



SOLIHULL METROPOLITAN BOROUGH COUNCIL

Whistleblowing Policy

DRAFT

Introduction

All of us at one time or another has a concern about what is happening at work. Usually these concerns are easily resolved. However, when the concern feels serious because it is about a possible fraud, danger or malpractice that might affect you, others or the Council itself, it can be difficult to know what to do.

You may be worried about raising such a concern and may think it best to keep it to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the Council. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

We are committed to running the Council in the best way possible and to do so we need your help. We have this policy to reassure you that it is safe and acceptable to speak up and to enable you to raise any concern you may have at an early stage and in the right way. Rather than wait for proof, we would prefer you to raise the matter as soon as you have a concern.

This policy applies to all those who work for us; whether full-time or part-time, employed through an agency or as a volunteer. It also applies to our partners, contractors and our service users (including their family and friends). If you have a whistleblowing concern, please let us know.

If, however, you wish to make a complaint about your employment or how you have been treated, please use the Council's Resolution Policy. If you are an employee of a partner or contractor you should follow their whistleblowing policy unless for some reason you do not feel able to do so – in which case use this policy.

If you are a service user (or their family and friends) and have a concern regarding an individual's treatment or the quality of care someone is receiving, you should report this as a safeguarding concern. The Council's safeguarding guidance and online reporting links are:

Adult Safeguarding: <http://www.solihull.gov.uk/adultabuse>

Safeguarding Children and Young People:
<http://www.solihull.gov.uk/Resident/socialservicesandhealth/childrenfamilies/safeguardingchildren/safeguardingchildrenyoungpeople>

This Whistleblowing Policy is primarily for concerns where the public interest is at risk, which includes a risk to the wider public, customers, service users, contractors, staff or the Council itself.

Remember: If in doubt - raise it!

Our assurances to you

Your safety

Solihull Council is committed to this policy. If you believe you are raising a genuine concern, it does not matter if you are mistaken. Of course, we do not extend this assurance to someone who maliciously raises a matter they know is untrue.

If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment or victimisation of anyone raising a genuine concern and we consider it a disciplinary matter to victimise anyone who has raised a genuine concern.

Your confidence

With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone confidentially first. If this is the case, please say so at the outset. If you ask us not to disclose your identity, we will not do so without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such cases, we will discuss with you whether and how the matter can best proceed.

Please remember that if you do not tell us who you are (and therefore you are raising a concern anonymously) it will be much more difficult for us to look into the matter. We will also not be able to protect your position or to give you feedback.

If you are unsure about raising a concern you can get independent advice from Protect (see below). You can also speak to your Union representative for advice.

How to raise a concern internally

Please remember that you do not need to have firm evidence of malpractice before raising a concern. However, we do ask that you explain as fully as you can the information or circumstances that gave rise to your concern.

Step One

If you have a concern about malpractice, we hope you will feel able to raise it first with your manager or team leader. This may be done verbally or in writing.

Step Two

If you feel unable to raise the matter with your manager, for whatever reason, you can raise the matter with the Head of Audit Services or another member of the Audit team on 0121 704 6067, via our hotline on 0800 028 8535 or email whistleblowing@solihull.gov.uk. Alternatively, you can write to the Head of Audit Services, Solihull Council, Council House, Manor Square, Solihull, West Midlands, B91 3QB.

Our Audit Services Team have been given special responsibility and training in dealing with whistleblowing concerns. If you want to raise the matter confidentially, please say so at the outset so that appropriate arrangements can be made.

Step Three

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact the independent charity Protect on 020 3117 2520 or by email at whistle@protect-advice.org.uk. Their advisers can talk you through your options and help you raise a concern about malpractice at work.

You can also contact your Union representative or professional body (where applicable) for advice.

How we will handle the matter

We will acknowledge receipt of your concern within two working days. We will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal investigation. We will tell you who will be handling the matter, how you can contact them, and what further assistance we may need from you. If you ask, we will write to you summarising your concern and setting out how we propose to handle it and provide a timetable for feedback. If we have misunderstood the concern or there is any information missing please let us know.

When you raise the concern it will be helpful to know how you think the matter might best be resolved. If you have any personal interest in the matter, we do ask that you tell us at the outset. If we think your concern falls more properly within our Resolution Policy, or other relevant procedure, we will let you know.

Whenever possible, we will give you feedback on the outcome of any investigation. Please note, however, that we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person.

While we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and properly. By using this policy, you will help us to achieve this.

If at any stage you experience reprisal, harassment or victimisation for raising a genuine concern please contact the Head of Audit Services, for further advice.

External contacts

While we hope this policy gives you the reassurance you need to raise your concern internally with us, we recognise that there may be circumstances where you report a concern to an outside body. In fact, we would rather you raised a matter with the appropriate regulator – such the Health and Safety Executive, the Care Quality Commission, the Police - than not at all. Protect (or, if applicable, your Union representative) will be able to advise you on such an option if you wish.

If matters are taken outside SMBC, you should ensure that this does not result in the disclosure of confidential information. If you need help, please seek advice, in confidence, from SMBC's Corporate Information Governance Manager, by calling 0121 704 6251, or emailing ashipway@solihull.gov.uk

Monitoring/oversight

The Audit Services Team is responsible for this policy and will review it every three years. The Audit Services team will also monitor the daily operation of the policy. The Head of Audit Services will maintain a register of all concerns that have been raised under this policy. All Council officers receiving an allegation under this policy must ensure that the Head of Audit Services is notified within two working days, to ensure appropriate action and oversight.

The Council's Audit Committee provides independent oversight of the operation of this policy and holds the Head of Audit Services to account for its delivery.

If you have any comments or questions, please do contact the Audit Services Team on 0121 704 6067 or email whistleblowing@solihull.gov.uk

Data protection

We will keep a confidential record of your concern in our secure, encrypted and password protected database. This will be held in accordance with relevant data protection legislation.