

Confidential Reporting (Whistleblowing) Policy

Version: Draft / Final - number

Date: Date of final publication

Document version control

Document information type	Document information detail
Organisation	Cumberland Council
Document Title	Confidential Reporting (Whistleblowing) Policy
Filename	Confidential Reporting (Whistleblowing) Policy
Document Status	Draft
Author	Internal Audit
Document held by (name/section)	Chief Legal Officer & Monitoring Officer
Contact email	Michael.roper@cumberland.gov.uk
Date of publication	20 June 2023
Next review date	1 August 2025
Version Number	1.0
Approval date and by who (delegated / committee)	17 September 2024 (Audit Committee)
For internal publication only or external also?	External
Document stored on Council website or Intranet?	Website

Document change history

Version	Date reviewed	Reviewed by	Description of revision
1.1	August 2024	Internal Audit	Annual Review

NB: Draft versions 0.1 - final published versions 1.0

Contents

Document change history	2
1 About this policy.....	4
2 What is whistleblowing?.....	4
3 How to raise a concern	5
4 Confidentiality	5
5 External disclosures.....	5
6 Protection and support for whistleblowers	6
7 A collective responsibility to report concerns	6
8 If you are not satisfied.....	6
9 Review of this Policy	6
10 Contacts.....	7
Named Contacts	7
Other Contacts	7

1 About this policy

- 1.1 Cumberland Council's aim is to improve the health and wellbeing of our residents. Our services have a direct and indirect impact on our resident's health and wellbeing so we are committed to being a high performing council. We want our residents to benefit from excellent, efficient and enterprising public services.
- 1.2 To achieve this we must take a positive, risk aware approach to fraud, bribery and corruption in order to protect our resources and enable them to be focused on achievement of these strategic objectives. This includes having the right processes in place to allow all stakeholders an opportunity to raise legitimate concerns.
- 1.3 The Council is committed to the highest standards of honesty, integrity and accountability in carrying out its functions. All staff are expected to maintain high standards. Any suspected wrongdoing should be reported as soon as possible.
- 1.4 This policy covers all employees, officers, consultants, contractors, casual workers, agency workers, elected Members and volunteers and explains the protection and support that is available for 'whistleblowers'.
- 1.5 In the first instance, Council customers should raise any concerns around staff or Members via the Council's complaints policy.
- 1.6 Any prospective 'whistleblower' can seek support from their Trade Union either before raising a concern or at any time during a concern being considered under this policy.
- 1.7 The Audit Committee is responsible for approving and monitoring the Council's policy in relation to confidential reporting (whistleblowing). An annual self-assessment report will be provided to the Audit Committee on the operation of the policy.

2 What is whistleblowing?

- 2.1 Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to any activities that the Council is engaged in. It covers the following specific wrongdoing/practices:
 - a criminal offence
 - breach of any legal obligation
 - a miscarriage of justice
 - danger to the health and safety of any individual
 - damage to the environment
 - the deliberate concealment of information about any of the above.

Whistleblowing is for disclosures that are in the public interest, it is not to be used for raising complaints relating to personal circumstances or treatment at work. In

those cases, employees should use the grievance procedure or other appropriate Human Resources procedure.

3 How to raise a concern

- 3.1 A Whistleblowing concern should be raised with your line manager or if this is not possible, your Assistant Director or Corporate Director. If there are specific reasons why you are unable to report your concerns within your own line management chain, there are named contacts at the end of this policy to whom you may make a referral. You must advise the person you report to that you are making a disclosure under the Council's Whistleblowing policy. A record of all whistleblowing concerns is maintained by the Monitoring Officer.
- 3.2 The person receiving your referral will arrange a meeting with you as soon as possible to discuss your concern. You may bring a companion (e.g. work colleague or union representative) to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation. The concern will then be investigated under this policy.
- 3.3 Following referral, you will receive acknowledgement of receipt and an outline of any further action that may be taken. You will also be informed if it has been determined that no further action will be taken and subject to confidentiality or any legal constraints, we will inform you of the outcomes of the investigation.

4 Confidentiality

- 4.1 We hope that staff will feel able to voice whistleblowing concerns openly under this policy 'Blowing the whistle' can be difficult and stressful, with individuals worried about potential repercussions.
- 4.2 We do not encourage staff to make disclosures anonymously, although we will make every effort to investigate anonymous disclosures. You should be aware that proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible.
- 4.3 All disclosures under this Policy will be treated in a sensitive manner. If you want to raise your concern confidentially, we will make every effort to keep your identity confidential and only reveal it where necessary to those involved in investigating your concern or if required for legal reasons.

5 External disclosures

- 5.1 The aim of this Policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in relation to the Council's functions. In most cases, you should not find it necessary to alert anyone externally.

- 5.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external to ensure that you do not disclose confidential information.

6 Protection and support for whistleblowers

- 6.1 The Council aims to encourage openness and will support whistleblowers who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 6.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a genuine concern. If you believe that you have suffered any such treatment, you should inform the Assistant Director of Human Resources and Organisational Development or Monitoring Officer immediately. If an individual is found to threaten or retaliate against whistleblowers in any way, action may be taken against them including under the Council's disciplinary procedures.
- 6.3 If you make an allegation in good faith, but it is not confirmed by an investigation, no action will be taken against you. However, if you make a false allegation maliciously, the Council may invoke disciplinary action against you where available.
- 6.4 "Protect" operates a confidential helpline providing support and advice. Their contact details are at the end of this policy.

7 A collective responsibility to report concerns

- 7.1 There is a responsibility for all officers to notify and report any issues of serious concern. Failure to do so may have a negative impact on the delivery of council services, negatively impact on the Council's reputation or impact on the conduct of an individual. As a result, failure to declare or report such concern could be considered a disciplinary matter.

8 If you are not satisfied

- 8.1 Whilst the Council cannot always guarantee the outcome that an individual is seeking, all concern/s will be dealt with fairly and in an appropriate way. The appropriate use of this policy will help us to achieve this.

If you are not happy with the way in which any concern has been handled, you can raise it with one of the named contacts identified in Section 10.

Alternatively contact the Director of Resources or the Council's external auditors.

9 Review of this Policy

9.1 The policy will be subject to annual review.

10 Contacts

Named Contacts

Head of Internal Audit	Michael Roper Telephone: 07518 294374 Email: michael.roper@cumberland.gov.uk
Monitoring Officer	Clare Liddle, Chief Legal Officer Telephone: 01228 470241 Email: clare.liddle@cumberland.gov.uk
Section 151 (Chief Finance) Officer	Catherine Bell Telephone: 07711 634180 Email: catherine.bell@cumberland.gov.uk
Assistant Director of HR and OD	Jackie Green Telephone: TBC once employment commences Email: jackie.green@cumberland.gov.uk
Protect (Independent whistleblowing charity)	Helpline: (020) 3117 2520 Email: whistle@protect-advice.org.uk Website: www.protect-advice.org.uk

Other Contacts

The following are other suggested possible contact points:

- External auditor - [Grant Thornton](#)
- Your trade union – including [GMB](#), [Unite](#) and [Unison](#)
- [Trading Standards](#)
- [Local Citizens Advice Bureau](#)
- [Police](#)
- Relevant [professional bodies or regulatory organisations](#)
- Relevant voluntary organisations such as [Protect](#)