

GATESHEAD COUNCIL WHISTLEBLOWING POLICY: ARRANGEMENTS FOR THE PUBLIC

CONTENTS

1. The Policy
2. Scope of Policy
3. Objectives
4. Safeguards
5. How to Raise a Concern
6. Procedure
7. Recording Concerns

1. Introduction

1.1 The Council is committed to the highest possible standards of openness, honesty, integrity and accountability. As part of this commitment the Council is keen that activity, which falls below these standards, is reported to the Council in order that it can be dealt with promptly. The Council acknowledges that members of the public are often the first to realise that there may be something seriously wrong regarding the activities of the Council or the Council is suffering detriment in some form. The Council recognises the need to encourage all members of the community with concerns about any aspect of the Council's work to come forward and voice those concerns. Usually these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public, including Council service recipients, or the environment, it can be difficult to know what to do. Specific examples could include:

- a criminal offence (e.g. fraud, corruption etc.) may have or has been committed;
- a miscarriage of justice has been or is likely to occur;
- the health or safety of an individual has been or is likely to be endangered;
- public funds are being used in an unauthorised manner;
- the environment has been or is likely to be damaged;
- the Council's own rules have been or are being breached;
- abuse (e.g. physical, sexual) of a service recipient or Council employee is taking place;
- discrimination towards a service recipient, e.g. disability, race or other protected characteristics.

1.2 You, as a member of the public, may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may also fear you may not be taken seriously, even ridiculed, or be victimised in some way. You may decide to say something but find that you are not sure how to raise the issue or are not sure what to do next.

1.3 The Council has introduced this Whistleblowing Policy – Arrangements for the Public, specifically to enable you, as a member of the public, to raise your concerns about suspected malpractice at an early stage and in the right way.

1.4 If something is troubling you, which you think we should know about or look into, please use this policy. Don't ignore the concern.

2. Scope

2.1 This policy is provided for use by anyone who is not an employee of the council (employees have their own policy). This includes any;

- member of the public
- councillors
- other local authorities
- council service:

- consultants
- contractors
- customers
- partners
- providers
- recipients
- suppliers

2.2 It is not intended that this policy be used to raise concerns which fall within the scope of other Council procedures for example complaints about service delivery. The Council has a Corporate Complaints Procedure to deal with these issues. If you wish to make a complaint about service delivery please email your complaint to haveyoursay@gateshead.gov.uk there are also statutory procedures for Adult Social Care Services and Children’s Social Care Services complaints details of which are available on the Council’s website at www.gateshead.gov.uk

3. **Objectives**

3.1 The objectives of this policy are to encourage you, as a member of the public, to:

- feel confident in raising serious concerns;
- feel reassured that, if you raise any concerns reasonably believing them to be true (i.e. “Whistleblow”) and in the public interest, your concerns will be taken seriously, and you will be protected from harassment or victimisation;
- ensure that you receive an appropriate response from the Council to the concerns you have raised and, if not satisfied, show how you may take the matter further.

4. **Safeguards**

Harassment or Victimisation

4.1 The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Council will not tolerate victimisation and will take appropriate action to protect you when you raise a concern reasonably believing it to be true and in the public interest.

Confidentiality

4.2 The Council will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. Should you ask us to protect your identity by keeping this confidential, we will not disclose it without your consent or unless we are required to do so by a Tribunal, Court of Law or an Act of Parliament (e.g. the Freedom of Information Act,2000). If the situation arises where we are not able to resolve the concern without revealing your identity (e.g. a statement by you may be required as part of the evidence) we will discuss with you whether and how we can proceed.

Concerns Raised Anonymously

4.3 This policy strongly encourages you to put your name to your concern. Concerns expressed anonymously will be much more difficult for us to look into or to give you

feedback. Concerns raised anonymously are much less powerful and less likely to be effective, but they will be considered at the discretion of the Council.

4.4 In exercising discretion, the factors to be taken into account would include:

- the seriousness of the issues raised; and
- the credibility and plausibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

5. How to Raise a Concern directly with the Council

5.1 Your concern should be in writing and should be addressed to the Council's Monitoring Officer or Chief Internal Auditor at the following address:

Gateshead Council
Civic Centre
Regent Street
Gateshead
Tyne and Wear
NE8 1HH

You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation.

Please say if you want to raise the matter in confidence so the person you contact can make appropriate arrangements.

5.2 The earlier you express the concern, the easier it will be to take appropriate action.

6. How the Council will respond

6.1 The action taken by the Council will depend on the nature of the concern. The matters raised may be:

- investigated internally;
- referred to the Police;
- referred to the Council's External Auditor.

6.2 In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example, child protection) will normally be referred for consideration under those procedures.

6.3 Some concerns may be resolved by agreed action without the need for investigation.

6.4 Within ten working days of a concern being received, the Council will contact you to:

- acknowledge that the concern has been received;

- indicate, in overall terms, how it proposes to deal with the matter.

6.5 The amount of contact between you and the Council officers considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.

6.6 The Council will take steps to minimise any difficulties which you may experience as a result of raising a concern.

6.7 The Council will write to you at the conclusion of the investigation, detailing the outcome.

7. Recording Concerns

A central record of whistleblowing concerns will be maintained by the Council's Monitoring Officer. The record will include the areas of Council business that have been affected, a summary of action taken and the resulting outcome, follow up and feedback.

7.1 The Policy will be reviewed on a regular basis to ensure that it remains up to date and effective.