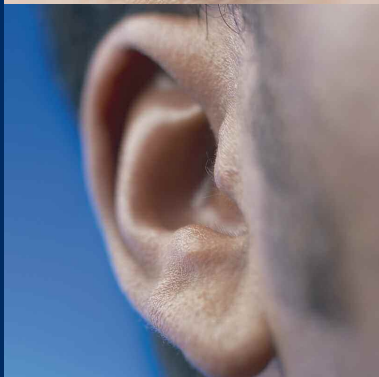


see  
all



hear  
all



say  
something?



Speaking up about  
Wrongdoing

# Speaking up about Wrongdoing

Shropshire Council is committed to the highest possible standards of openness, probity and accountability. Part of meeting that commitment is to encourage employees and others who have serious concerns to speak up. This may need to be on a confidential basis and the Council wishes to emphasise that if someone does “speak up” they can do so without fear of reprisals. This process is termed “blowing the whistle” and the phrase is used throughout this statement but should be viewed as a positive action of speaking up.

## Introduction

Employees, elected members, contractors and their staff may be the first to see that something is seriously wrong within the Council.

Such wrongdoings may relate to:

- fraud and corruption;
- discrimination;
- abuse of children;
- abuse of vulnerable adults;
- damage to the environment;

But employees may feel unable to express their concerns as they may feel they are being disloyal or are afraid of being victimised as a result of speaking up. Employees may feel that it would be easier to ignore their concerns rather than report what may be just a suspicion.

It is the duty of employees to speak up when they have serious concerns. It is the duty of the Council to act on those concerns and protect and support employees when they do. A failure to report a serious concern could be construed as collusion. Difficult as it may be to speak up, employees should be aware of their special position and of their duty to make their concerns known.

This policy statement makes clear what employees should do and what will happen as a result. The policy has been discussed with all the relevant trade unions and professional organisations and has their support.

This leaflet is issued to employees and elected members to advise specifically on blowing the whistle on wrongdoing. It should not be confused with the complaints procedure (where the public can complain about the Council's services), the grievance procedure (where you complain about your own treatment as an employee) the Child Protection Procedure (specifically relating to work in the Children and Young People's area), or the Adult Protection Procedures.

This leaflet is also available to our business partners, contractors, voluntary agencies, partnerships, and any others who the Council has dealings with for distribution to their employees.

Copies of the leaflet are available free of charge from Human Resources and Development at the Shirehall. Telephone 01743 252808 to request supplies.

## **Serious Concerns**

There are existing procedures in place to enable you to lodge a grievance about your own employment. This policy is intended to cover concerns outside the scope of those procedures. The concern may be that something:

- is unlawful;
- is against the Council's Standing Orders, Financial Rules or other policies;
- does not meet established standards or working practices;
- amounts to improper conduct;
- is an abuse of vulnerable adults;
- that relates to the abuse of children;
- is damaging the environment;

Theft, bribery, corruption, discrimination, environmental misuse are all types of things which would fall into these categories.

## Protecting those who speak up about wrong doing

**Harassment or Victimisation** – the Council recognises that deciding to report a concern can be difficult, not least because of the fear of reprisal from those responsible for the malpractice. The Council will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith.

This does not mean that if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your whistleblowing.

**Confidentiality** – the Council will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. It must, however, be appreciated that the investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

**Anonymous Allegations** – this policy encourages you to put your name to your allegation. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the Council. In exercising this discretion, the factors to be taken into account would include:

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

**Untrue Allegations** – If you make an allegation in good faith, but it is confirmed by the investigation that there is no wrongdoing, no action will be taken against you. In such circumstances employees will be supported. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you, but the matter would be referred to the appropriate Chief Officer before any action is taken.

**Support To You** – Throughout and after this difficult process you will be given full support from Senior Management, your concerns will be taken seriously and the Council will do all it can to help you throughout any investigation. If necessary, you may be transferred to another job to ensure that you are fully protected.

## How to Raise a Concern

As a first step you should normally raise concerns with your immediate Supervisor or Line Manager. If you are employed by an organisation that the Council has dealings with, either as a contractor or via another relationship, you or your Supervisor/Line Manager should also notify the relevant officer at the Council with responsibility for your contract/relationship. This will depend, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the wrongdoing. If management is involved, you should approach:

- the Chief Executive or your Director (see list at the end of this document) – if the wrongdoing is about standards of behaviour or about the abuse of children or vulnerable adults;

- the Assistant Chief Executive Legal and Democratic Services (Monitoring Officer – Tel. 01743 252763) – if the wrongdoing is thought to be illegal;
- the Chief Finance Officer: Director of Resources (Tel. 01743 252007) – if the wrongdoing is about improper payments;
- the Chief Internal Auditor: Head of Audit Services (Tel. 01743 252027) – if the wrongdoing is a fraud;
- the Head of Environment (Tel. 01743 252565) – if the wrongdoing is an environmental issue.

Alternatively, you can call the Standards Hotline (01743 252627) or invite your trades union or professional association to raise the matter on your behalf.

The earlier you express concern the better and the easier it will be to take action. Concerns are better raised in writing. You should try to set out:

- the background and history to your concern;
- dates and places where possible;
- the reasons for your concern.

Further advice and guidance on what to do can be found in the:

- guidance note on environmental issues;
- the Harassment and Bullying Policy;
- Shropshire Safeguarding Children's Board Policy;
- Multi Agency Adult Protection Policy.

Both of the above Policies can be found on [shropshire.gov.uk](http://shropshire.gov.uk) website. Information for reporting a child protection concern can be found at [www.shropshire.gov.uk/childrenfamilies.nsf](http://www.shropshire.gov.uk/childrenfamilies.nsf) and an adult protection concern at [www.shropshire.gov.uk/adultcare.nsf](http://www.shropshire.gov.uk/adultcare.nsf) or you can telephone the Council on the numbers set out in this leaflet to discuss your concern.

## How the Council Will Respond

The action taken will depend on the nature of the concern. The matters raised may:

- be investigated internally within the Council but independently of those directly involved;
- be referred to the Police;
- be referred to the external Auditor;
- form the subject of an independent inquiry.

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. These will be made confidentially and every attempt made to protect the employee. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.

Within 10 working days of receipt we will write to you;

- acknowledging that the concern has been received;
- indicating how we propose to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made;
- telling you whether further investigations will take place and, if not, why not.

## **The Standards of Conduct**

Below are some guidelines to help you adhere to the standards Shropshire Council expects of all its employees:

- Whenever you have to make a decision, do so for valid business, commercial or public interest reasons, not for private and personal reasons;
- Do not under any circumstances accept money or gifts or hospitality from any individual or organisation that might influence your decisions or actions at work;
- If you are involved in appointing people to jobs or public positions, awarding contracts, or recommending people for awards or other benefits of any kind, follow defined guidelines and make your choice on merit alone;

- Whatever decisions or activities you are involved in, be open about them; be prepared to account for them to the public and open them up to whatever scrutiny is appropriate. This means giving meaningful reasons for your decisions and only restricting information when to do so is clearly in the wider public interest;
- Declare any private or personal interest which is, or may be seen by the public, as relevant to your public duties. “Private interest” includes financial and non financial interests, whether it would be to your advantage or disadvantage;
- Take action to resolve any conflicts of interest in a way which protects the public interest and maintains public confidence. Take advice if in any doubt from the Monitoring Officer;

Promote these standards at all times, by leadership and by example.

## **Follow proper procedures**

One of the best ways of guarding against corruption is to ensure that proper procedures are followed – in the way decisions are taken, in the way contracts are awarded and the way that employees conduct themselves.

The most important of these procedures are described within the Constitution and elsewhere as follows:-

- Financial Rules;
- Contract Rules;

- Members' and Employees' Codes of Conduct;
- Computer Facilities Code of Practice;
- Delegations (or decision making powers);
- Recruitment and Selection Code of Practice;
- Gifts and Hospitality;
- Harassment and Bullying Procedure.

Actions which breach these procedures are not only unauthorised but will lead to loss of public confidence and even to corruption.

As with any other concerns on standards, you should report breaches of these procedures. Contact the Monitoring Officer on 01743 252763 or the Head of Audit Services on 01743 252027.

**Remember – if you have serious concerns it is your duty to tell us and our duty to protect and support you, if you do.**

### **Chief Executive and Chief Officer Contacts**

Chief Executive	01743 252701
Director of Community Services	01743 253701
Director of Children and Young People's Services	01743 254301
Director of Development Services	01743 252302
Director of Resources	01743 252007
The Assistant Chief Executive Legal and Democratic Services	01743 252763
The Assistant Chief Executive Performance and Partnerships	01743 252003

If you can read this booklet but know someone who can't, please contact Human Resources and Development on 01743 252808 so we can provide this information in a more suitable format.

[www.shropshire.gov.uk](http://www.shropshire.gov.uk)