

Appendix V1 – Whistleblowing Policy



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1. Policy statement

1.1 Leicester City Council is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards of conduct. All organisations, however, face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

1.2 The aims of this policy are:

- (a) To explain what constitutes a whistleblowing complaint.

- (b) To explain how to raise a whistleblowing complaint and how it will be dealt with.
- (c) To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate and that their confidentiality will be respected.
- (d) To explain what protection is afforded to a legitimate whistleblower and to reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

2. Scope

- 2.1 This policy applies to all employees of Leicester City Council and to consultants and casual/agency workers engaged by the council (collectively referred to as 'staff' in this policy) except those employed/engaged by schools.

3. What is whistleblowing

- 3.1 A qualifying whistleblowing disclosure is one made in the public interest by a member of staff who has a reasonable belief any of the following activities are either occurring, have taken place or are likely to:
 - (a) criminal offence;
 - (b) failure to comply with any legal obligation;
 - (c) miscarriage of justice;
 - (d) danger to health or safety;
 - (e) damage to the environment;
 - (f) the deliberate concealment of any of the above matters.

- 3.2 A whistleblower is a person who raises a genuine concern relating to any of the above.

4. What is NOT Whistleblowing

4.1 This policy should not be used for the following:

- (a) Raising concerns that relate to a staff member's own personal circumstances such as the way they have been treated at work. Such concerns should be raised in the first instance informally with line management who will attempt to resolve them. If no resolution is possible refer to the [grievance procedure](#) for next steps.
- (b) Raising concerns as a member of the public. The procedure for the public to raise [comments, compliments and complaints](#) can be used for this purpose.
- (c) Raising concerns about Councillors. The [complaints about councillors](#) form can be used for this purpose.

4.2 If a staff member is uncertain whether something is within the scope of this policy, they should seek advice from their manager or Human Resources.

5. Raising a whistleblowing concern

5.1 We hope that staff will be able to raise concerns with their line manager. They may tell them in person or put the matter in writing if preferred. They may be able to agree a way of resolving the concern quickly and effectively. Where a staff member does not feel they can do this then they should raise their concern with a manager above their immediate manager. Employees considering

raising concerns can also seek advice from a trade union representative (see contacts below).

- 5.2 If staff feel that their line manager has not addressed their concern, or they have a compelling reason why they cannot raise it with them or their manager, they should raise their concern directly with the Monitoring Officer. The Monitoring Officer will consider issues such as whether (i) the allegation can properly be dealt with by another manager and/or (ii) the whistleblower's identity does/does not need protecting, and will discuss their view with the whistleblower. It is, in most cases, likely that the Monitoring Officer, in dealing with the concern, will liaise with line management (or someone in the management chain) regarding its progression.
- 5.3 In all cases the manager will email their HR Team Manager so that it can be recorded as a "whistleblowing concern".

6. Anonymity

- 6.1 It is hoped that staff will feel able to voice whistleblowing concerns openly under this policy. Anonymous disclosures are not encouraged. Proper investigation may be more difficult, or impossible, if further information cannot be obtained from a whistleblower. It is also more difficult to establish whether allegations are credible. If a whistleblower is concerned about their identity being revealed this should be raised when the disclosure is made and appropriate measures, such as protecting their identity, can be taken where appropriate and possible.

7. External disclosures

- 7.1 The aim of this policy is to provide an internal mechanism for reporting, investigating, and remedying any wrongdoing in the workplace. It is preferable to raise a concern internally so it can be

investigated without undue delay and therefore, in most cases, staff should not find it necessary to alert anyone externally.

7.2 The law recognises that, in some circumstances, it may be appropriate for staff to report their concerns to an external body such as a regulator. We strongly encourage staff to seek independent whistleblowing advice from [Protect](#) before reporting a concern externally. Raising such a concern externally, if this cannot be justified, may be a breach of terms and conditions of employment.

8. Investigation and outcome

8.1 Once a concern has been raised, an initial assessment will be undertaken to determine what, if any, steps should be taken and to consider whether the concern falls within the scope of this policy. Staff may be requested to attend meetings in order to provide further information.

8.2 Following the initial assessment an investigation may be undertaken. It may be appropriate for a line manager or another Council officer to undertake the investigation. Questions of potential conflict of interest will be considered in determining the appropriateness or otherwise of any particular officer carrying out an investigation. Where a potential, or actual, conflict of interests exists for a particular officer they should not carry out the investigation. In exceptional circumstances, or where specific expertise is required, an external investigator may be appointed.

8.3 It may be appropriate to instigate a further procedure, following the conclusion of any investigation, such as the disciplinary procedure. Any such action falls outside the scope of this policy.

- 8.4 The investigator will decide what details, if any, should be provided to a whistleblower regarding the investigation. The need for confidentiality may prevent the provision of information. If such information is provided this should be treated as confidential unless expressly agreed otherwise.
- 8.5 If it is concluded that a whistleblower has made false allegations maliciously, in bad faith (i.e. not merely mistakenly) or with a view to personal gain, the whistleblower may be subject to disciplinary action.

9. Protection and support for whistleblowers

- 9.1 The law protects workers from detrimental treatment or victimisation from their employer if they have made a protected disclosure, as defined in paragraph 3 above. It is understandable that a whistleblower may be worried about possible repercussions. The Council aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 9.2 Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, or other unfavourable treatment because of raising a concern. If a member of staff believes that they have suffered any such treatment they should inform their line manager or HR immediately who will assess what steps, if any, should be taken. If, for any reason, it is not believed to be appropriate to raise this with the line manager, they should inform the next line of management. Where matters have been disclosed anonymously then a member of staff can speak with the Monitoring Officer. If staff feel they have suffered a detriment they may raise this under the grievance procedure.

10. Responsibility for the success of this policy

10.1 The Monitoring Officer has overall responsibility for this policy and will review it as appropriate.

11. Contacts

Contact	Method
Monitoring Officer	monitoring-officer@leicester.gov.uk
Protect – independent whistleblowing charity	Protect Advice Line Tel: 020 3117 2520
GMB Trade Union	GMBLeicesterservices@leicester.gov.uk Tel: 0116 454 2020
Unison Trade Union	unison.leicestercity@virgin.net Tel: 0116 299 5103
Unite Trade Union	██████████@leicester.gov.uk Tel: ██████████

12. Document control

Implementation date	January 2023
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