

### Whistleblowing Policy

#### Whistleblowing - raising concerns about issues at work

This Policy applies to all employees, agency staff and Councillors within Lewes District Council and contractors working with the Council who do not have their own whistle blowing procedures. The Council is keen to ensure that you can raise issues of concern about your work or the activities of the Council generally. There are two specific types of concern where other established procedures exist (these are set out elsewhere in the Staff Guide):

- Concerns about matters relating to unfair treatment of you - Grievance Procedure.
- Specific concerns about fraud or corruption - Anti-Fraud and Corruption Strategy.

Concerns on other matters that may be unlawful, may fall below established standards, be contrary to Council rules or procedures, or amount to improper conduct should be raised via the Whistleblowing arrangements. This policy is designed to allow you to raise serious concerns within the Council instead of overlooking them or raising them outside.

#### What should I do?

Raise the issue with your direct manager if you are an employee of the Council. If however, you feel that would be inappropriate because of the nature of the concern, contact the Head of Department or Chief Executive. If you are a Councillor, agency staff or an employee of a Council contractor contact the relevant Head of Department or Chief Executive. Contact details for these officers can be found on the Council's website at [www.lewes.gov.uk](http://www.lewes.gov.uk)

This should preferably be in writing so that the full facts are set out as you want. Anonymous allegations or concerns will be considered, but they are much less powerful and are more difficult to investigate. The Council will do its best to protect your identity if do not want your name disclosed and to maintain confidentiality, but the investigation process or any disciplinary or legal action that results may have to reveal the source of any allegation. It is possible that you may have to provide a formal statement. The Council will not tolerate any harassment or victimisation of its staff after a concern is raised and appropriate disciplinary action will be taken if this occurs.

Similarly though, it will not tolerate willful and malicious allegations and you may be subject to disciplinary proceedings if that is felt to be the case. However, concerns or allegations raised in good faith, even if later shown to be unfounded, will be treated with respect and no action will be taken against you.

#### Representation

If you feel unable to raise the matter yourself you can ask a union representative or work colleague to raise it on your behalf.

#### Responsibilities

Heads of Department are responsible for taking the appropriate action to deal with all cases reported to them. Heads of Department will:

- Notify the Head of Legal and Democratic Services of any allegation or complaint against a Councillor.
- Notify the Director of Finance and Community Services of any irregularity concerning the financial or non financial functions of the Council.
- Record the detail and origins of the concern, allegation or complaint.
- Retain and safeguard all evidence received.
- Investigate as appropriate all other concerns.
- Liaise fully with Personnel Services on any issue related to the Council's Disciplinary Procedures.
- Deal with the matter promptly.

## **What happens next?**

The Head of Department (or Director of Finance and Community Services or Head of Legal and Democratic Services) will take any necessary steps to investigate the concern. The investigation may be referred to the Head of Audit and Performance or may be handled by another senior officer depending on the issue involved.

The matter will be investigated and you will be told in writing of the outcome of the investigation, or any progress, within 10 working days.

At this stage, the Council's disciplinary procedure may be used, if your concern has raised possible disciplinary issues about other members of staff.

You can have a union representative or work colleague to accompany you to any meetings you are requested to attend during the investigation and any subsequent process.

If, when told the outcome, you are still unhappy you should raise it with your Head of Department or the Chief Executive as appropriate. He or she will again contact you within 10 working days about the outcome or progress.

That is the last stage in the Council's internal procedure. If you are still unhappy and wish to raise the issue externally then you are advised to make yourself aware of the requirements of the Public Interest Disclosure Act (PIDA) 1998 which sets out:

- Your rights when making certain types of disclosure.
- The relationship between certain types of disclosure and confidentiality considerations.
- The rights of the employer (the Council).

## **Where to get advice**

Internally: Union representative, Chief Executive, your manager, or Personnel Services.

Externally: Citizens Advice Bureau (CAB).

## **Training**

Managers will be briefed on the contents of this policy and how to handle approaches made to them under it.

Union representatives should also ensure that they are familiar with this policy in the event that they asked to represent an employee.