

Whistleblowing Code



What is whistleblowing?

“Whistleblowing” is a term used to describe a situation in which an employee discloses, internally or externally, any malpractice or wrong-doing that they observe or are aware of, as well as illegal acts or omissions at work.

Pembrokeshire County Council's Whistleblowing Code encourages and enables Council employees to raise serious concerns within the Authority.

Why Report Concerns?

The Council is committed to the highest possible standards of openness and accountability and we recognise that employees are often in a good position to identify concerns regarding malpractice or wrong-doing

Employees might feel fearful of repercussions or think that speaking up would be disloyal to their colleagues or to the Council. You might feel it is easier to ignore the concern rather than report what might just be a suspicion of malpractice.

The Council has a Whistleblowing Code so that employees can feel confident in raising their concerns without fear of victimisation, subsequent discrimination or disadvantage. The Whistleblowing Code can be found in the Employee Handbook on the Council intranet.

We expect employees who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. If you become aware of activities which you believe to be illegal, improper, unethical or otherwise inconsistent with the Code, it is your duty under the Code of Conduct for Local Government Employees to report the matter. You would be acting in accordance with your rights and responsibilities under the Public Interest Disclosure Act 1998, and within our Whistleblowing Reporting Code.

What counts as Whistleblowing?

Section 4 of the Whistleblowing Code clarifies that whistleblowing can take place when an employee genuinely and in good faith believes that one of the following sets of circumstances is occurring, has occurred or may occur within the Authority:

- i. a criminal offence has been committed, is being committed or is likely to be committed
- ii. a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject
- iii. a miscarriage of justice has occurred, is occurring or is likely to occur
- iv. the health and safety of any individual has been, is being or is likely to be endangered
- v. the welfare of children/young people or other vulnerable people has been, is being or is likely to be endangered
- vi. the environment has been, is being or is likely to be damaged
- vii. information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

What does NOT count as Whistleblowing?

Whistleblowing is not the same as a complaint or a grievance. If an employee is complaining that they have personally been poorly treated, for instance involving a breach of employment rights or issues with working conditions, these matters must be dealt with through the Grievance Policy. If you are not sure if your complaint comes under whistleblowing there are a number of ways to seek advice. Refer to section 10 of the Whistleblowing Code.

Some common thoughts about whistleblowing.....



How Do I Blow The Whistle?

We hope that you feel confident to approach us directly and raise genuine concerns.

Section 5 of the Whistleblowing Code outlines how to raise a concern.

We give our absolute commitment that any whistleblowing concern raised within the Code, will be dealt with effectively.

We would encourage you to feel confident in talking to your line manager first. If this is not appropriate, section 5 of the Whistleblowing Code provides information on how to pursue issues with an appropriate prescribed person within the Council.

The legal provisions relating to Whistleblowing can seem complicated. So we understand completely if you would prefer to talk over a potential concern about malpractice with an independent advisor before raising a disclosure

Independent advice and support will help you to understand if your concern would be covered by the Whistleblowing Code, and if so the process that will be followed.

External Advice and Support

There are a number of avenues through a number of different external agencies:

- **First Assist**, the Authority's Employee Assistance Provider, on 0800 068 5155 (Scheme number 33439)
First Assist have a Legal Team who will provide confidential, independent advice and will be able to discuss with you the nature of the allegation and whether it is likely as stated to be a 'qualified disclosure' for the purposes of the Whistleblowing Procedure. They will then direct you to the relevant internal contact. If you wish to remain anonymous you will be advised as to the advantages or otherwise of this course of action.
- **Trade Union**
Irrespective of your trade union the universal advice would be for you to seek advice and involve the local branch and regional office before making any disclosure.

UNISON have produced a Duty of Care Handbook <http://www.unison.org.uk/healthcare/dutyofcare/> which has a section on Whistleblowing.

- **NHS whistleblowing helpline, www.dh.gov.uk/health/2011/12/whistleblowing-helpline 08000 724 725**

From January 2012 is now extended to social care staff. The helpline will operate on weekdays between 08.00 and 18.00 with an out-of-hours answering service available at weekends and on public holidays. You can contact the helpline if you have concerns and are unsure how to raise them or simply want advice on best practice in safeguarding.

- **Teacher Support Network Cymru 08000 855 088, <http://www.teachersupport.info/wales/>** They have an online support line 24/7 which will give free confidential advice.

We take all allegations of breaches or failures seriously and we will treat them seriously.

We cannot protect you if your concern is raised anonymously – we commit to promoting and protecting open whistleblowing.

For the full policy, please refer to the Whistleblowing Code in the Employee Handbook on the Council intranet.