

Whistleblowing Procedure

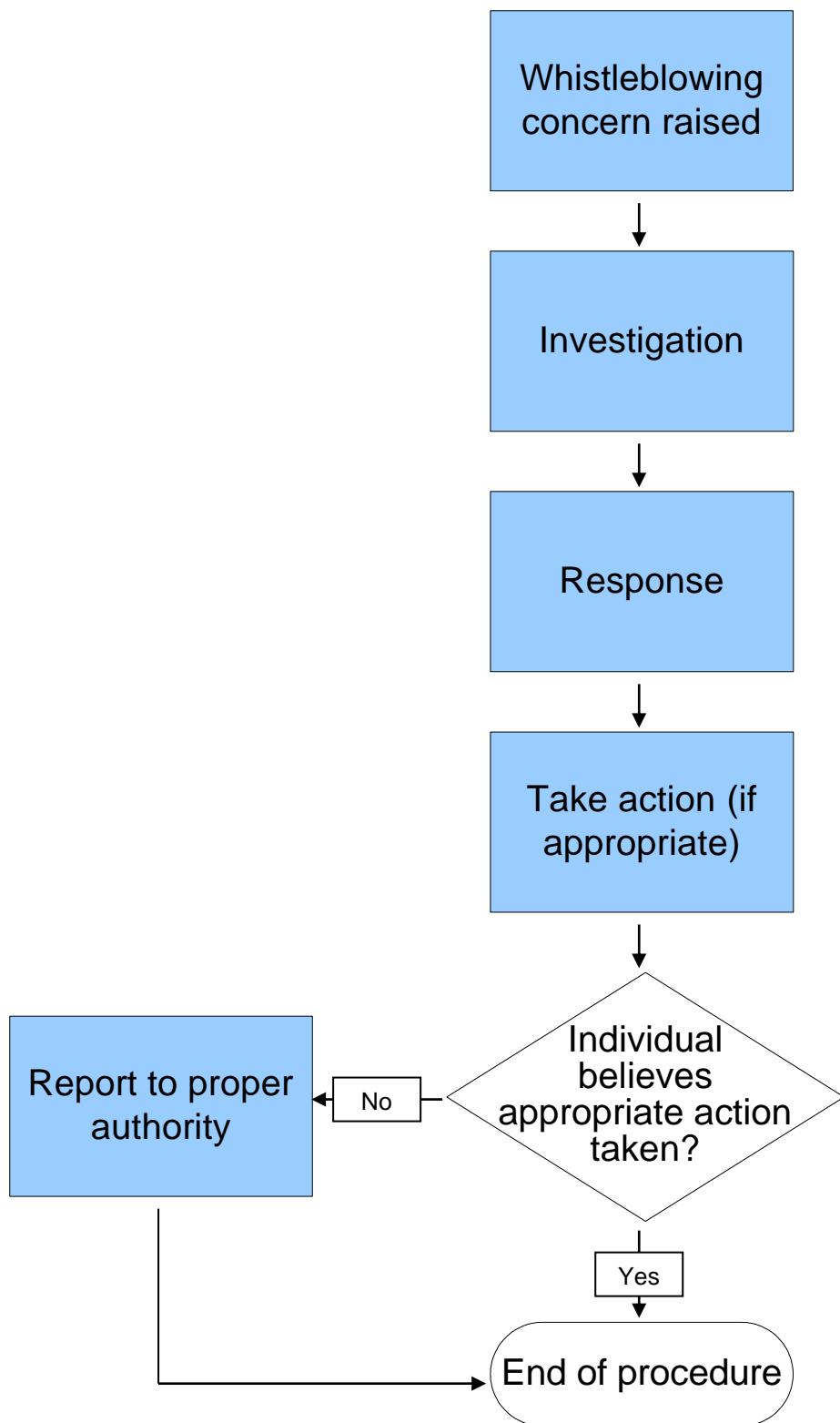
Date: September 2010 **Version:** 1 **Document Number:** ERWB001

Link to policy	Employee Relations Policy
Effective date	6 September 2010
Review date	September 2011
Revision Number	1
Purpose	It is important to the business that any fraud, misconduct or wrongdoing by employees or workers in the Council is reported and properly dealt with. This procedure provides a route for employees or agency workers to express concerns about the behaviour of others or Council practice and how those concerns will be dealt with.
Scope	This procedure is available to all employees of North Tyneside Council, except those who are subject to separate local management of school arrangements. This procedure is also available to agency workers. This procedure does not apply to Members or the Elected Mayor. There is a separate Whistleblowing Procedure for Members and the Elected Mayor, which should be used in all cases where a Member or the Elected Mayor wishes to raise Whistleblowing concerns. Contractors are encouraged to follow the principles outlined within the procedure.
Equality Impact Assessment	Complete
Related documents	Employee Code of Conduct Discipline Procedure Resolution Procedure
Alternative formats	Alternative formats of this document may be available upon request e.g. Braille, large print (18 point) and audio. If you would like a copy of this document in one of these formats please contact Human Resources.
Document status	This document does not form part of an employee's terms and conditions of employment and can therefore be reviewed, amended and withdrawn at the discretion of the Council.

Procedure

An overview of the Whistleblowing Procedure is provided on the next page. This can be printed and used as a quick reference management tool. More detailed procedural information, along with links to further guidance and templates, can be found on subsequent pages. Alternatively, if you click on the shaded boxes within the procedure it will take you directly to the additional information for that stage.

Whistleblowing Procedure - Overview



Note: Click on the shaded boxes or refer to the next pages for more detailed procedural information and links to further guidance.

Whistleblowing concern raised

Responsibility	Employee/agency worker
Actions	<ul style="list-style-type: none"> Raise your concern with your one-up manager. If this is not appropriate you should raise your concern with a more senior manager within the organisation, Human Resources, the Monitoring Officer or Chief Finance Officer (Section 151 Officer). If you have a concern about the conduct of a councillor click here for guidance on how to raise your concern. Note: No employee/agency worker will suffer a detriment from raising a whistleblowing disclosure, so long as it is made in good faith. If another employee subjects the employee/agency worker to a detriment action will be taken against them under the Discipline Procedure (click here to access). Note: You can express your concern verbally, in writing, or by sending an email. However, if you are concerned that nobody else accesses this information, even unintentionally, then the surest method is a personal conversation (either face-to-face or by telephone) as correspondence is commonly opened by administrative staff and senior managers sometimes arrange for a personal assistant to open their emails.
Timescales	As soon as possible
For further guidance on raising a whistleblowing concern click here	

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Investigation

Responsibility	Depending on the nature of the concerns the investigation may be carried out by management, internal audit, Human Resources, the Monitoring Officer or the Chief Finance Officer (Section 151 Officer). If it is possible that the law has been broken, then the police or another external statutory agency e.g. the council's external auditor, may carry out an investigation. It is possible that an internal and an external investigation could be run simultaneously. (Note: The person investigating the whistleblowing disclosure will be known under this procedure as the 'Resolution Manager')
Actions	<ul style="list-style-type: none"> Clarify the employee's/agency worker's concerns, ensuring that they have been accurately recorded. Carry out an investigation. This may involve speaking to and obtaining written statements from other individuals involved. Ask the employee/agency worker to comment on any additional evidence obtained. Keep the employee/agency worker informed of progress Note: An investigation should always be carried out without prejudice and does not imply that an employee's/agency worker's concerns have either been accepted or rejected. Note: Some concerns may be resolved by agreed action without the need for investigation. If, however, the employee's/agency worker's concern appears to be sufficiently serious or urgent to warrant immediate intervention, appropriate action should be taken with immediate effect.
Timescales	As soon as reasonably practicable

For further guidance on handling whistleblowing disclosures [click here](#)

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Response	
Responsibility	Resolution Manager
Actions	<ul style="list-style-type: none"> Provide an appropriate written response to the employee/agency worker who made the whistleblowing disclosure.
Timescales	As soon as reasonable practicable after the conclusion of the investigation (recommended within 5 standard working days)

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Take action (if appropriate)	
Responsibility	Resolution Manager (or another appropriate manager)
Actions	<ul style="list-style-type: none"> Take appropriate action if there is evidence of wrongdoing If disciplinary action is required refer to the Discipline Procedure (click here to access)
Timescales	As soon as reasonable practicable after conclusion of the investigation

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Report to proper authority	
Responsibility	Employee/agency worker
Actions	<ul style="list-style-type: none"> If the employee/agency worker reasonably believes that appropriate action has not been taken or reasonably believes that they will suffer a detriment by Whistleblowing internally he/she may report the matter to the following external regulators: <ul style="list-style-type: none"> Health and safety risks: the Health and Safety Executive (www.hse.gov.uk) Environmental risks: the Environment Agency (www.environment-agency.gov.uk) Utilities: Ofcom (www.ofcom.org.uk), OFWAT (www.ofwat.gov.uk), OFGEM (www.ofgem.gov.uk), Rail Regulator (www.rail-reg.gov.uk) Financial Services and the City: Financial Services Authority (www.fsa.gov.uk), HM Treasury (insurance) (www.hm-treasury.gov.uk) Public sector finance: National Audit Office (www.nao.org.uk), Audit Commission (www.audit-commission.gov.uk) Company law: Department of Business, Innovation and Skills (www.bis.gov.uk) Competition and consumer law: Office of Fair Trading (www.oft.gov.uk) Others: Certification Officer (Trade Unions) (www.certoffice.org), Civil Aviation Authority (www.caa.co.uk), Charity Commission for England and Wales (www.charity-commission.gov.uk), Criminal Cases Review Commission (www.ccrc.gov.uk), Information Commissioner's Office (www.ico.gov.uk), The Pensions Regulator (www.thepensionsregulator.gov.uk), HM Revenue and Customs (www.hmrc.gov.uk).
Timescales	As soon as reasonably practicable

