Whistleblowing Policy

Cheshire East Council

Enabling prosperity and wellbeing for all

Cheshire East Council

Cheshire East Council – Whistleblowing Policy

Introduction

All of us at one time or another have a concern about what is happening at work. Usually these are easily resolved. However, when the concern feels serious because it is about a possible fraud, danger or malpractice that might affect others or the organisation itself, 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 colleagues, managers or to the organisation. 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.

The Elected Members and Chief Executive of Cheshire East Council are committed to running the organisation in the best way possible and to do so we need your help. We have introduced this policy to reassure you that it is safe and acceptable to speak up and to enable you to raise any concern you may have about malpractice at an early stage and in the right way. Rather than wait for proof, we would prefer you to raise the matter when it is still a concern.

This policy applies to all those who work for us; whether full-time or part-time, employed through an agency or as a volunteer. If you have a whistleblowing concern, please let us know.

If something is troubling you which you think we 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 policy or bullying/harassment policy - which you can get from your manager, HR contact or from the intranet.

This Whistleblowing Policy is primarily for concerns where the public interest is at risk, which includes a risk to the wider public, customers, staff or the organisation itself.

If in doubt – raise it!

What it covers

Whistleblowing is the act of reporting suspected wrongdoing or risk of wrongdoing relating to:

- conduct which is a criminal offence or a breach of the law
- a failure to comply with a legal obligation
- a miscarriage of justice
- health and safety risks, including risks to the public as well as other employees
- sexual harassment (in relation to concerns raised on or after 6 April 2026) - irrespective of when the incident or incidents being reported are alleged to have occurred
- the unauthorised use of public funds

- possible fraud and corruption
- sexual or physical abuse of clients,
- damage to the environment
- other unethical conduct
- an attempt to cover up any of the above

The policy is not intended to be used by staff to report issues with colleagues or managers that can be dealt with by normal management procedures or the grievance or dignity at work policies.

By definition, Whistleblowing does not cover members of the public and any report received from a member of the public will be dealt with under the corporate comments, compliments and complaints policy or as a tip off via the Anti-Fraud and Corruption Strategy.

Our assurances to you

Your safety

Cheshire East Council is committed to this policy. Provided you are raising a genuine concern, it does not matter if you are mistaken. Of course, we do not extend this assurance to someone who maliciously raises a matter they know is untrue.

If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment or victimisation of anyone raising a genuine concern and we consider it a disciplinary matter to victimise anyone who has raised a genuine concern.

Your confidence

With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone confidentially first. If this is the case, please say so at the outset. If you ask us not to disclose your identity, we will not do so without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such cases, we will discuss with you whether and how the matter can best proceed.

Please remember that if you do not tell us who you are (and therefore you are raising a concern anonymously) it will be much more difficult for us to look into the matter. We will not be able to protect your position or to give you feedback. Accordingly you should not assume we can provide the assurances we offer in the same way if you report a concern anonymously.

If you are unsure about raising a concern you can get independent advice from Protect; https://protect-advice.org.uk/advice-line/

How to raise a concern internally

Please remember that you do not need to have firm evidence of malpractice before raising a concern. However, we do ask 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, we hope you will feel able to raise it first with your manager or team leader. This may be done verbally or in writing.

Step two

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

- The Chief Executive
- The Director of Law and Governance who is also the Monitoring Officer
- The Head of Audit Risk and Assurance
- Colleagues in the Internal Audit team

These people have been given special responsibility and training in dealing with whistleblowing concerns.

If you want to raise the matter confidentially, please say so at the outset so that appropriate arrangements can be made.

There are two ways to formally make a whistleblowing disclosure;

- Verbally, either face to face or by telephone, or
- In writing, by sending a letter to one of the named contacts, by emailing whistleblowing@cheshireeast.gov.uk, or by completing the Online Concern Form on the Council's website.

If you do not feel able to contact any of the officers detailed above you may approach the Chair, Vice Chair or any member of the Audit and Governance Committee with your concerns.

How we will handle the matter

We will acknowledge receipt of your concern within 5 working days. We will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal investigation. We will tell you who will be handling the matter, how you can contact them, and what further assistance we may need from you.

If you ask, we will write to you summarising your concern and setting out how we propose to handle it and provide a timetable for feedback. If we have misunderstood the concern or there is any information missing please let us 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, we do ask that you tell us at the outset.

If we think your concern falls more properly within our grievance, bullying and harassment or other relevant procedure, we will let you know, and work with you to agree how to progress the matter.

Whenever possible, we will give you feedback on the outcome of any investigation. Please note, however, that we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person.

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.

If at any stage you experience reprisal, harassment or victimisation for raising a genuine concern please contact any of the officers detailed above.

Independent advice

If you are unsure whether to use this policy or you want confidential advice at any stage, you may contact the independent advice line for "Protect". "Protect" provides free, confidential and expert advice, helping you to decide how best to raise your concern, and advising on what protection you are entitled to. Contact details are available here; https://protect-advice.org.uk/advice-line/

External Contacts

While we hope this policy gives you the reassurance you need to raise your concern internally with us, we recognise that there may be circumstances where you can properly report a concern to an outside body.

In fact, we would rather you raised a matter with the appropriate regulator than not at all:

- Council's External Auditor
- The Comptroller and Auditor General [Whistleblowing: the NAO's role - National Audit Office]
- the Police

Other professional bodies and regulatory organisations may be relevant, such as

- Care Quality Commission, for health and social care
- Ofsted for education and children's and young people's services
- Health and Safety Executive for health and safety in the workplace

If you are a member of a trade union, they may be able to provide you with advice and guidance

Monitoring/Oversight

The Audit and Governance Committee is responsible for the oversight and approval of this policy and will review it annually. Internal Audit will monitor the daily operation of the policy and if you have any comments or questions, please do not hesitate to let one of their team know.