

HERTSMERE BOROUGH COUNCIL WHISTLEBLOWING POLICY

INTRODUCTION

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.

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.

Hertsmere Borough Council is committed to running the organisation in the best way possible and to do so we need your help. The Council has introduced 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.

If something is troubling you which you think the Council should know about or look into, please use this Policy. If, however, 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 - raise it!

OUR ASSURANCES TO YOU

Your safety

The Chief Executive and the Chief Officers Board are committed to this policy. If you raise a genuine 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, it does not matter if you are mistaken. Of course the Council does not extend this assurance to someone who maliciously raises a matter they know is untrue.

Your confidence

Hertsmere Borough 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. If you ask the Council to protect your identity by keeping your confidence, it will not disclose it without your consent. If the situation arises where the Council are 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.

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 or to 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.

With these assurances, the Council hope you will raise your concern openly.

If you are unsure about raising a concern you can get independent advice from Protect (see contact details under Independent Advice).

HOW TO RAISE A CONCERN INTERNALLY

Please remember that you do not need to have firm evidence of malpractice before raising a concern. However, the Council asks that you explain as fully as you can the information or circumstances that gave rise to your concern.

Step One

If you have a concern about malpractice, the Council hopes you will feel able to raise it first with your Line Manager or Head of Service. This may be done orally or in writing.

Step Two

If you feel unable to raise the matter with your manager or Head of Service for whatever reason, please raise the matter with:

Leigha Britnell, Client Audit Manager, Shared Internal Audit Service
Tel: 01992 658087
e-mail: Leigha.Britnell@hertfordshire.gov.uk

Please say if you want to raise the matter in confidence so that they can make appropriate arrangements. (Remember Internal Audit have a degree of independence that allows officers to raise concerns without being identified as the source).

Step Three

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact

Harvey Patterson, Monitoring Officer

Tel: 020 8207 7472 or x2880

e-mail: harvey.patterson@hertsmere.gov.uk

Contact can also be made via: whistleblowing@hertsmere.gov.uk

or

Cllr. Renos Georgiou, Chairman, Audit Committee

e-mail: cllr.renos.georgiou@hertsmere.gov.uk

These people have been given special responsibility to deal with whistleblowing concerns.

HOW THE COUNCIL WILL HANDLE THE MATTER

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 it know.

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 Procedure, or Dignity at Work Policy, or another relevant policy or procedure, you will be told.

While the purpose of this policy is to enable Hertsmere Borough 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.

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.

INDEPENDENT ADVICE

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 Protect

Tel: 020 3117 2520

<https://protect-advice.org.uk/>

Their lawyers can talk you through your options and help you raise a concern about malpractice at work.

EXTERNAL CONTACTS

Hertsmere Borough 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.

Your rights to raise such concerns are established within the Public Interest Disclosure Act 1998. Protect or your union will be able to advise you on the circumstances in which you can safely contact an outside body.

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 Protect website.

Health and Safety Executive

Tel: 0300 790 6787

<https://www.hse.gov.uk/contact/concerns.htm>

Health and safety matters

Environment Agency

Tel: 03708 506 506

<https://www.gov.uk/government/organisations/environment-agency>

Environment matters

External Auditors

KPMG

Tel: 0161 246 4934

Public sector finance matters

e-mail: christopher.paisley@KPMG.co.uk

Hertfordshire Shared Anti-Fraud
Service (SAFS)

Tel: 01483 844705

<https://www.gov.uk/whistleblowing>

e-mail: Nick.Jenning@hertfordshire.gov.uk

The Commissioners for Her
Majesty's Revenue & Customs (HMRC)

Tel: 0800 788 887

<https://www.gov.uk/government/organisations/hm-revenue-customs/contact/report-fraud-to-hmrc>

Government tax related matters
eg VAT

Information Commissioner
Tel: 0303 123 1113
<https://ico.org.uk/>

Compliance with data protection and
freedom of information

MONITORING/REVIEW

The Standards Committee is responsible for this policy.

It will be annually reviewed by Legal and Democratic Services. If you have any comments or questions, please do not hesitate to contact the Head of Legal & Democratic Services.

Whistleblowing Policy - Last amended - Standards Committee - 14 August
2024