

# Shropshire Council

## Public Whistleblowing: 'Speaking up about wrongdoing'

### How do I raise a concern?

**Ring** the Whistleblowing Hotline  **01743 252627**

Or

**Write** to the Audit Service Manager, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND.

Or

**Contact** a senior officer directly, specific contact details for officers can be found on our web site <http://www.shropshire.gov.uk> or by telephoning Customer Services on 0345 678 9000

### What information should I provide?

- Background and history of the concern.
- Names, dates and places where possible, and
- The reason why you are particularly concerned about the situation.

You are not expected to prove the truth of your raised concern. You will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

**The earlier you express the concern the easier it will be to take appropriate action.**

## Introduction

- 1 Shropshire Council is committed to the highest possible standards of openness, honesty, integrity and accountability. As part of this commitment, the council is keen that any activity which falls below these standards is reported to the council, in order that it can be dealt with promptly. The council, whilst making every effort to deal fairly and honestly in providing public services, acknowledges that there may be occasions when members of the public suspect that there is or may be something wrong regarding the activities of the council which needs prompt action to correct it.
- 2 The council recognises the need to encourage anyone with concerns about any aspect of the council's work to come forward and voice those concerns. Usually, these are easily resolved. However, when these are about unlawful conduct, financial malpractice or dangers to the public, people or the environment, it can be difficult to know what to do. Specific examples could include:
  - a criminal offence (e.g. fraud, theft, bribery, corruption etc.) may have or has been committed;
  - a miscarriage of justice has been or is likely to occur;
  - the health or safety of an individual has been or is likely to be endangered;
  - public funds are being used in an unauthorised manner;
  - the environment has been or is likely to be damaged;
  - the council's own rules have been or are being breached;
  - abuse (e.g. physical or verbal) of someone receiving a council service, or council employee is taking place; and
  - someone receiving a council service is being discriminated against (e.g. on the grounds of disability, race, gender).
- 3 The council has introduced this Whistleblowing Policy: 'Speaking up about Wrongdoing, arrangements for the public', specifically to protect and enable you, as a member of the public, to raise your concerns about suspected malpractice at an early stage and in the right way. We would rather that you raised the matter when it is just a concern rather than wait for definite proof. This Whistleblowing Policy is intended to encourage and enable you to be able to communicate serious concerns with the council rather than overlooking a problem.
- 4 If something is troubling you, which you think we should know about, or look into, please use this policy. Don't ignore the concern. **If in doubt – raise it!**
- 5 Concerns or allegations which fall within the scope of individual schools should normally be referred for consideration direct to the school's Chair of Governors.

## Scope and objectives

### Scope

- 6 This policy is provided for use by anyone who is not employed by the council (staff have their own policy). This includes any:
  - member of the public;
  - councillor;

- other local authorities;
- council service:
  - consultants;
  - contractors;
  - customers;
  - partners;
  - providers;
  - recipients and
  - suppliers.

7 It is not intended that this policy, and its associated procedures, be used to raise concerns which fall within the scope of other council procedures, where these are available and more appropriate, for example complaints about service delivery (please see the Council's Complaints Procedure<sup>1</sup>).

### **Objectives**

- 8 The objectives of this policy are to encourage you as a member of the public to:
- feel confident about raising serious concerns;
  - feel reassured that, if you raise any concerns and reasonably believe them to be true (i.e. "Whistle blow"), your concerns will be taken seriously;
  - have a range of ways in which to raise concerns and to receive appropriate feedback on any action taken;
  - ensure that you receive an appropriate response from the council to the concerns you have raised and, if not satisfied, show how you may take the matter further if you are dissatisfied with the response.

### **Safeguards**

#### **Harassment or victimisation**

9 The council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of possible reprisals. The council will not tolerate victimisation and will take appropriate action to prevent this when you raise a concern.

#### **Confidentiality**

10 The council will do its best to protect your identity when you raise a concern and do not want your name to be disclosed (information relating to the investigation will be strictly controlled on a need to know basis). However, it is not easy for the council to act on complaints that are made anonymously. If you ask us for your identity to be kept confidential, we will not disclose it without your consent or unless we are required to do so by a Tribunal, Court of Law or an Act of Parliament. If the situation arises where we are not able to resolve the concern without revealing your identity (e.g. a statement by you may be required as part of the evidence), we will discuss with you whether and how we can move forward.

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<sup>1</sup> <https://www.shropshire.gov.uk/customer-service/give-us-some-feedback/>

### **Concerns raised anonymously**

- 11 This policy strongly encourages you to put your name to your concern. Concerns expressed anonymously will be much more difficult for us to look into or to protect your position or to give you feedback. Concerns raised anonymously are much less powerful and less likely to be effective, but they will be considered at the discretion of the council.
- 12 In exercising discretion, the factors to be taken into account will include the:
- seriousness of the issues raised;
  - credibility and plausibility of the concern; and
  - likelihood of confirming the allegation from the available sources.

### **How to raise a concern directly with the council**

13 As a first step, you should normally call the **Whistleblowing Hotline, 01743 252627**.

- 14 You can also raise your concern directly with the council's Audit Service Manager, the Head of Paid Service, Section151 Officer, or relevant Senior Manager of the service area involved. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that management of the particular service area is involved then, alternatively, the following individuals can be contacted.
- Head of Paid Service – if the wrong doing is about standards of behaviour;
  - Head of Legal and Democratic Services - Monitoring Officer - if the wrongdoing is thought to be illegal;
  - Section151 Officer – if the wrongdoing is about improper payments;
  - Audit Service Manager – if the wrongdoing is a fraud;
  - Director of Commissioning – if the wrongdoing is an environmental issue.
  - Head of Children's Safeguarding - if the wrongdoing is a safeguarding issue.

**Please say if you want to raise the matter in confidence, so the person you contact can make appropriate arrangements.**

**Specific contact details for council officers can be found on our web site <http://www.shropshire.gov.uk> or by ringing Customer Services on 0345 678 9000. A number of key officer contacts appear in annex one below, along with a number of external contacts in annex two.**

- 15 Concerns are better raised in writing. If you choose to do this, you should write a letter to the Audit Service Manager, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND. You are invited to set out:
- the background and history of the concern,
  - names, dates and places where possible, and
  - the reason why you are particularly concerned about the situation.
- If you do not feel able to put your concern in writing, you can telephone or meet the appropriate officer.

16 Further advice and guidance on what to do can be found in the:

- Guidance note on environmental issues;
- Shropshire Safeguarding Children's Board Policy;
- Multi Agency Adult Protection Policy

These policies can be found on the council's website at [www.shropshire.gov.uk](http://www.shropshire.gov.uk)

17 The earlier you express the concern the easier it will be for the council to take appropriate action.

18 You are not expected to prove the truth of your concern, but you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

### **How the council will respond**

19 The action taken by the council will depend on the nature of the concern. The matters raised may be:

- investigated internally;
- referred to the police;
- referred to the council's external auditor,
- form the subject of an independent enquiry.

20 In order to protect individuals and the council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example, child protection) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.

21 Within ten working days of a concern being received, the council will contact you to:

- acknowledge that the concern has been received;
- indicate, in overall terms, how it proposes to deal with the matter.

22 The amount of contact between you and the council officers considering the issues will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, they may contact you for further information.

23 The council will take steps to minimise any difficulties which you may experience as a result of raising a concern.

24 The council accepts that you need to be assured that the matter has been properly addressed and will inform you of the action it is taking or has taken.

### **How the matter can be taken further**

25 This policy is intended to reassure you and provide clear information to help you raise concerns in confidence and directly with the council.

26 We hope you will be satisfied with its response. If you are not, or if you feel for any reason, you can't raise the matter directly with the council then possible

alternative points of contact points are listed at Annex 2. Please be assured that we would rather you raised a matter with an appropriate regulator or outside body than not at all.

### The responsible officer

27 The Council's Monitoring Officer has overall responsibility for the maintenance and operation of the Whistleblowing Policy for the public. The Monitoring Officer will maintain a corporate register of the number and nature of the concerns raised and the outcomes (but in a form which will protect your confidentiality) and will report as necessary to the Head of Paid Service and the council, where appropriate.

28 The policy will be reviewed on a regular basis to ensure that it remains up to date and effective. The review will be carried out by the:

- Head of Legal and Democratic Services - Monitoring Officer;
- Audit Service Manager.

Responsible Officer: Monitoring Officer

Date: June 2016

Review Date: June 2017

Contact Details (Shropshire Council) Annex 1 Contact	Details
<b>Head of Legal and Democratic Services- Monitoring Officer</b>	<b>Tel no:</b> 01743 252763 <b>Email:</b> claire.porter@shropshire.gov.uk
<b>Section151 Officer</b>	<b>Tel no:</b> 01743 255011 <b>Email:</b> jameswalton@shropshire.gov.uk
<b>Director of Commissioning</b> – if the wrongdoing is an environmental issue.	<b>Tel no:</b> 01743 255003 <b>Email:</b> george.candler@shropshire.gov.uk
<b>Director of Children's Services</b> - if the wrongdoing is a safeguarding issue.	<b>Tel no:</b> 01743 254201 <b>Email:</b> karen.bradshaw@shropshire.gov.uk
<b>Audit Service Manager</b>	<b>Tel no:</b> 01743 257739 <b>Email:</b> ceri.pilawski@shropshire.gov.uk
<b>Chief Executive</b>	<b>Tel no:</b> 01743 252007 <b>Email:</b> clive.wright@shropshire.gov.uk <b>Address:</b> Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND.  <b>Web site:</b> www.shropshire.gov.uk

<b>Contact Details (External Organisations) Annex 2 Contact</b>	<b>Details</b>
<b>Grant Thornton</b> The Council's external auditors	<b>Address:</b> International, Colmore Circus Queensway, Birmingham B4 6AT  <b>Tel no.</b> 0121 212 4000
<b>The Local Government Ombudsman</b>	<b>Address:</b> PO Box 4771 Coventry CV4 0EH <b>E-mail:</b> advice@lgo.org.uk <b>Web:</b> www.lgo.org.uk <b>Tel no.</b> 03040 061 0614
<b>The Equalities and Human Rights Commission</b>	<b>Address:</b> FREEPOST Equality Advisory Support Service FPN4431 <b>Email:</b> correspondence@equalityhumanrights.com <b>Web:</b> www.equalityhumanrights.com <b>Tel no.</b> 0808 800 0082
<b>The Health and Safety Executive (Regional Office)</b>	<b>Address</b> Health and Safety Executive, Lyme Vale Court, Lyme Drive, Parklands Business Park, Newcastle Road, Trent Vale, Stoke on Trent, ST4 6NW Fax: 01782 602300 <b>E-mail:</b> <b>Web:</b> www.hse.gov.uk <b>Tel no.</b> 0845 345 0055
<b>The Environment Agency (Regional Office)</b>	<b>Address:</b> Sapphire East, 550 Streetsbrook Road, Solihull, West Midlands, B91 1QT <b>E-mail:</b> enquiries@environment-agency.gov.uk <b>Web:</b> www.environment-agency.gov.uk <b>Tel No.</b> 0370 850 6506
<b>Citizens Advice Bureau</b>	Please refer to 'Yellow Pages' for local information <b>Web:</b> www.citizensadvice.org.uk/
<b>Police</b>	Please refer to 'Yellow Pages' for local information <b>Web:</b> <a href="http://www.westmercia.police">www.westmercia.police</a> . Tel No. non emergencies 101
<b>Your local councillors</b> (if you live in Shropshire)	<b>Web site:</b> www.shropshire.gov.uk