

## **Standards Committee Meeting – 27 January 2025**

### **Whistleblowing Policy Update**

#### **1. Aim**

- 1.1 To ensure that the Council has a robust Whistleblowing Policy that follows best practice and is clear and transparent for all potential users.
- 1.2 To ensure that there are appropriate operational procedures in place to support the reporting of concerns and that they are effectively managed.

#### **2. Summary**

This report is to present to Standards Committee the proposed refreshed Whistleblowing Policy and internal procedure along with the consideration of future reporting arrangements.

#### **3. Recommendations**

- 3.1 Standards Committee are recommended to approve the refreshed Whistleblowing Policy and arrangements for monitoring activity moving forward.

#### **4. Report Detail – Know**

- 4.1 This report provides Standards Committee with an opportunity to review and comment on the revised Whistleblowing Policy and associated proposed procedure for managing any concerns raised (please see appendices).
- 4.2 The Whistleblowing Policy is part of the Council's Governance Framework. Primarily it is for concerns where the public interest is at risk and the provision of a process for individuals to raise such concerns illustrates the Council's commitment to maintaining the highest standards of openness, honesty and accountability and to providing opportunities for everyone to fulfil their potential in an environment that is reflective of the Seven Principles of Public Life.
- 4.3 In April 2024, during consideration of Strategic Risk 12, Audit Committee requested the Director of Governance consider and review where responsibility for the Whistleblowing Policy sits. As part of this review, it was recognised that the Policy did not follow current best practice. The refreshed Policy is now presented to Standards Committee for approval (See appendix 1).
- 4.4 The Policy has been streamlined to align with current best practice as defined by Protect (whistleblowing charity) and aims to make how to raise a concern clearer. It is supported by a clear procedural note that explains what happens when a concern is raised and how activity relating to this policy will be monitored.

4.5 The refreshed policy and accompanying procedure note will support the Council compiling with the new statutory guidance for the new corporate crime of 'failing to prevent fraud' in relation to the requirements for organisations to have appropriate whistleblowing arrangements in place. This is a new offence, created by the Economic Crime and Corporate Transparency Act 2023 and comes into effect on 1 September 2025.

## **5. Financial information**

5.1 To ensure the Council continues to follow best practice in the management of whistleblowing, membership of [Protect](#) has been recommended and agreed. There is an annual cost of £2,500 and membership is initially for a minimum of 3 years. There are no additional financial implications.

## **6. Legal implications**

6.1 Although there are no direct legal implications relating to this report, the provision of effective confidential reporting (whistleblowing) arrangements is a key part of the Council's internal controls, supporting the council to embed a culture of openness, honesty and transparency to ensure it operates within legal requirements at all times.

## **7. Decide**

7.1 The committee should consider the robustness of the refreshed policy and accompanying procedure in providing efficient and effective whistleblowing (confidential reporting) arrangements and the proposed future monitoring and reporting arrangements.

## **8. Respond**

8.1 Once approved the policy will be made available via both the intranet and internet and will be supported by a communications campaign to promote awareness and understanding of the policy and the responsibilities managers have to support employees.

## **9. Review**

9.1 Activity to promote the refreshed policy and to monitor activity in relation to concerns that are raised will be reported quarterly to the Monitoring Officer and annually to Standards Committee.

### **Background Papers:**

None

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# Whistleblowing Policy (confidential reporting)

Version Control			
Owner	Assurance	Status	
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## 1.0 Purpose and Introduction

- 1.1 This Whistleblowing Policy is primarily for concerns where the public interest is at risk, which includes a risk to the wider public, customers, service users, contractors, staff or the Council itself. The policy seeks to ensure the highest standards of openness, honesty and accountability, enabling everyone to report appropriate concerns if they feel other reporting channels are not available.
- 1.2 It is not uncommon for anyone to have concerns from time to time regarding what is happening in their workplace. Usually, these concerns can be easily resolved through established reporting lines and relationships. However, when the concern feels serious because it is about a possible fraud, danger or malpractice that might affect you, those you work with or provide services to, or the Council itself, it can be difficult to know what to do.
- 1.3 If you have serious concerns, you may be worried about raising them. You may feel it is none of your business, or that it is only a suspicion, and you have no evidence. You may also feel that raising the matter would be disloyal to colleagues or the Council. You may decide to say something but are concerned that you may speak to the wrong person or raise the issue in the wrong way and be worried about consequences. This may lead you to believe it is best to keep it to yourself.
- 1.4 The Council is committed to providing opportunities for everyone to fulfil their potential in an environment that is reflective of the Seven Principles of Public Life. This policy supports individuals to embed these principles, encouraging people to be selfless, act with integrity, be objective and accountable. It encourages openness and honesty, requiring everyone to recognise their role as leaders in how they behave and treat others. This policy provides reassurance that it is safe and acceptable to speak up, to raise concerns at an early stage and in the right way.
- 1.5 This policy applies to everyone that works for the Council, whether that be full-time or part-time, directly or via an agency or as a volunteer. It is also for elected members, partners, contractors and service users (including their friends and families. If you have a whistleblowing concern, please let us know.
- 1.6 Some concerns may be covered by other policies. For example, if you wish to complain about your employment, one of the HR policies (Dignity at Work, Grievance etc.) may be the appropriate route.
- 1.7 Whilst this policy is also for partners and contractors, employees of those organisations should follow their whistleblowing policy unless for some reason you do not feel able to do so – in which case use this policy.
- 1.8 Service users, or their family and friends, who have a concern regarding an individual's treatment, or the quality of care being received consider reporting a safeguarding concern or raising a statutory social care complaint.

- Statutory social care complaints can be made by emailing [customercaresocialcareteam@walsall.gov.uk](mailto:customercaresocialcareteam@walsall.gov.uk)
- Information regarding safeguarding please visit [Walsall Safeguarding Partnership](#)

**Remember: If in doubt - raise it!**

## 2.0 Our assurances to you

### Your safety

- 2.1 Walsall Council is committed to this policy and to supporting those raising concerns as much as possible. If you believe you are raising a genuine concern, it does not matter if, upon investigation you are mistaken. However, these assurances do not extend to someone who maliciously raises a matter they know is untrue.
- 2.2 There is no risk of losing your job or suffering any form of reprisal for anyone raising a genuine concern under this policy. The Council does not tolerate the harassment or victimisation of anyone raising a genuine concern under this policy and consider the victimisation of anyone who has raised a concern as a disciplinary matter.

### Your confidence

- 2.3 These assurances aim to encourage all to raise concerns openly. It is recognised there may be circumstances where some prefer to come forward confidentially at first. If this is the case, please ensure this is very clear from the outset. If you ask us not to disclose your identity, we will not do so without your consent unless required by law. It is important to recognise that there may be occasions when we are unable to resolve a concern without revealing your identity (e.g. where your personal evidence is essential). Where this is the case, we will discuss it with you and decide how the matter can best proceed.
- 2.4 Please remember if you do raise a concern anonymously it will be more difficult for the matter to be fully investigated, and we may not be in a position to protect your position or give you feedback.
- 2.6 If you are unsure about raising a concern, independent advice is available from [Protect](#). Alternatively, you can also seek advice from your Union representative.

## 3.0 Raising a concern internally

- 3.1 As stated above, firm evidence of malpractice is not required before a concern can be raised. However, we do ask that you explain as fully as possible the information or circumstances that have led to your concern to enable it to be considered and investigated.

## Step One

3.2 It is hoped that where appropriate, for example if your concern is about malpractice, you will feel able to raise it firstly with your manager or team leader. This can be done verbally or in writing. If you choose to raise a concern in person, you can bring someone with you for support you, if you wish to.

## Step Two

3.3 If you feel unable to raise the matter with your manager, for whatever reason, you can raise the matter with the Head of Internal Audit by emailing [internalauditservice@walsall.gov.uk](mailto:internalauditservice@walsall.gov.uk).

3.4 Please remember if you want to raise the matter confidentially, say so from the outset so that appropriate arrangements can be made. Meetings in person can be arranged and you may bring someone with you for support if you wish.

## Step Three

3.5 If you feel that the matter is so serious that you cannot report locally, or if you have followed the reporting routes outlined above and still have concerns you can contact Protect. This is an independent charity that focusses on ensuring safe whistleblowing. Protect can be contacted by calling 020 3117 2520 or by email at [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk). Their advisers can talk you through your options and help you raise a concern about malpractice at work.

3.6 You can also contact your Union representative or professional body (where applicable) for advice.

## 4.0 How we handle the matter

4.1 Your concern will be acknowledged within five working days of it being received. It will be reviewed and assessed so a decision can be made regarding what action may be appropriate. Possible actions include an informal review, an internal inquiry or a more formal investigation. You will be informed regarding who will be handling the matter, how you can contact them and what further assistance may be required. If requested, we will write to you, summarising your concern, outlining how we propose to handle it and expected timetable for feedback. If you have concerns that we have misunderstood the concern or there is any information missing, please let us know.

4.2 When raising a concern, it is helpful to know how you think the matter may best be resolved. Please be clear from the outset if you have any personal interest in the matter. Following the initial review, if we think your concern falls more properly within a different policy or procedure, we will let you know and signpost you appropriately.

4.3 We will always endeavour to provide feedback on the outcome of any investigation. However, we may not always be able to tell you about the precise actions taken where this would infringe a duty of confidence we owe to another person.

- 4.4 While we cannot guarantee that we 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 us to achieve this.
- 4.5 At any stage of this process, if you experience reprisal, harassment or victimisation for raising a genuine concern please contact the Head of Internal Audit by emailing [internalauditservice@walsall.gov.uk](mailto:internalauditservice@walsall.gov.uk), for further advice.

## 5.0 External contacts

- 5.1 It is hoped that this policy gives you the reassurance you need to raise your concern internally. It is important that concerns are reported rather than ignored and it is recognised you may feel it is helpful to report a concern with an outside body such as the appropriate regulator or Police. The independent charity Protect or your union representative will be able to advise you on these options if you wish.
- 5.2 If matters are taken outside of the council, you should ensure that this does not result in the disclosure of confidential information. If you need help, please seek advice, in confidence, from the Council's Data Protection Manager by emailing [paul.withers@walsall.gov.uk](mailto:paul.withers@walsall.gov.uk)

## 6.0 How we handle the matter

- 6.1 The Assurance Team is responsible for this policy and for monitoring the daily operation of the policy. It will be reviewed every three years.
- 6.2 A register of all concerns raised will be maintained. Any council officer that receives an allegation under this policy must ensure it is reported to the Head of Internal Audit within two working days by emailing [internalauditservice@walsall.gov.uk](mailto:internalauditservice@walsall.gov.uk), to ensure appropriate action and oversight.
- 6.3 The Council's Standards Committee provides independent oversight of the operation of this policy and holds the Monitoring Officer to account for its delivery.
- 6.4 If you have any comments or questions, please contact Helen Dudson, Assurance Manager ([helen.dudson@walsall.gov.uk](mailto:helen.dudson@walsall.gov.uk)).

## 7.0 Data protection

- 7.1 A confidential record of all concerns raised will be maintained securely and in accordance with relevant data protection legislation.



## Whistleblowing Policy – procedural note

1. The revised Whistleblowing Policy (confidential reporting) has been streamlined to align with current best practice, making reporting clearer and the policy more accessible.
2. This note is to provide an explanation of what operational action will be taken at each step in the process.

### **Actioning whistleblowing concerns received**

3. All concerns received under this policy will be added to the Whistleblowing Register. This shall be maintained by the Assurance Team and overseen by the Monitoring Officer.
4. If concerns relate to a Senior Officer (Director, Executive Director, Chief Executive) the Monitoring Officer shall be informed and advise on how the matter should proceed.
5. The Monitoring Officer will be informed of all concerns made and investigated under this policy.
6. If a concern relates to the Monitoring Officer, the Chief Executive shall be informed and advised on how the matter should proceed.

### **Monitoring and reporting on whistleblowing reports received**

7. Monitoring and reporting activity demonstrates transparency and serves to increase awareness and the policy and how concerns can be raised.
8. The Assurance Team will provide the Monitoring Officer with quarterly reports summarising the number of whistleblowing concerns received, the number of concerns redirected to appropriate processes or procedures, the number of concerns investigated, and the outcomes of any investigations completed. Reports will be anonymised so they can be shared with Statutory Officer Group and others as appropriate.
9. The Council's Standards Committee shall receive an annual report regarding the Whistleblowing Policy. This report shall be based on the quarterly reports to the Monitoring Officer and include summarised activity to increase awareness across the Council regarding the policy.