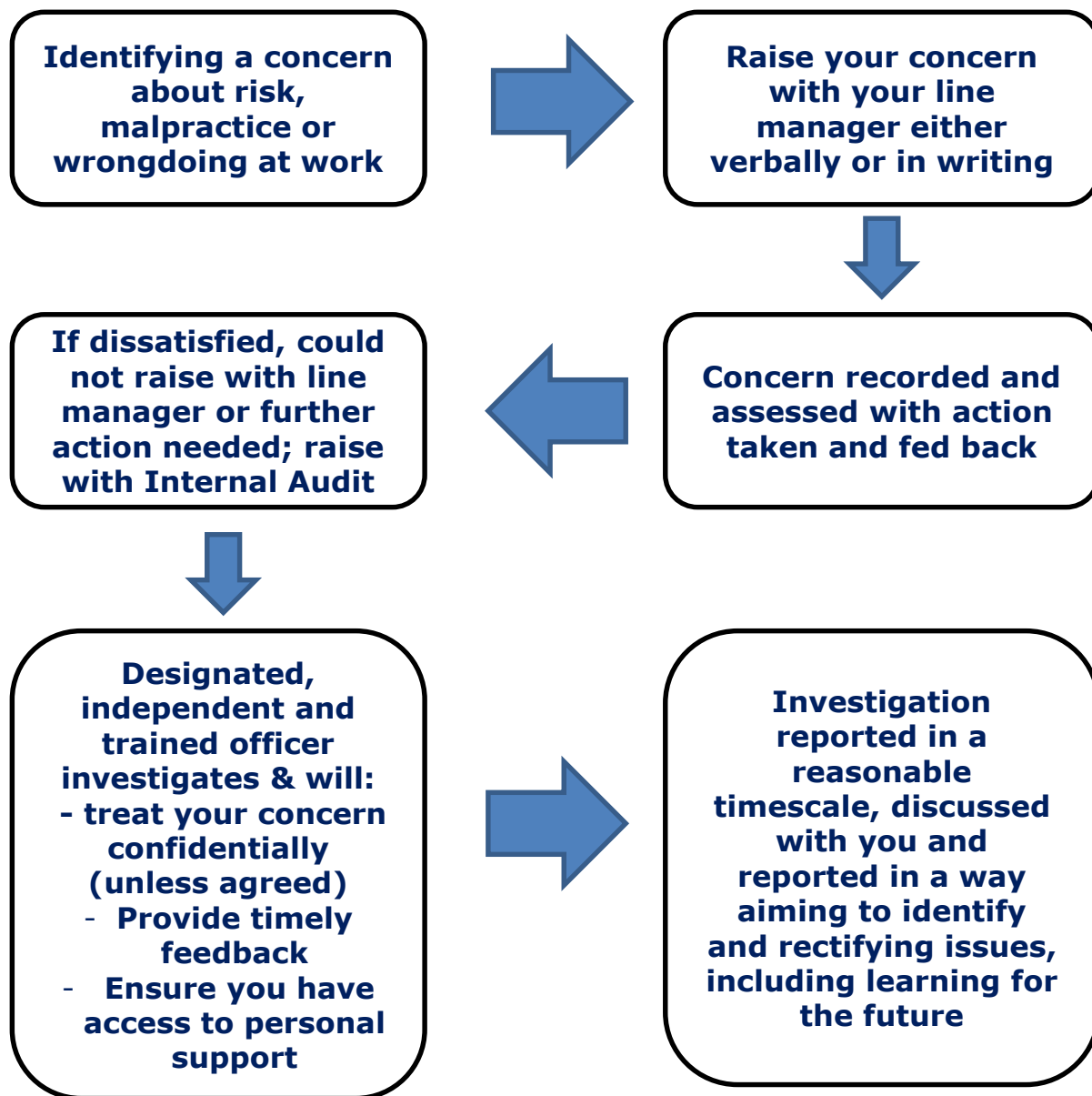
We understand that people raising honest concerns are sometimes worried about possible repercussions. Harassment and victimisation of people who raise concerns is not something we will tolerate. It is a breach of our values that may result in disciplinary action. If you are put under undue pressure to keep concerns to yourself or suffer detriment for speaking up you should report it within your own management structure (such as to your Director) or to any Senior Officer you wish, including the Chief Executive.

If we conclude that a member of staff has made false allegations raised in bad faith (for example, maliciously or with a view to personal gain) then they may be subject to disciplinary action. Also, speaking up does not guarantee immunity for any person who raises concerns about malpractice they have been involved in.

## If you are not satisfied

We cannot always guarantee you will receive the outcome you seek, but will try to deal with your concern fairly. You can help us to achieve that by using this policy. However, if you are unhappy with how your concern has been handled, please raise it with the Head of Audit Partnership or Chief Executive (contact details on page 8).

# Example process for staff raising and escalating a concern



# Contact Details

Organisation/Officer	Details
Rich Clarke Head of Audit Partnership	<a href="mailto:rich.clarke@midkent.gov.uk">rich.clarke@midkent.gov.uk</a> 07973 748 127
Larissa Reed Chief Executive	<a href="mailto:larissa.reed@swale.gov.uk">larissa.reed@swale.gov.uk</a> 01795 417390
	01795 417183
	PCaW are an independent charity that support and advise on whistleblowing. Whistleblowing advice line: 020 7404 6609 Email: <a href="mailto:whistle@pcaw.org.uk">whistle@pcaw.org.uk</a>
	Non-Emergency Reporting: 101 General enquiries: contact via <a href="http://kent.police.uk">kent.police.uk</a>  (note you cannot report crime via email)
	Contact via: <a href="http://www.citizensadvice.org.uk">www.citizensadvice.org.uk</a>  (Swale residents only, others contact local CAB)
 <b>Grant Thornton</b>	Grant Thornton are our external auditors