Guidance on the Receipt of Whistleblowing Concerns

1. Receiving the referral

1.1. If you are approached verbally then please make a written record of the concerns and try to establish the following information:

- The name of the person making the referral and their preferred means of contact
- Background information and history of the issue including why the person(s) is/are concerned
- Whether the matter has been raised previously and if so:
  - When?
  - Who to?
  - What was the outcome?
  - Why is it being raised again?
- The name and contact details of anyone else that is prepared to support and/or corroborate the concerns

1.2. Where issues have been raised previously through different routes/policies you should be aware that the overriding public interest may not be in place and that the matters may be of a private nature. Whistleblowing is not a last attempt at pursuing something that has already been looked into via a complaint or grievance.

2. Anonymous or Confidential referral?

2.1. Every effort should be made to provide the whistleblower with sufficient assurance that they will be protected to allow them to make an open disclosure.

2.2. It is difficult to provide protection to anonymous whistleblowers as we do not know who they are. It is therefore important to recognise the difference between an anonymous whistleblower and one that wishes their name to remain confidential. If you know who they are then they are not anonymous.

2.3. Whilst every effort will be taken to protect confidentiality, where requested, it is not possible to prevent the person(s) accused of wrongdoing from guessing the source of the referral and it is possible that they may guess incorrectly.

2.4. There are also circumstances where it is not possible to maintain confidentiality, for example:

- Disclosure may be ordered by the courts
- The concerns may subsequently form part of a police investigation

- Where the referral is found to be knowingly false

3. Feedback and expectations

3.1. It is important to manage expectations throughout the whole process but particularly at the point of receiving the referral.

3.2. Where possible, whistleblowers will be provided with feedback on the outcome of an investigation but it may not be possible to provide details of precise actions taken as this may breach the confidence of another individual.

4. What are the next steps?

4.1. Following receipt of a whistleblowing referral, whether verbal or in writing, it is essential that a considered approach is taken.

4.2. Whistleblowers are often passionate about their concerns, and it is important to take a step back to identify the most effective way in which the concerns can be tested whilst safeguarding the whistleblower, the person accused of wrongdoing and the evidence to support the allegations.

4.3. Taking the wrong decision at this stage may prevent the concerns from being properly investigated and may jeopardise any potential police action in the future.

4.4. As such, you **must not** attempt to verify the information yourself; you should pass the concerns to the appropriate officer as soon as possible.

4.5. You should contact an officer named in the Whistleblowing Policy in the first instance so that the information can be tested in accordance with normal procedures.

4.6. If the issues raised involve an officer named in the Whistleblowing Policy then you should contact one of the other officers named in the policy or the most senior officer not implicated in the allegations.

4.7. Where Members of the Audit and Governance Committee have received concerns they should be aware at all times that they are responsible for the oversight and review of the Council's whistleblowing arrangements and should be mindful of any potential conflict that may occur if they become part of those arrangements.

4.8. If it is not possible to raise the concerns with an officer then you should contact the External Auditor or Protect (formerly Public Concern at Work) for advice.

DO'S AND DON'T'S

DO	DON'T
Make a note of the concerns Try to ascertain the following information: • Name and contact details • The nature if the concerns including background and history • Whether they have previously raised the concerns and, if so, the outcome • Whether they require confidentiality • Whether they require feedback • Anyone else that may support the referral	**Delay in passing on the concerns** • Prompt action may prevent evidence from being destroyed or the issue from escalating further • In the first instance, report the concerns to an officer named in the Whistleblowing Policy • If this action is inappropriate then report the concerns to Internal Audit or to the most senior officer not implicated
Reassure the Whistleblower • The Public Interest Disclosure Act provides protection to employees who raise concerns that they reasonably believe to be true through the appropriate channels • The Council wants to know where wrongdoing is taking place so that it can stop it • They will not suffer detriment as a result of making a referral and the matter will be treated sensitively and in confidence	**Discuss the concerns with anyone other than the authorised persons** • There may be a perfectly reasonable explanation for the events that give rise to the suspicions. Spreading unnecessary concerns may harm innocent persons and the reputation of the Council • Discussing the concerns may result in identity of the whistleblower being compromised or the person suspected of wrongdoing becoming aware of the referral
Retain any evidence you may be given • The quality of evidence is crucial and the more direct and tangible the evidence, the better the chances of a successful investigation. • Retain all relevant records/evidence that may have been handed over or discovered as a result of the initial suspicion in a secure and confidential location.	**Try and investigate the matter yourself** • There are specific rules relating to the gathering of evidence for use in criminal cases and to protect human rights. Any attempt to gather evidence by persons who are unfamiliar with these rules may prevent appropriate action being taken and may jeopardise future police investigations.

The most important thing to remember is - DON'T DO NOTHING