



WHISTLEBLOWING POLICY

September 2018

Employees are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their 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 seem easier to ignore the concern rather than report what may be just a suspicion of malpractice.

The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, the Council expects employees and others with serious concerns about any aspect 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 Whistleblowing Policy is intended to encourage and enable staff to raise serious concerns within the Council rather than overlooking a problem or blowing the whistle to the media or other external bodies. This Policy has been discussed with the relevant trade unions and professional organisations and has their support.

1. AIMS AND SCOPE OF THE POLICY

1.1 This Policy aims to:

- provide avenues for staff and members of the public to raise concerns and receive feedback on any action taken
- inform how to take the matter further if they are dissatisfied with the response, and
- reassure whistleblowers that they will be protected from reprisals or victimisation for whistleblowing.

1.2 There are existing procedures in place to enable staff to lodge a grievance relating to their own employment. This Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures. *A qualifying whistleblowing disclosure is one made in the public interest by a worker who has a reasonable belief of:*

- *criminal activity;*
- *miscarriages of justice;*
- *danger to health and safety;*
- *damage to the environment;*
- *failure to comply with any legal obligation or regulatory requirements;*
- *the deliberate concealment of any of the above matters is being, or has been, or is likely to be, committed.*

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2. SAFEGUARDS

Harassment or Victimisation.

- 2.1 The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Council will not tolerate harassment or victimisation and will take action to protect staff when they raise a concern.
- 2.2 This does not mean that if a member of staff is already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of their whistleblowing.
- 2.3 Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action. The Council may be liable for the actions of its staff in the event that whistleblowers suffer a detriment.
- 2.4 In addition, a member of staff who subjects a whistleblower to any form of detrimental activity may also be personally liable, including the payment of compensation that may be awarded to the whistleblower.

Confidentiality

- 2.5 The Council appreciates that some whistleblowers do not wish their identity to be disclosed and thus will not reveal the names of the people who provide the information, unless required by legislation.
- 2.6 Members of the public will also be protected by the guarantee of confidentiality.

Anonymous Allegations

- 2.7 This Policy encourages staff to put their names to allegations. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the Council. In exercising this discretion, the factors to be taken into account would include:
 - the seriousness of the issued raised,
 - the credibility of the concern, and the likelihood of confirming the allegation from attributable sources.

Untrue Allegations

- 2.8 If a member of staff makes an allegation, but it is not confirmed by the investigation, no action will be taken against them. If, however, individuals make malicious or vexatious allegations, disciplinary action may be considered and implemented.

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3. WHAT SHOULD AN EMPLOYEE DO IF THEY SUSPECT FRAUD OR CORRUPTION?

- 3.1 Employees should approach the manager of the area concerned, who has a responsibility to inform the Head of Internal Audit, or Audit Manager. The nature of the complaint will determine the Council's course of action.
- 3.2 If the employee feels the manager may be implicated they should either approach a more senior manager or approach Internal Audit directly.
- 3.3 Internal Audit can be contacted by
 - telephone on 0161 607 6972, or
 - via the confidential freephone 24 hour hotline on 0808 100 1235,
 - or by writing to: Head of Internal Audit, Audit & Risk Management Unit, 1st Floor, Unity House, Salford Civic Centre, Swinton, M27 5AW.
- 3.4 A confidential online reporting form is available on the Council's Internet site at <https://www.salford.gov.uk/reportfraud>
- 3.5 Members of staff wishing to raise a concern regarding Housing Benefit fraud should contact the Benefit Fraud hotline on 0800 917 8179.

4. WHAT SHOULD A MEMBER OF THE PUBLIC DO IF THEY SUSPECT FRAUD OR CORRUPTION?

- 4.1 The Council encourages members of the public who suspect fraud and corruption to contact Internal Audit in the first instance.
- 4.2 Internal Audit operates independently of all other Council services. Its work includes establishing procedures with the following aims:
 - to develop an anti-fraud culture
 - to deter, prevent, detect and investigate fraud and corruption
 - to seek appropriate action against those who commit or seek to commit some sort of fraud or corruption
 - to seek compensation in respect of any losses to the Council.
- 4.3 Internal Audit can be contacted by
 - telephone on 0161 607 6972, or
 - or by writing to: Head of Internal Audit, Audit & Risk Management Unit, 1st Floor, Unity House, Salford Civic Centre, Swinton, M27 5AW.
- 4.4 Members of the public can also call the confidential freephone hotline on 0808 100 1235.
- 4.5 A confidential online reporting form is available on the Council's Internet site at <https://www.salford.gov.uk/reportfraud>
- 4.6 Members of the public wishing to raise a concern regarding Housing Benefit fraud should contact the Benefit Fraud hotline on 0800 917 8179.

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5. HOW THE COMPLAINT WILL BE DEALT WITH

- 5.1 The action taken by the Council will depend on the nature of the concern. The matters raised may:
- be investigated internally
 - be referred to the Police
 - be referred to the Audit Commission
 - form the subject of an independent inquiry by the Ombudsman.
- 5.2 In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.
- 5.3 Concerns or allegations that fall within the scope of other, existing, procedures (eg child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 5.4 Within 10 working days of a concern being received, the Council will write to the complainant to acknowledge receipt of the concern, if the complainant has provided a contact name, and an address has been provided.
- 5.5 The amount of contact between the body considering the issues and the complainant will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the individual.
- 5.6 When any meeting is arranged, the complainant has the right, if they so wish, to be accompanied by a trade union or professional association representative or a friend who is not involved in the area of work to which the concern relates.
- 5.7 The Council will take steps to minimise any difficulties that staff may experience as a result of raising a concern. Full protection will be provided to the whistleblower under the Public Interest Disclosure Act.
- 5.8 If staff are required to give evidence in criminal or disciplinary proceedings, the Council will advise them about the procedure and offer the appropriate level of support.
- 5.9 The Council accepts that staff need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, they will be notified that the investigation has been completed.

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6. ALTERNATIVE METHODS OF TAKING FORWARD A COMPLAINT

- 6.1 This Policy is intended to provide staff with an avenue to raise concerns with the Council or the Ombudsman.
- 6.2 The Council hopes this will satisfy staff. If an individual feels it is right to take the matter outside this process, the following are possible contact points:
- the local council member (if you live in the area of the Council)
 - the External Auditor
 - relevant professional bodies or regulatory organisations
 - the Police
 - Public Concern at Work on 0207 404 6609.
- 6.3 If staff do take the matter outside the Council, they need to ensure that they do not disclose confidential information. This can be checked with the Ombudsman who will also advise on ways to proceed.

7. THE RESPONSIBLE OFFICER

- 7.1 The Chief Financial Officer (as Section 151 Officer) has overall responsibility for the maintenance and operation of this policy, maintains a record of concerns raised and the outcomes, and will report as necessary to the Council.

Approved by:	Monitoring Officer
Date:	September 2018
Next Review Date:	September 2019

Approved by:	Audit & Accounts Committee
Date:	September 2018
Next Review Date:	September 2019

PLEASE NOTE : SCHOOL IS NOT USING AN OLD VERSION OF THIS POLICY. THE POLICY UPLOADED HERE WAS STILL IN USE ON THE SALFORD INTRANET ON 11.1.17 DESPITE DATES LISTED WITHIN THE POLICY HAVING PASSED.