



LCC Whistleblowing Policy

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LCC Whistleblowing

As part of LCC's commitment to exercising good corporate governance and stewardship of public funds and assets, there are a number of policies and procedures in place to enable the reporting of any concerns about the way the authority's business is conducted, including complaints, grievances and serious concerns of illegal or illegitimate practices involving council employees or members. Employees are positively encouraged to raise any concerns they may have.

LCC's Whistleblowing Statement and Procedure (see link below) is intended to cover concerns of illegal or illegitimate practices such as fraud and corruption, unauthorised use of public funds, failure to comply with Standing Orders and Financial Regulations, failure to comply with codes of practice, an offence or breach of law, criminal offences, miscarriage of justice, health and safety risks, damage to the environment, sexual or physical abuse of clients or any other unethical behaviour.

Whistleblowing Statement and Procedure explains how employees can raise concerns and how they will be dealt with. Importantly, it also provides an assurance to anyone that voices a concern in good faith that the matter will be treated confidentially and sensitively.

What to do if you have a concern

The council's Whistleblowing policy and procedure provides guidance on how you can raise your concern.

If you have a concern or evidence of wrongdoing do not attempt to investigate the matter yourself as this could prejudice any subsequent investigation. The council has procedures such as the Fraud Response Plan to ensure that matters are properly dealt with. Instead make a note of anything you have witnessed and keep any evidence you have safe.

In the first instance you should raise your concern with your immediate manager. If, however you feel unable to do this or it is not appropriate to do so, then consider raising the concern with your Chief Officer.

Alternatively, employees can phone the City Council's Whistleblowing line (225 2660) or complete an online Whistleblowing referral form. If you are unwilling to raise your concern within the council then you could contact the charity Public Concern At Work, telephone 020 7404 6609 or email helpline@pcaw.co.uk.

If you are a manager and a concern or allegation has been reported to you, please refer to the guidance for managers dealing with fraud on the Fraud awareness pages of this site where you can find guidance on conducting investigations.

Contact us

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1. Purpose of the Whistleblowing Policy

1.1 The City Council is committed to the highest possible standards of openness, probity and accountability. In line with this commitment the City Council expects all its employees (and others that it deals with) who have serious concerns about any aspect of the City Council's work to come forward and voice those concerns.

1.2 The **Whistleblowing Policy** makes it clear that employees (and others) can voice legitimate concerns without fear of; victimisation, subsequent discrimination or disadvantage.

1.3 A person who raises a concern is protected by the **Public Interest Disclosure Act 1998** which is incorporated into the **Employment Rights Act 1996** as long as **any complaint** is made in the public interest.

1.4 This policy document should be read in conjunction with the Whistleblowing Procedure and also other relevant procedure documents, in particular the Anti-Fraud and Corruption Strategy.

2. Overview of the Whistleblowing Policy

2.1 The Policy is designed to:

- Set out the rights and responsibilities of all individuals in relation to **whistleblowing**. This is the person who is the subject of the complaint, the complainant and the City Council.
- Set out the circumstances in which this Whistleblowing Policy should be applied.

3. Scope

3.1 The Whistleblowing Policy applies to all employees, workers and others at the City Council including:

- Those designated as agency workers.
- Fixed term employees.
- Authorised volunteers.
- Work experience.
- Contractors or Consultants working for the City Council on or City Council premises.
- Suppliers and those providing services under a contract with the Council in their own premises.
- Members of the City Council.
- Partner organisations.

4. The Whistleblowing Policy

4.1 The City Council is committed to:

- Encouraging all its employees, workers and others to feel confident in raising serious concerns and to question and act upon those concerns.
- Providing confidential avenues through which concerns can be raised and general feedback given, where possible, on any action that may be taken.
- Reassuring employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that the disclosure has been made in the public interest and it is not unlawful or contravenes other forms of legislation.

4.2 There are procedures in place to enable employees to lodge a Grievance relating to their own employment and there is also a City Council's Complaints Procedure for more general complaints. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of these other procedures. These issues may include:

- Conduct which is an offence or a breach of law.
- Failure to comply with a legal obligation.
- Disclosures related to miscarriages of justice.

- Health and safety risks (including risks to the public as well as other employees) if reported and not acted upon.
- Damage to the environment.
- The unauthorised use of public funds.
- Possible fraud and corruption.
- Sexual, physical or other abuse of clients.
- Other unethical conduct.
- Actions which are unprofessional, inappropriate or conflict with a general understanding of what is right and wrong.
- And any attempt to prevent disclosure of the above

4.3 A typical whistleblowing referral may be about something that:

Makes the individual feel uncomfortable in terms of known standards, their experience or the standards they believe the City Council subscribes to.

- Is against the City Council's Financial Regulations, Standing Orders and other policies and legal obligations.
- Falls below established standards of good practice.
- Amounts to improper conduct.

5. Assurances to all Employees

5.1 There is a requirement for all employees and Members to report any discovered or suspected cases of fraud, corruption or other financial irregularity immediately to the Divisional Manager Audit and Risk either directly or through their own Chief Officer (Director) or the Whistleblowing Line, as appropriate (**Financial Regulation 2.7**).

5.2 The requirement is not superseded by this Whistleblowing Policy and the chief officer must act accordingly if a financial issue is raised.

5.3 The City Council **will not tolerate** any harassment or victimisation (including informal pressures) and will take appropriate action to protect individual(s) who have raised a concern **in the public interest**.

5.4 Any **investigation** into allegations of **potential malpractice** will not influence or be influenced by any **disciplinary or redundancy procedures** that already affect the individual who has raised the concern.

6. Confidentiality

6.1 Where appropriate, all concerns will be treated in confidence and **every effort** will be made not to reveal the identity of the individual who has raised the concern unless there are legal reasons to the contrary.

6.2 It must be noted that any **person, who is the subject of a whistleblowing allegation has legal rights** which may be exercised and are independent of the City Council.

7. Untrue Allegations

7.1 If an individual makes an allegation which they reasonably believe is in the public interest, but it is not confirmed by the investigation, then no action will be taken against them.

7.2 If an individual makes an allegation which turns out to be untrue, without reasonably believing the allegation to be made in the public interest, then the matter will be considered under the City Council Disciplinary Procedure and disciplinary action may be pursued.

7.3 Employees may take legal action independently of the City Council. This includes the person who is the subject of the complaint, the complainant and the City Council.