

WHISTLEBLOWING POLICY

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We will on request produce this policy / procedure, or parts of it, in other languages and formats, in order that everyone can use and comment upon its content.

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DOCUMENT CONTROL

Changes History

Issue No	Date	Amended By	Summary of Changes
2.1	June 20	Peter Frost	Review and redesign of Policy
2.2	June 21	Peter Frost	Review and minor changes
2.3	December 21	Peter Frost	Review and minor changes
2.4	February 23	Peter Frost	Review and minor changes (Feb 23 as awaiting confirmation of new Monitoring Officer)
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Authorisation (Responsible Owner)

Role	Name	Approval Date
Head of Internal Audit	Peter Frost	18 December 2023

Approval (Accountable Owner)

Role	Name	Approval Date
Chief Financial (S151) Officer	Louise Aynsley	19 December 2023

Reviewers (Consulted)

Role & Review Responsibilities	Name	Approval Date
Christos Constantinou	Counter-Fraud Manager	19 December 2023

Distribution List - Once authorised (Informed)

Name	Organisation
All County Council Staff & Councillors	County Council

Review Period

Date Policy to be Reviewed	By whom
December 2024	Peter Frost

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1. WHAT IS WHISTLEBLOWING?

1.1. Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- i. criminal activity.
- ii. failure to comply with any legal or professional obligation, or regulatory requirements.
- iii. miscarriages of justice.
- iv. danger to health and safety.
- v. damage to the environment.
- vi. bribery (under our Anti-Bribery Policy).
- vii. financial fraud or mismanagement.
- viii. concerns around modern slavery (see our Annual Slavery and Human Trafficking Statement).
- ix. breach of our internal policies and procedures (including our Code of Conduct).
- x. conduct likely to damage our reputation or financial wellbeing.
- xi. unauthorised disclosure of confidential information.
- xii. Negligence.
- xiii. the deliberate concealment of any of the above matters.

1.2. A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the Council's activities (a whistleblowing concern) you should report it under this policy.

2. ABOUT THIS POLICY

2.1 The aims of this policy are:

- i. to encourage you to report suspected wrongdoing as soon as possible, in the knowledge that your concerns will be taken seriously and investigated as appropriate, and that your confidentiality will be respected.
- ii. to provide you with guidance as to how to raise those concerns.
- iii. to reassure you that you should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

2.2 Suffolk County Council (henceforth referred to as "we") is committed to the highest possible standards of openness, probity and accountability and we encourage you to raise any concerns about any aspect of our work to come forward and voice

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those concerns. In some instances, concerns may need to be expressed on a confidential basis.

- 2.3 Although we have set in place rules, regulations, quality standards and procedures to ensure that the highest standards of conduct and commitment to service are observed, we recognise that malpractice can occur.
- 2.4 We are not prepared to tolerate any such malpractice in the performance and delivery of our services and will treat any complaints very seriously.
- 2.5 We face the risk that something may go wrong or that someone may ignore our policies, our procedures, or the law, resulting in some very serious consequences. Experience shows that people often have worries or suspicions and could, by reporting their concerns at an early stage, help put things right or identify and stop potential wrongdoing.
- 2.6 A Whistleblower is generally a term used for a person who works in, or for, an organisation and raises an honest and reasonable concern about a possible fraud, crime, danger, or other serious risk that could threaten colleagues, service users, customers, members of the public, or the success and reputation of the organisation.
- 2.7 We want the whistleblower (henceforth referred to as “you”) to feel that it is safe and acceptable to tell us about your concerns so that they can be investigated, and action taken as soon as possible. It is recognised that you may be worried about reporting for several reasons:
- i. fear of reprisal or victimisation (e.g., loss of job).
 - ii. too much to lose (reputation, damage to career etc.).
 - iii. feelings of disloyalty.
 - iv. worries about who may be involved.
 - v. you have no proof, only suspicions.
 - vi. fear of repercussions if there is no evidence or you are proved wrong.
- 2.8 We welcome all genuine concerns and will treat your issues seriously. This Policy explains how to raise a concern, how we will respond, confidentiality, the protection that can be provided, and how you can take matters further, if necessary.
- 2.9 We want to assure you that there is no reason to remain silent. Your decision to talk to us may be difficult but, if you believe what you are saying is true, you have nothing to fear. We will not tolerate any harassment or victimisation and will act to protect those of you who raise concerns that you believe to be in the public interest.
- 2.10 UK law protects employees from dismissal, harassment, or victimisation if such treatment occurs because of having made a whistleblowing disclosure considered to be in the public interest. In addition to the employer’s liability, the individual who subjects the employee to such treatment may also be held personally liable.

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- 2.11 This policy covers all employees, councillors, consultants, contractors, volunteers, and agency workers. It also applies to employees of a Local Authority School or a school governor (if the school has adopted this Policy).
- 2.12 Whilst the wording within this policy is aimed at those listed in paragraph 2.11, members of the public can also use this policy when they have credible information about wrongdoing affecting the County Council (witnessing illegal activities, unethical behaviour, or any form of misconduct). This may include witnessing fraud, corruption, or safety violations, or any activity that goes against the law or ethical standards.
- 2.13 This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Protect.
- 2.14 This policy does not form part of any employee's contract of employment, and we may amend it at any time.

3. SCOPE

- 3.1 This Policy is not intended to replace existing policies and procedures:
- i. Our grievance policy (including harassment and bullying) should be used if you have a personal grievance or are unhappy with the way you are being treated as an employee.
 - ii. If you are a member of the public with concerns or information which you think we should know about or investigate, you should follow our complaints process if your concern is about a service that we have provided to you.
 - iii. Complaints of misconduct by County Councillors are dealt with under a separate procedure and should be reported to the Monitoring Officer.
 - iv. We have an Anti-Fraud & Corruption Policy. This includes the requirement to inform the Head of Internal Audit of any suspected fraud or irregularity affecting our assets.
 - v. Concerns about money laundering should be raised in accordance with our Anti-Money Laundering Policy.
 - vi. If your concerns relate to Child Protection or Adult Care Safeguarding, then there are separate reporting procedures via our Multi-Agency Safeguarding Hub.
 - vii. If your concerns relate to modern slavery, you can refer to the Council's webpage on [Modern Slavery](#) on how to report any concerns.
 - viii. Any issues, concerns or complaints of a health and safety nature should be reported using our incident report forms (employees only).
- 3.2 You should consider raising concerns through the Whistleblowing Policy if:

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- i. You have genuine reasons why you cannot use the above policies and procedures.
- ii. You have reason to believe that these policies are failing or are not being properly applied.
- iii. There is a public interest aspect.

3.3 If you are uncertain whether something is within the scope of this policy you should seek advice from the Monitoring Officer, whose contact details are at the end of this policy.

4. RAISING A WHISTLEBLOWING CONCERN

4.1 We hope that in many cases you will be able to raise any concerns with your line manager or Director. You may tell them in person or put the matter in writing if you prefer. They may be able to agree on a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Monitoring Officer.

4.2 However, where the matter is more serious, or you feel that your line manager or Director has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- i. The Chief Executive.
- ii. The Deputy Chief Executive.
- iii. The Monitoring Officer.
- iv. The Head of Internal Audit.
- v. The Counter-Fraud Manager.
- vi. Chair of Governors (if you work for a school).

Contact details are set out at the end of this policy.

4.3 Concerns are better submitted in writing. This should include the background and history of your concern, giving names, copies of any documents, dates, and places (where possible). You should explain why you are concerned about the situation – we do not expect you to prove the truth of an allegation, but you will need to show that there are enough grounds for your concern.

5. CONFIDENTIALITY

5.1 The Whistleblowing law is contained in the Public Interest Disclosure Act 1998 (PIDA – amended by the Enterprise and Regulatory Reform Act 2013). Public bodies, such as this Council, are required to have a Whistleblowing Policy and to ensure that employees are not victimised or dismissed for raising their concerns internally. This also applies to those who, as a last resort, feel the need to take their concerns to an outside body, such as the Local Government and Social Care Ombudsman.

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- 5.2 Members of the public who raise concerns are not legally protected by PIDA, so we offer the option for the person making the allegation(s) to withhold their identity at the time concerns are raised.
- 5.3 We hope that you will feel able to voice whistleblowing concerns openly under this Policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.
- 5.4 We do not encourage you to make disclosures anonymously. 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. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Monitoring Officer (or one of the other contact points listed in section 11) and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt, you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this Policy.

6. HOW THE COUNCIL WILL RESPOND

- 6.1 Our response will depend on the nature of the concern raised and may be:
- advice only.
 - resolved by agreed action without the need for investigation.
 - investigated internally (by management, Internal Audit, or other independent investigators).
 - referred to the relevant safeguarding team (child protection or vulnerable adults).
 - referred to a relevant body.
 - referred to the Police if a criminal matter.
 - referred to the external auditor. or
 - the subject of an independent inquiry.
- 6.2 The officer receiving the whistleblowing allegation (if a major issue) will immediately notify the Monitoring Officer to agree the course of action.
- 6.3 Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings to provide further information.
- 6.4 We may carry out initial enquiries to protect individuals or employees and those accused of wrongdoing. The results of these enquiries will be used to decide whether an investigation is needed and, if so, what form it should take. If urgent

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action is required, this will be taken before any investigation commences.

- 6.5 Concerns of fraud, bribery or corruption will be followed up by the Internal Audit & Counter Fraud Service. If there are other serious concerns of a potentially criminal nature, the complaint will be referred to the Monitoring Officer. The Monitoring Officer will determine whether the concern should be referred to the Police directly or whether the complainant should be advised to make such a referral.
- 6.6 If the Monitoring Officer decides that the matter should be referred to the Police, advice will be sought from the Police to establish if a simultaneous internal investigation can be conducted, and whether they consent for the subject of the complaint to be informed of allegations.
- 6.7 We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- 6.8 The amount of contact between you and the Officer considering your whistleblowing disclosure will depend on the nature of the concerns raised. For example, if further investigation is required, the investigator may need to seek additional information from you.
- 6.9 Records will be retained of all work carried out and actions taken to address the concerns raised, including the investigator's case file, where relevant. All files will be held securely and confidentially.
- 6.10 At the end of any investigation, feedback will be provided to the whistleblower (if known) on actions taken and limited detail on the outcome of investigations. Feedback will be subject to legal constraints but the importance of providing you with assurances that the matter has been dealt with properly is recognised.
- 6.11 If we conclude that a whistleblower has made false allegations maliciously, the whistleblower may be subject to disciplinary action.

7. IF YOU ARE NOT SATISFIED

- 7.1 While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.
- 7.2 If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts in section 11. Alternatively, you may contact the Chairman of the Audit Committee or our external auditors. Contact details are set out at the end of this policy.

8. EXTERNAL DISCLOSURES

- 8.1 The aim of this policy is to provide a mechanism for reporting, investigating, and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.
- 8.2 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. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.
- 8.3 Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a customer, supplier, or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first. You should contact your line manager or Director or one of the other individuals set out in section 11 for guidance.

9. PROTECTION & SUPPORT FOR WHISTLEBLOWERS

- 9.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

10. HOW THE MATTER CAN BE TAKEN FURTHER

- 10.1 If you have genuine concerns about how we have handled your whistleblowing disclosure, you can raise this with the investigating officer(s) and / or the Monitoring Officer. If you remain dissatisfied, you can contact our external auditor.
- 10.2 You may also refer your concern to the Local Government and Social Care Ombudsman. They generally do not take any action until the matter has been dealt with internally first.

11. CONTACTS

- 11.1 Contact details are:

Monitoring Officer	Nigel Inniss , 01473 264236 Nigel.Inniss@suffolk.gov.uk
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Head of Internal Audit	Peter Frost , 01473 264247 Peter.frost@suffolk.gov.uk
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Chairman of the Audit Committee	Cllr Joanna Spicer Joanna.spicer@suffolk.gov.uk
External Auditor	Debbie Hanson Ernst & Young LLP One Cambridge Business Park Cambridge, CB4 0WZ Tel. 07541 346507 DHanson@uk.ey.com
The Local Government & Social Care Ombudsman	PO Box 4771 Coventry, CV4 0EH Tel. 0300 061 0614 Website: LGSCO
Protect (Independent whistleblowing charity)	Helpline: 020 3117 2520 Website: https://protect-advice.org.uk/

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