



Hull  
City Council

*Stepney Primary School*



*A Small School With Great Expectations*

# Confidential Reporting Whistleblowers' Policy

Hull City Council  
Workforce Strategy

Implementation Date: 17 July 2003  
Revised: February 2006, April 2008

## **CONFIDENTIAL REPORTING (WHISTLEBLOWERS') POLICY**

### **PREAMBLE**

The Public Interest Disclosure Act ("the Act") came into force on 2<sup>nd</sup> July 1999. The Act encourages people to raise concerns about malpractice in the workplace by protecting whistleblowers from dismissal or victimisation where they raise genuine concerns about crime, civil offences, miscarriages of justice, dangers to health and safety or the environment or the cover up of any of these.

Someone blows the whistle when they tell their employer, a regulator, customers, the police or the media about a dangerous or illegal activity that they are aware of through their work.

Whistleblowing can inform those who need to know about health and safety risks, potential environmental problems, fraud, corruption, deficiencies in the care of vulnerable people, cover-ups and many other problems.

Whistleblowing reports can be made in a verbal, written or anonymous form. Often it is only through whistleblowing that this information comes to light and can be addressed before real damage is done.

This policy covers any disclosure of concerns which would be qualifying disclosures under the Act, namely:-

- (a) that a criminal offence has been committed, is being committed or is likely to be committed,
- (b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject,
- (c) that a miscarriage of justice has occurred, is occurring or is likely to occur,
- (d) that the health or safety of any individual has been, is being or is likely to be endangered,
- (e) that the environment has been, is being or is likely to be damaged, or
- (f) that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

## **INTRODUCTION**

1. Employees, members and those working for or closely with the Council, are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council itself. They may also fear harassment or victimisation. In these circumstances they may feel that it might be easier to ignore the concern rather than to report what may just be a suspicion of malpractice.
2. The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, members, and others with whom we deal, who have concerns about any aspect of the Council's work to come forward and voice those concerns. Most cases will proceed on a confidential basis.
3. This Confidential Reporting (Whistleblowers') Policy makes it clear that employees, members and others can state their concerns without fear of victimisation, subsequent discrimination or disadvantage. Its aim is to encourage and enable employees, members and others to raise concerns within the Council, rather than to overlook a problem or take it outside.
4. The Independent Member of the Standards Board is an integral part of the process and monitors, protects and supports complainants and is available throughout the investigation and subsequently should this be required. A complaint may be submitted through the Independent Member.
5. No person should be victimised because of their involvement in the Whistleblowing process and safeguards are in place to ensure this does not happen.

The Council is committed to investigating complaints as quickly and efficiently as possible. The Monitoring officer is responsible for monitoring progress. An expected time frame is set out in a flow chart appended to the procedure.

## **APPLICATION**

6. The Policy applies to all employees and members and those contractors working for the Council on Council premises, for example: agency staff. It also covers suppliers and those providing services under a contract with the Council in their own premises, for example, care homes, and employees of other organisations who are working in association with the Council and who are subject to Council policies and others who wish to avail themselves of the policy.

## **AIMS OF THE POLICY**

7. The policy aims to:
- encourage individuals to feel confident in raising concerns and to question, and act upon concerns;
  - provide avenues for individuals to raise those concerns and receive feedback on any action taken;
  - ensure that individuals receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied;
  - reassure employees, members and others to whom the policy applies that they will be protected from possible reprisals or victimisation if they have a reasonable suspicion that malpractice is occurring, has occurred or is likely to occur and make a disclosure about it in good faith.

## **ROLE OF THE MONITORING OFFICER**

8. Section 5 of the Local Government and Housing Act, 1989, defines the duties of the Monitoring Officer, as follows:

“It shall be the duty of a relevant authority’s monitoring officer, if it at any time appears to him that any proposal, decision or omission, by the authority, by any committee, sub-committee or officer of the authority or by any such joint committee on which the authority are represented constitutes, has given rise to or is likely to or would give rise to:-

- (a) a contravention by the authority, by any committee, sub-committee or officer of the authority or by any such joint committee of any enactment or rule of law or of any code of practice made or approved by or under any enactment; or
- (b) any such maladministration or injustice as is mentioned in Part III of the Local Government Act 1974 (Local Commissioners)...

to prepare a report to the Authority with respect to that proposal, decision or omission.”

## **RESPONSIBILITY OF MANAGERS**

9. Heads of Service are responsible for ensuring that managers in their service areas, who are involved in drawing up contracts, liaising with suppliers and other providers of services and dealing with service provision (see paragraph 4, above) make those groups aware of the existence of this Policy and the accompanying Procedure.

## **OTHER REPORTING PROCEDURES**

10. This policy, and the supporting procedure, are in addition to the procedures adopted by the Standards Board for England, the Council's Standards Committee and other statutory reporting procedures applying to some service areas.

## **TRADE UNION AGREEMENT**

11. This policy has been discussed with the relevant trade unions and has their support.

## **THE RESPONSIBLE OFFICER**

10. The Monitoring Officer for the Council (see paragraph of the Policy), has overall responsibility for the maintenance and operation of this policy. The Scrutiny Co-ordinator will maintain a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality).

[Whistleblowers - Procedure](#)

[Whistleblowers - Guidance](#)

## **PERSON RESPONSIBLE WITHIN SCHOOL**

This is a Local Authorities Policy which was adopted at the Full Governing Body Meeting. Mrs M Codd will continue to monitor and update in accordance with the Local Authorities updates.

This policy was last monitored in Spring 2010 by Mrs M Codd, and no changes have been made by the LA.