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The aim of this policy

ECC is committed to achieving high standards of integrity and accountability.

This policy provides a framework for employees, consultants or contractors, to raise concerns which they believe are in the public interest and may relate to illegal, improper or unethical conduct.

This policy should be used where there are concerns about the consequences for other employees or the public, and does not apply to matters relating exclusively to your employment.

Principles

- ECC is committed to achieving high standards of integrity and accountability and expects the same commitment from employees and those working for ECC.
- ECC aims to provide an open environment so that employees and those working for ECC can raise issues they believe to be in the public interest, with the confidence that they will be acted upon appropriately.
- Employees will be protected from detrimental treatment, i.e. victimisation or dismissal, if they raise concerns.
- This procedure complies with the Public Interest Disclosure Act 1998 and the Enterprise and Regulatory Reform Act 2013.

Whistle-blowing procedure

Definition of whistle-blowing

Whistle-blowing is the formal raising of concerns that are in the public interest (referred to as public interest disclosures).

Examples of concerns that may be in the public interest are shown below in Table 1. This list is not exhaustive.

Table 1:

Public interest disclosures

- criminal offences;
- failure to comply with legal obligations;
- actions which endanger the health or safety of any individual;
- actions which cause damage to the environment;
- actions which are intended to conceal any of the above.

Raising a concern - the process

Employees are encouraged to raise their concerns with you as their line manager.

Should you receive a concern:

- clarify what is alleged by the employee;
- assess what action should be taken;
- record the employee's concern on the whistle-blowing investigation log;
- you will need to ensure the incident is reported to HR Advice and Support;
- HR Advice and Support will be able to provide any additional assistance if required;
- depending on the nature of the concern, the matter may be referred to an auditor, the police or another independent body;
- decisions and any remedial action should be clear and fully documented on the investigation log;

- you will need to send the completed whistle-blowing investigation log to the Counter Fraud Team (Internal Audit) for their records.

○ Whistle-blowing Investigation log

If the employee feels unable to raise the matter with you or they believe that you have failed to take appropriate action, they can raise the matter with a more senior manager, HR Advice and Support, Counter Fraud Team (Internal Audit), or ECC's Monitoring Officer.

Where the employee feels unable to raise the concern with anyone within ECC they should contact Expolink (an external whistle-blowing service provider) who will record their concern and send a report to the relevant person within ECC to investigate.

At the conclusion of the investigation, the employee should be advised that the matter has been dealt with, and the outcome recorded on the confidential whistle-blowing investigation log.

Concerns raised in confidence

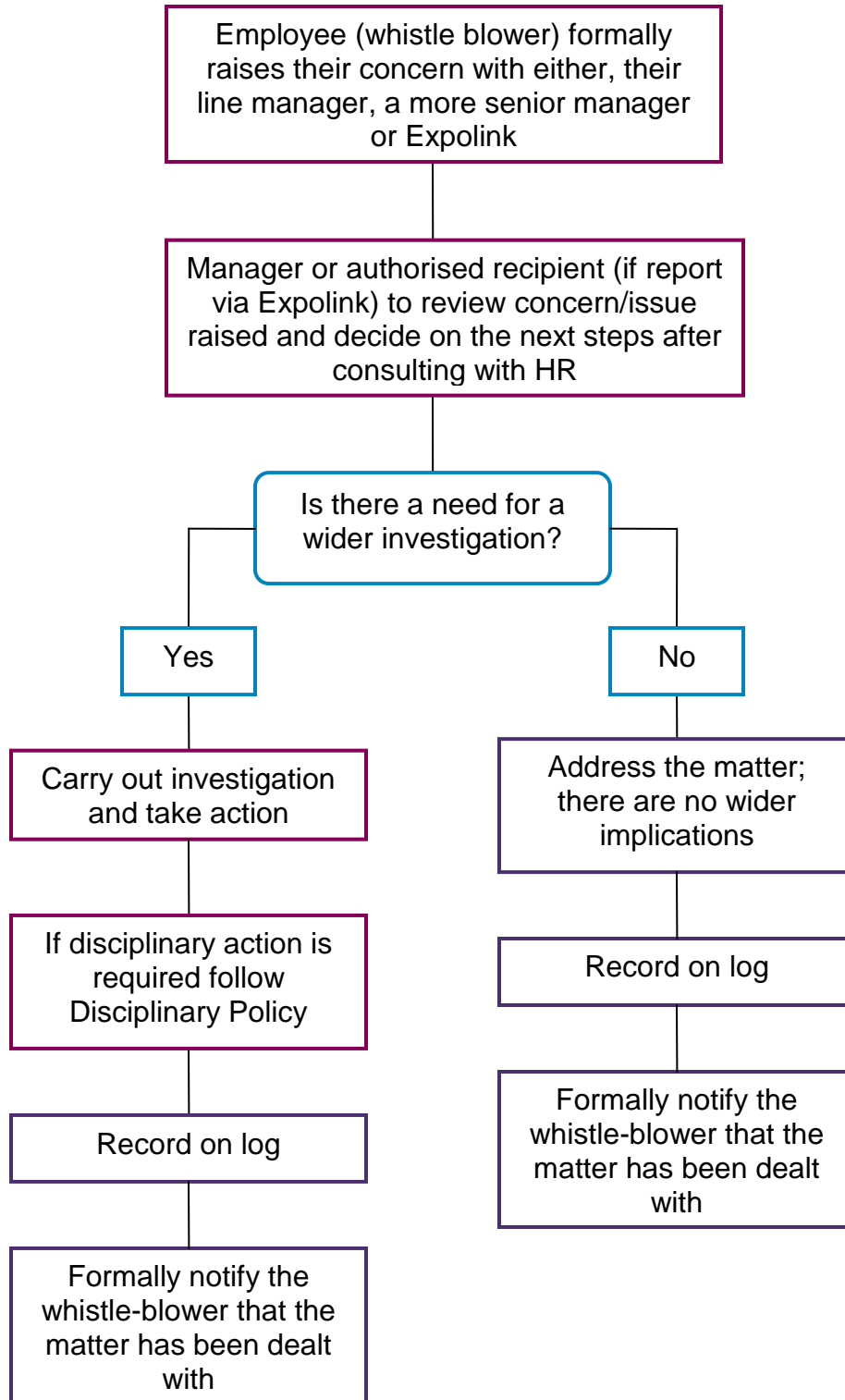
Where a concern is raised in confidence, ECC will protect the identity of the whistle-blower wherever possible. However there will be circumstances where this is not possible, as for example where the whistle-blower is an essential witness, and we would be unable to investigate a situation further without revealing the whistle-blower's identity. Should such a situation arise, we will discuss this directly with the whistle-blower.

Any concerns raised anonymously will be considered, but may prove more difficult or impossible to investigate due to the anonymous status.

Written records

Written records of concerns raised and their outcomes will be maintained by the relevant team. This will be in a form which does not breach employee confidentiality. The Monitoring Officer will report as necessary to the Audit Committee.

Whistle-blowing procedure flow chart



More information and help

Anti-Fraud and Corruption Strategy
Fraud Response Plan for Managers

Associated documents

- Whistle-blowing investigation log

Contact for more information

HR Advice and Support
Tel: 03330 134 300
Email: HRadviceandsupport@essex.gov.uk

Head of Assurance
Tel: 03330 321474
Email: paula.clowes@essex.gov.uk

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Last updated: 20 June 2018
Changes made: Updated contacts

Previous changes: 26 July 2013
Changes made: Amendments to reflect changes in the law on whistleblowing

Previous changes: 06 December 2011
Changes made: Amendments in relation to confidentiality

Previous changes: 28 September 2011
Changes made: Information added in relation to Expolink