

WAVERLEY BOROUGH COUNCIL

WHISTLE-BLOWING POLICY

FOR RESIDENTS (MEMBERS OF THE PUBLIC),
STAFF (EMPLOYEES),
CONTRACTORS, PARTNERS
AND COUNCILLORS

Part A: The Policy

Part B: Procedures for dealing with a report

Part C: Contact details

Part A: A POLICY TO ENCOURAGE AND ENABLE ANYONE TO RAISE ISSUES OF CONCERN RELATED TO SUSPECTED IMPROPER CONDUCT IN THE CARRYING OUT OF THE COUNCIL'S BUSINESS.

Introduction

Waverley Borough Council seeks to ensure the proper conduct of its business through the application of its Contract Procedural Rules, Financial Regulations, Codes of Conduct and other related procedures, which reinforces the Council's commitment to effective governance, the highest possible standards of openness, honesty and accountability to embed an anti-fraud, anti-corruption and anti-bribery culture [reinforcing Waverley's zero tolerance to fraud, corruption and bribery](#).

This policy supports that commitment by encouraging employees and others who may have serious concerns about any aspect of the Council's work to be able to raise those concerns in good faith, in confidence and without fear of recrimination.

The Council is committed to dealing responsibly and professionally with any genuine concern raised about malpractice, be it danger to staff or the public, financial malpractice, breach of legal obligations or damage to the environment. The making of deliberately false or malicious allegations by any employee of the Council will be regarded as a serious disciplinary offence.

This policy is in addition to the Council's complaints procedures and other statutory reporting procedures. The Council acknowledges the legal protection, under the Public Interest Disclosure Act 1998, provided for ~~workers~~ employees who make disclosures about improper practice.

Aim of the Policy

The aim of this Policy is to encourage anyone who may have concerns about improper conduct of the Council, elected Councillors~~Members~~ or external organisations to disclose any allegation of malpractice within the Council, without fear of recrimination. This Policy is founded on the principle that service users and the public interest come first.

The Council's rules and procedures

A number of rules and procedures have been approved and adopted to ensure the Council's business is properly monitored and controlled. They form part of the Council's internal control process and system of governance and it is important that all members and staff are aware of, and abide by, them.

The most important of these are:

- Codes of Conduct for Employees and Members
- Financial Regulations
- Contract Procedure Rules

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- Scheme of Delegation
- Employees' Conditions of Service

The Financial Regulations require all cases of actual or suspected fraud, corruption, bribery and theft to be reported immediately to the Section 151 Officer (Deputy Chief Executive) who will inform the Internal Audit Client Manager. The Strategic Directors and Heads of Service must ensure that all staff are aware of the reporting requirement.

Concerns involving Fraud, Corruption and Bribery

Concerns can be raised if there is a reasonable belief that one or more of the following has occurred:

- Gross mismanagement.
- Actions contrary to the Code of Conducts relating to staff and Members of the council.
- Actions that are illegal, fraudulent and/or corrupt.
- Actions that compromise health and safety at work.
- The concealment of any of the previous matters.
- Similar behaviour not otherwise described.

Safeguards

Harassment or Victimisation

The Council recognises that the decision to report a concern can be a difficult one, not least because of the fear of reprisal from those responsible for the misconduct. The Council will not tolerate harassment or victimisation and will take all reasonable measures to protect those who raise a concern in good faith. This does not mean that, if you are an officer of the Council making the disclosure and are already the subject of disciplinary or redundancy procedures, these will be halted as a result of the disclosure.

Confidentiality

The Council will protect the identity of the person making the disclosure (wherever possible) where that Officer has requested that his or her name be kept confidential. During the course of an investigation, the Council will keep a minimum number of people aware of who raised the matter. However, it must be appreciated that the investigation process may reveal the name of the source of the information, and a statement by the officer making the disclosure may be needed as part of the evidence.

Anonymous Allegations

This policy encourages those making a disclosure to put their name to the allegations. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the Council. In exercising that discretion, the factors to be taken into account would include:-

- I. the seriousness of the issue raised;
- II. the credibility of the concern; and
- III. the likelihood of confirming the allegation from attributable sources.

Untrue Allegations

If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the officer making the disclosure. If, however, individuals make malicious or vexatious allegations, the allegations will not be taken further and disciplinary action may result. The judgement of whether an allegation is malicious or vexatious rests with the Internal Audit Client Manager, after consultation with other senior officers as necessary.



Whistleblowing Policy Part B: Procedures for dealing with a report

How to report any concerns

You are advised in the first instance to report your suspicions to the Internal Audit Client Manager who manages the Council's Whistle-blowing arrangements, dealing with concerns that relate to members of staff, elected ~~m~~Members of the Council and other contractors/partners. —Concerns can be reported by calling 01483 523333 and asking for one of the Council officers listed below (whose direct lines are also shown below) or alternatively by e-mailing them. Calls will be answered between 09.00 and 17.00 Monday to Thursday (09.00 to 16.45 on Fridays). If the person you call is not able to take your call, it will be possible to leave a message either on "Voicemail" or with the person answering your call. Reports can also be submitted using the web reporting facility on the Waverley web site www.waverley.gov.uk in "Report it" in Fraud and corruption. The more detailed the information provided will assist in the resolving any issues raised.

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Letters can also be addressed to:

Internal Audit Client Manager
The Burys
Council Offices
Godalming
Surrey [GU7 1HR](#)

Alternatively your suspicions can be reported directly to the Chief Executive, Deputy Chief Executive ~~/a~~ or Strategic Director, or to the Head of Organisational Development. The Internal Audit Client Manager may where necessary suggest that the matter be referred to third parties that may deal with issues of Member conduct, or the pPolice.

Everyone is advised that they may, in confidence and without fear of recrimination, disclose concerns of suspected improper conduct at the levels set out below. Concerns are better raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason for why the situation has raised particular concern. If you feel unable to put a concern in writing, you can telephone or arrange to meet the appropriate officer. It may be necessary if the need arises for the originator to be called as a witness at a later date.

If you do not wish to go through this reporting mechanism, or you are unhappy with the outcome of any investigation undertaken, please feel free to contact any of the other external organisations listed in this policy.

Employees are advised that they may raise their concerns with other external organisations such as the Citizens' Advice Bureau, addresses and telephone numbers can be found in the telephone directory. Alternatively the 'Public Concern

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at Work' is a registered charity which is able to provide, free of charge, confidential and independent advice to people in these circumstances. Contact details for this organisation are included at the end of this policy.

How the Complaint will be dealt with

a) The Internal Audit Client Manager logs all reports and carries out a preliminary review in each case to determine the most appropriate course of action. The action will depend on the nature of the concern and will also be logged. Any matters which fall within the scope of other existing procedures (e.g. complaints or discrimination issues) will be dealt with under these procedures. Some concerns may be resolved by agreed action without the need for investigation. Matters to be investigated may be:

- dealt with internally by the Internal Audit Section vice or other specialist sections such as the Benefit Investigations Team, Human Resources Advisors or
- referred to the Police or other external agency.

b) Within **three working days** of a concern being received, the Council will contact ~~write to~~ the complainant, (if contact details are supplied):

- acknowledging that the concern has been received,
- indicating how it proposes to deal with the matter,

The Council may also ask for more information where this would assist in the investigation.

c) Investigations may result in recommendations for changes to procedures and systems which will be incorporated into action plans. Follow-up reviews will be are carried out to ensure that recommendations are implemented.

d) Investigations may lead to disciplinary action against employees conducted in accordance with the Council's Disciplinary Procedures. In this situation, the employee would be informed that the issue has been raised under the Whistleblowing Policy. This may be in addition to any legal proceedings instigated by the police.

e) Where appropriate the Internal Audit Client Manager will refer findings to the Police for investigation or review, after discussion with the Chief Executive or the Monitoring Officer.

f) If you raise a matter and then later decide to withdraw your concern, the Council will respect your wishes wherever possible. However, if the matter is assessed as serious, then the Council will, where it is deemed appropriate, continue to investigate which may result in further evidence being required from you.

Whistleblowing Policy part C: Contact Details

Internal Contact Details

Internal Audit Client Manager – Gail Beaton
Telephone: 01483 523260 e-mail: gail.beaton@waverley.gov.uk

Chief Executive – Mary Orton
Telephone: 01483-523208 e-mail: mary.orton@waverley.gov.uk

Deputy Chief Executive (Section 151 Officer) – Paul Wenham
Telephone: 01483-523238 e-mail: paul.wenham@waverley.gov.uk

Head of Organisational Development – Sarah ~~Bainbridge McLaren~~
Telephone: 01483-523148 e-mail: sarah.~~bainbridgemclaren~~@waverley.gov.uk

Strategic Director – ~~Damian Roberts~~Jon Poore
Telephone: 01483-523418 e-mail: damian.roberts-jon.poore@waverley.gov.uk

External Organisation Contact Details

~~Grant Thornton is the~~The Audit Commission is the Council's external auditor, an independent body, which may be contacted if you feel that your suspicions of fraud or malpractice have not been satisfactorily dealt with through the internal route.

Grant Thornton~~Audit Commission~~

Kathryn Sharp Telephone: ~~0844 798 6132~~01293 554130
Audit Manager e-mail: ~~k~~[Kathryn.E.Sharp@-](mailto:Kathryn.E.Sharp@sharp@audituk.gt.com-commission.gov.uk)

~~sharp@audituk.gt.com-commission.gov.uk~~
~~Audit Commission~~
~~2nd Floor The Agora~~
~~Ellen Street~~
~~Hove~~
~~East Sussex~~
~~Grant Thornton~~
~~The Explorer Building~~
~~Fleming Way~~
~~Manor Royal~~
~~Gatwick~~
~~RH10 9GT~~
~~BN3 3LN~~

Public Concern at Work

3rd Floor, Banks Chambers
6-10 Borough High Street
London
SE1 9QQ

Whistleblowing Advice Line

Telephone: 0207 404 6609
General Enquiries 020 3117 2520
Fax 0207 403 8823
Website: www.pcaw.org.uk

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E-mail

UK enquiries: whistle@pcaw.org.uk UK Helpline: helpline@pcaw.org.uk
UK Services: services@pcaw.org.uk

Any concerns relating to Housing Benefits can be reported confidentially on the Department Work and Pensions Fraud hotline: 0800-854-440.

Public Concern at Work Telephone: 0207 404 6609

Suite 301 Fax 0207 404 6576

16 Baldwins Gardens

London Website: www.pcaw.co.uk

EC1N 7RJ e-mail: whistle@pcaw.co.uk

~~Any concerns relating to Housing Benefits can be reported confidentially on the Department Work and Pensions Fraud hotline: 0800-328-6340.~~

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