

**September 2018**

**HR Professional Services**

**WHISTLEBLOWING  
PROCEDURE**

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## **1. Introduction**

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- 1.1 Royal Greenwich is committed to high standards of openness, probity and accountability. In line with this commitment Royal Greenwich encourages all employees with serious concerns about any aspect of work to come forward and raise their concerns without fear of being disloyal or suffering harassment or victimisation as a result.
- 1.2 It is important not to ignore concerns or suspicion of malpractice. Royal Greenwich recognises that certain cases will have to proceed on a confidential basis so that the position of the 'whistleblower' can be protected.
- 1.3 This procedure provides a safe route to raise concerns within Royal Greenwich at an early stage without fear of victimisation, discrimination or disadvantage. It is in everyone's interest that potential failings and malpractice are identified early so that Royal Greenwich can take appropriate action.
- 1.4 Where service users and members of the public have serious concerns, they should raise any issues through the Royal Greenwich Complaint's procedure.

## **2. Aims and Scope**

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- 2.1 This procedure aims to encourage the raising of concerns in a confidential manner and to reassure employees that they will be protected from harassment or victimisation for whistleblowing in the reasonable belief that making the disclosure is made in the public interest.
- 2.2 This procedure applies to all employees and those contractors working for Royal Greenwich or on its premises, for example agency staff. It covers those providing services under contract with Royal Greenwich on their own premises, for example, care homes. It also applies to any person who undertakes to do or perform (or otherwise) any work or service for Royal Greenwich such as casual workers and freelancers.

### **3. Key Principles**

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- 3.1 Royal Greenwich makes it clear that no employee will be subject to victimisation or other detriment by reporting concerns which they reasonably believe to be true.
- 3.2 Any issue reported will be taken seriously and investigated. This may involve interviews or an investigation to establish the facts.
- 3.3 Royal Greenwich prefers matters to be raised where suspicion first arises rather than waiting for or searching for proof.
- 3.4 Concerns raised will be treated in a confidential manner and feedback will be given on any action taken.
- 3.5 Employees should put their names to any allegation wherever possible.
- 3.6 A complainant will need to demonstrate that there are reasonable grounds for the concern, and will be expected to co-operate with any investigation that takes place.
- 3.7 If any meeting or interview is arranged, there is a right to be accompanied by a trade union representative or workplace colleague.
- 3.8 This procedure will be supported by management culture.

### **4. What concerns can be reported using this procedure?**

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- 4.1 This procedure can be used where there are serious concerns such as:
  - Child protection issues
  - Conduct which is an offence or breach of law (e.g Fraud)
  - Miscarriages of justice
  - Risks to health and safety
  - Damage to the environment
  - Unauthorised use of public funds
  - Financial malpractice, fraud and corruption
  - Abuse of clients
  - Other unethical conduct, (including any attempts to cover up the above or any offence likely to be committed).

- 4.2 Within the context of Royal Greenwich's work, the above could include serious concerns about service provision, the conduct of officers, or others acting on behalf of Royal Greenwich, which fall below established standards of practice or legal requirements such as financial regulations.
- 4.3 If you are not sure if this is the right procedure or want confidential advice, the Confidential Reporting Hotline can provide advice. This is a free phone number 0800 169 6975 or they can be emailed at [fraud@royalgreenwich.gov.uk](mailto:fraud@royalgreenwich.gov.uk).
- 4.4 You can find out more about the Whistleblowing Policy by:
- Visiting our Intranet site (Royal Borough staff and Councillors)
  - Visiting our website at [www.royalgreenwich.gov.uk](http://www.royalgreenwich.gov.uk)
  - Downloading the Phone App – The whistleblowing app is now available for download on the apple store and google play store.

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The hyperlinks are as follows:

iPhone

<https://itunes.apple.com/gb/app/greenwich-whistleblowing/id1084745636?mt=8>

Android

[https://play.google.com/store/apps/details?id=com.intec.whistleblowing.greenwich&hl=en\\_GB](https://play.google.com/store/apps/details?id=com.intec.whistleblowing.greenwich&hl=en_GB)

- 4.5 Public Concern at Work (PCAW) is a charitable organisation that offers free, confidential advice. It focuses on the responsibility of workers to raise concerns about malpractice, and the responsibility of those in charge to investigate and remedy such issues.
- 4.6 The website also contains a full copy with explanatory notes of the legislation, the Public Interest Disclosure Act 1998.

## **5. Matters outside the scope of this procedure**

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- 5.1 This procedure is not intended to cover concerns that can be progressed under Human Resource policies and procedures. Royal Greenwich has a [Grievance Procedure](#) for dealing with employment related complaints. Employees are not able to “blow the whistle about breaches of their own employment contract. However, complaints about such breaches should be raised under the Grievance procedure
- 5.2 Some Directorates have separate procedures specifically relating to services. If you are not sure, check with the Confidential Reporting Hotline above. With issues relating to protection of children and vulnerable adults using this procedure will ensure your concerns are addressed.

## **6. Employee responsibilities**

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- 6.1 All employees have a duty of confidentiality to Royal Greenwich and therefore it is important that this procedure is used and not ignored. It will very rarely, if ever, be appropriate to make any disclosure externally to the press or media. Taking such steps could result in disciplinary action. The Public Interest Disclosure Act 1988 does provide protection to individuals who make certain disclosures of information in the public interest but anyone wishing to make an external disclosure is strongly advised to seek legal advice before doing so as they may put their employment at risk.
- 6.2 Business ethics are increasingly seen as an issue that can build or damage an organisation’s reputation and public trust. Therefore all staff have a general responsibility to report all suspected concerns using this procedure for the positive benefit of all.

## **7. Safeguards**

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- 7.1 Where malpractice is shown to have occurred this may reflect badly on management, systems, or on individual managers. Whistleblowers may fear that management will be tempted to 'shoot the messenger'. It is important for employees to understand that there will be no adverse repercussions for raising reasonable concerns. The following safeguards exist when following this procedure:

## **7.2 Harassment and Victimisation:**

Royal Greenwich recognises that the decision to report a concern can be a difficult one to make, especially if the issue involves another employee, a senior manager or someone in authority. If concerns are raised out of a reasonable belief, there will be nothing to fear because whistleblowers raising matters of concern are protected from harassment, victimisation, and disciplinary action. No staff member or worker is to subject an employee who has blown the whistle to any form of mistreatment as a result and managers must ensure there is no harassment or victimisation.

## **7.3 Confidentiality:**

It is recognised that raising a concern will require this to be done in confidence under this procedure. Royal Greenwich will try and protect the identity of employees who raise a serious concern and do not want their identity to be disclosed. However, it should be recognised that in some instances, it may not be able to resolve the concern without revealing identity (for instance because a statement from an employee may be required as supporting evidence). In these circumstances the employee will be advised on how the investigation will proceed.

- 7.4 If a whistle-blower is required to give evidence in criminal or disciplinary proceedings, Royal Greenwich will arrange for them to receive advice and support.

## **8. How to Raise a Concern**

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- 8.1 The matter has to be kept strictly confidential and therefore only told to someone in authority. Failure to do so could result in allegations of spreading unsubstantiated rumours or gossip invoking the disciplinary procedure. As a first step, concerns should be raised with the line manager or supervisor because the issue causing concern could be immediately clarified. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the alleged wrongdoing or malpractice.
- 8.2 If the employee believes that the manager or supervisor is involved or they believe that the matter may not be dealt with properly, the employees can raise their concerns with their Director, Chief Executive or straight to

Internal Audit and Anti-Fraud who have responsibility for investigating issues.

- 8.3 Concerns are better raised in writing and clearly marked 'confidential' as in the example below:

Confidential  
Assistant Director of Finance (Governance & Audit)  
3rd Floor  
The Woolwich Centre  
35 Wellington Street  
Woolwich, London  
SE18 6HQ

- 8.4 Employees should set out the background of the concern, giving names, dates, times and places where possible, and the reason why they are particularly concerned about the situation so this can be registered. If an employee feels that they are not able to raise the concern in writing, they may raise the matter with the Assistant Director of Finance (Governance & Audit) or a member of the Internal Audit and Anti-Fraud team (tel:0208 9215239). Employees may also arrange to meet with Internal Audit and Anti-Fraud as it recognised that discussing concerns in person is often a great relief and removes some of the pressure of not being able to talk about the issue to anyone else.
- 8.5 When emailing concerns, this should be sent to one person only, such as the Assistant Director of Finance (Governance & Audit), and not copied to anyone else (otherwise the motive for raising the issue may be open to question).
- 8.6 Employees are not expected to provide proof of an allegation but they should demonstrate when providing information that there are sufficient grounds for the concern.
- 8.7 If you do not feel comfortable raising the issue within the Royal Borough, the Public Interest Disclosure Act allows disclosures to The Comptroller and Auditor General National Audit Office.

The Comptroller and Auditor General National Audit Office  
157-197 Buckingham Palace Road

London  
SW1W 9SP  
Tel: 020 7798 7999  
[www.nao.org.uk/contact-us/](http://www.nao.org.uk/contact-us/)

#### 8.8 Anonymous correspondence

Royal Greenwich will treat all anonymous allegations seriously but a concern expressed anonymously is much less powerful and can prove difficult to investigate where all the facts are not known or further information is required and the person cannot be contacted to provide further details. For this reason, it may not be possible for Royal Greenwich to conduct a full investigation.

#### 8.9 If you work for an agency or are a temporary worker:

As a first port of call, you should notify your supplying recruitment agency of any concerns. Your agency will then assess the information and liaise with Royal Greenwich as appropriate. However, if you feel unable to do so or you are concerned about something urgent or serious, you can approach a senior manager, the Head of Service or a Director. You can raise a concern by talking to the person or by writing to them.

### **9. How Royal Greenwich will respond**

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9.1 The action taken by Royal Greenwich will depend on the nature of the concerns raised. The matters raised will normally be investigated internally. However, in appropriate cases the concerns may be referred to a regulatory body or the Police in criminal matters.

9.2 In order to protect the employee, Royal Greenwich and also those accused of possible wrong doing or malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form the investigation should take. The overriding principle is that of the public interest. Concerns or allegations that fall within the scope of specific procedures will normally be referred for consideration under those procedures.

- 9.3 Some concerns may be resolved by immediate agreed action without the need for a full investigation e.g. repairs that may present a Health and Safety risk.
- 9.4 If urgent action is required, this will be taken before any investigation is conducted.
- 9.5 Within ten working days of a concern being received, where the identity of the employee is known, Royal Greenwich will write to the employee:
- acknowledging that the concern has been received;
  - indicating how it proposes to deal with the matter;
  - giving an estimate of how long it will take to provide a final response;
  - telling the employee whether any initial enquiries have been made, and
  - telling the employee whether further investigations will take place, and if not, why not.
- 9.6 Royal Greenwich will take steps to minimise any difficulties that employees may experience as a result of raising a concern. For instance, if it becomes necessary to give evidence in criminal or disciplinary proceedings, Royal Greenwich will provide the necessary advice about the procedure and give whatever practical support that is possible.
- 9.7 Royal Greenwich accepts that employees need to be assured that the matter has been properly addressed. Thus, subject to any legal constraints, employees will normally receive feedback about the outcome of any investigation.
- 9.8 The Director of Finance has overall responsibility for the maintenance and operation of this procedure and will ensure that a register of concerns is maintained by Internal Audit and Anti-Fraud together with the results of any investigations carried out.
- 9.9 Information will be kept in the strictest confidence, in a secure location and in accordance with the Data Protection Act. The Director of Finance will report as necessary on the operation of the procedure, but not on individual cases, to the Royal Greenwich's Audit and Risk Management Panel.

#### 9.10 False Allegations:

If an employee makes an allegation in reasonable belief and on the balance of probabilities this is confirmed by an investigation, no action will be taken against the employee. If, however, an employee makes an allegation for an ulterior motive, e.g. for a malicious reason and evidence support this, disciplinary action will be taken against that employee which could result in dismissal.

## 10. Check-list

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10.1 If you are thinking of raising a concern, here are a few things to remember:

YES: PLEASE DO...	NO: PLEASE DO NOT...
Raise the matter as soon as possible if you reasonably feel your concerns are warranted.	Do nothing. Royal Greenwich would prefer you to raise your concerns so that we can carry out a full and fair investigation.
Tell your suspicions or concerns to someone who has the appropriate authority to deal with them.	Be afraid of raising your concerns. Royal Greenwich has safeguards in place to protect staff who raise a concern.
Be assured that Royal Greenwich will take seriously concerns raised based on honest and reasonable suspicions.	Try to investigate the matter yourself. This may complicate any later enquiries, particularly if a criminal investigation becomes necessary.
Familiarise yourself with the whistle blowing procedure.	Approach or accuse any individuals directly.
Consider writing down the key points and details as to why you are concerned.	Tell your suspicions or concerns to anyone other than those with the proper authority.

10.2 If you receive a concern as a line manager or supervisor:

YES: PLEASE DO...	NO: PLEASE DO NOT
Be fully responsive to staff concerns	Ridicule or ignore the concerns raised.
Respect the fact that staff can raise a concern confidentially.	Approach or accuse any individuals directly.
Take detailed notes of the information provided; including details such as who, what, where, when, why and how in relation to the matter of concern.	Tell your suspicions or concerns to anyone other than those with the proper authority.

Evaluate the allegation objectively	Try to investigate the matter yourself. This may complicate any later enquiries, particularly if a criminal investigation becomes necessary.
Advise the appropriate person, whether that is your line manager or an individual in another Directorate, such as the Assistant Director of Finance (Governance & Audit).	Do nothing. Royal Greenwich is committed to a culture of openness in which staff feel able to communicate their concerns freely and in confidence
Deal with the matter promptly and as a matter of priority.	Delay. The speed of response may be important.

## 11. Further information

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- 11.1 For further information on the operation of this procedure, please contact the Assistant Director of Finance (Governance & Audit).