

**Stevenage Borough
Council
Whistleblowing Policy
2022**

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1. Introduction

- 1.1 This Policy is for the use of any person working for the Council, whether they are a permanent employee, an agency/contract worker, or employed on a fixed term or other flexible contract. In this policy we refer to all those people as 'Employees' of the Council.
- 1.2 The Policy is to be used to raise any concerns about the conduct or actions of another person in their role as an Employee of the Council. The Council has policies to deal with a variety of concerns and some of these are mentioned in section 6.3. It is not possible to provide an exhaustive list to cover every circumstance and if you are not sure you should initially talk to your line manager or the Human Resources (HR) Team who will be able to advise you further.
- 1.3 All of us at one time or another have concerns about what is happening at work. Usually these are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public or the environment, it can be difficult to know what to do.
- 1.4 You may be worried about raising such a concern and may think it best to keep it to yourself perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to co-workers, managers or to the Council or that you may get in trouble at a later stage if your concerns prove to be unfounded and your co-workers or manager(s) find out it was you who raised the concern. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.
- 1.5 Stevenage Borough Council (the Council) is committed to running the organisation in the best way possible and to do so we need your help. The Council has updated this policy to reassure you that it is safe and acceptable to speak up and to enable you to raise any concerns you may have about unlawful conduct, financial malpractice or dangers to the public or the environment, at an early stage, in the right way and, if you request it, in confidence. Rather than wait for proof, the Council would prefer you to raise the matter when it is still a concern.
- 1.6 If something is troubling you which you think the Council should know about or look into, please use this Policy. If you wish to make a complaint about your employment or how you have been treated please use the Grievance Procedure and/or Dignity at Work Policy (available on the Intranet). This Whistleblowing Policy is primarily for concerns where the interests of others or of the Council itself are at risk.

If in doubt – Report it!

2. Our Assurance to You

Your safety

- 2.1 The Senior Leadership Team are committed to this policy.
- 2.2 If you raise a concern under this policy, you will not be at risk of losing your job or suffering any form of retribution as a result, provided you are acting in good faith (a **Genuine Concern**). It does not matter if, following investigation, you are mistaken about your concern.
- 2.3 This assurance does not apply in circumstances where an individual maliciously raises a matter they know is untrue.

Your confidence

- 2.4 The Council will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, the Council recognises that you may nonetheless want to raise a concern in confidence under this Policy. If this is the case, please say so at the outset.
- 2.5 If you ask the Council to protect your identity, we will not disclose it without your consent. If the situation arises where the Council is not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court) the Council will discuss with you whether and how we can proceed.
- 2.6 Please remember that, if you do not tell us who you are, it will be much more difficult for the Council to look into the matter, protect your position or to give you feedback. Accordingly, while we will consider anonymous reports, this policy is not well suited to concerns raised anonymously.
- 2.7 With these assurances we hope you will raise your concern openly.

*If you are unsure about raising a concern you can get independent advice from **Public Concern as Work** (see contact details under Independent Advice below).*

3. How to Raise a Concern Internally

- 3.1 Please remember that you do not need to have firm evidence of malpractice before raising a concern. The Council asks that you explain as fully as you can the information or circumstances that gave rise to your concern.
- 3.2 If you have a concern about malpractice the Council hopes you will feel able to raise it first with your Line Manager or Assistant Director. This may be done orally or in writing.

3.3 If you feel unable to raise the matter with your manager or Assistant Director for whatever reason please contact whistleblowing@stevenage.gov.uk. This email address is confidential and monitored by the Council's whistleblowing reporting officers (Strategic Director (s151 Officer), the Monitoring Officer, Audit Manager and Head of Human Resources).

4. How the Council will handle the Matter

4.1 Once you have told The Council of your concern, it will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal investigation. The Council will tell you: who will be handling the matter, how you can contact them and what further assistance it may need from you. If you ask, the Council will write to you summarising your concern and setting out how we propose to handle it. If the Council has misunderstood the concern or there is any information missing, please let the allocated officer know.

4.2 When you raise the concern it will be helpful to know how you think the matter might best be resolved. If you have any personal interest in the matter, the Council asks that you say so at the outset. If the Council thinks your concern falls more properly within the Grievance Policy, or Dignity at Work Policy, or another relevant policy or procedure, you will be told.

4.3 While the purpose of this policy is to enable the Council to investigate possible malpractice and take appropriate steps to deal with it, the Council will give you as much feedback as it properly can. If requested, the Council will confirm its response to you in writing. Please note, however, that the Council may not be able to tell you the precise action it takes where this would infringe a duty of confidence owed by us to someone else.

4.4 Although the Council cannot guarantee that it will respond to all matters in the way that you might wish we will strive to handle the matter fairly and properly. By using this policy you will help to achieve this.

5. Independent Advice

5.1 If you are unsure whether to use this policy or you want confidential advice at any stage you may contact:

- Your union (your union representative may be able to provide assistance); or
- The independent charity **Public Concern at Work** on 020 7404 6609 or by email at helplinepcaw.co.uk. Their lawyers can talk you through your options and help you raise a concern about malpractice at work.

6. External Contacts

- 6.1 The Council hopes this policy gives you the reassurance you need to raise your concern internally but the Council recognises that there may be circumstances where you can properly report a concern to an outside body such as a Key Regulator. This option should be used as last resort but provided you are acting in good faith the Council would rather you raised a matter with the appropriate regulator than not at all.
- 6.2 Your rights to raise such concerns are established within the Public Interest Disclosure Act 1998. Public Concern at Work or your union will be able to advise you on the circumstances in which you can safely contact an outside body.
- 6.3 Listed here are the Regulators most likely to be linked to Local Government: it is not exhaustive and a full listing can be found on the PCaW website.
- Health and Safety Executive- Health and safety matters
Tel: 0845 345 0055 www.hse.gov.uk/workers/whistleblowing
 - Environment Agency- Environment matters
Tel: 0800 807060 www.environment-agency.gov.uk
 - The Commissioners for her Majesty's- Tax related matters e.g. VAT
Government Revenue & Customs
Tel: 0900 595 000 customs.confidential@hmrc.gov.uk
 - Information Commissioner- Compliance with data protection or FOI
Tel: 01625 545700 www.informationcommissioner.gov.uk
 - External Auditors Ernst & Young LLP - Public sector finance matters
Tel: 011 8928 1167
 - Hertfordshire Shared Anti-Fraud Service (SAFS)
Direct Dial: 01483 844705 e-mail: fraud.team@hertfordshire.gov.uk

7. Monitoring/ Review

- 7.1 This Policy provides protection under Part IVA of the Employment Rights Act 1996. The Councils HR Team will keep it under review and ensure it is made available to and shared with all Employees
- 7.2 This Policy will be reviewed annually, or as required by legislation by the Councils HR Team.