

Speaking Up Policy

A guide on how to raise concerns at Maidstone Borough Council (whistleblowing) and the Council's commitment to provide a range of processes and support to enable all staff to report issues promptly and in ways they are comfortable with.

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Policy Author	Head of Audit Partnership

Mid Kent Audit

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Policy Statement

Maidstone Borough Council is committed to working to our values:

Service
Teamwork
Responsibility
Integrity
Value for money
Equality

We expect all staff, Members, contractors and partners working with the Council to live up to these values and maintain high standards in accordance with our Code of Conduct and all applicable rules, regulations and legislation.

However, like all public authorities, we face the risk of things going wrong sometimes or of unknowingly allowing illegal or unethical conduct.

Speaking up when you have a concern is important – even vital because it will help us to keep improving our services to local people and the working environment for our staff.

You may feel worried about raising a concern, and we understand this. But please don't be put off. We aim to create and maintain a culture welcoming openness, honesty and accountability. We will look into what you say and you will have access to the support you need.

The policy aims to:

- Encourage staff, Members and partners to speak up on suspected wrongdoing as soon as possible in the knowledge their concerns will be taken seriously and investigated appropriately, including respecting confidentiality.
- To provide staff with guidance on how to raise concerns.
- To reassure staff they can raise genuine concerns without fear of reprisals, even if you are mistaken.

Who can raise concerns?

Anyone who works at and for all levels of the Council. This includes people working with the Council in partnership (including Mid Kent Services and external contractors), temporary and fixed-term employees, Members and volunteers. This group is collectively referred to as **staff** in this policy.

What concerns can I raise?

You can raise a concern about any **risk**, **malpractice** or **wrongdoing** you think is harming the service we deliver. The Public Interest Disclosure Act sets out some examples (known as protected disclosures):

- Criminal activity (for example, theft or fraud)
- Miscarriages of justice (for example, wrongly cancelling a parking ticket)
- Dangers to health and safety (for example, faulty protective equipment)
- Damage to the environment (for example, wrongful waste disposal)
- Breaching legal requirements
- Covering up or concealing any of the above

A person who raises a genuine concern relating to any of the above is referred to as a *whistleblower* by the Act. If you have concerns you should raise them using this policy.

Don't wait for proof. We want you to raise the matter while it is still a concern. **If in doubt, speak up.** It doesn't matter if you turn out to be mistaken as long as you are genuinely troubled.

This policy is not for people with concerns about their employment that affect only them – please see our *grievance policy*.

If your concern relates to the safety or wellbeing of a child or vulnerable adult please see our *Safeguarding Policy*.

Confidentiality and anonymity

We hope you feel comfortable raising a concern openly, but we also appreciate you may wish to raise the matter confidentially. This means that, although the person you are reporting to will know your identity we will not disclose it to anyone else unless required by law (for example, to the police). We will assume matters are being raised in confidence unless you tell us otherwise.

You can choose to raise your concern anonymously, without giving your name, but that may make it more difficult for us to investigate thoroughly, give you feedback on outcomes and give you advice and support.

We will investigate all matters raised, whether openly, confidentially or anonymously.

Who should I raise concerns with?

In most cases, we hope you will be able to raise concerns in the first instance with your line manager, formally or informally. If for any reason you don't think it is appropriate to raise with your manager, or your manager has not addressed your concerns you can use any of the options set out below.

- The Head of Audit Partnership (or member of the Audit Team)
- The Chief Executive, or any Director
- The Council's anonymous reporting line

Contact details are at page 8 of this policy

This policy aims to provide an internal route for staff to raise concerns. However, we recognise it may sometimes be appropriate to raise the matter externally and we provide a range of contact details on page 8. It will never be appropriate to alert the media. We strongly encourage you to seek advice before reporting externally, and avoid divulging confidential or personal sensitive information.

What will we do?

We are committed to listening to our staff, learning lessons and improving our services. When we receive a concern raised through this policy, it will be recorded and you will receive an acknowledgement within 2 working days. We will also note the date the concern was received, whether you have requested confidentiality, a summary of the matters raised and dates where we have provided updates or feedback.

Where we have been unable to resolve the matter quickly via your line manager, we will carry out a suitable, proportionate and independent investigation led by trained staff which will reach a conclusion within a reasonable timescale (that we will notify you of). The investigation will be objective and produce a report focussing on identifying and remedying any issues, including lessons to prevent problems recurring.

We will treat you with respect and thank you for raising concerns. We will also keep you informed on progress (while respecting the confidentiality of others) which may require your further assistance.

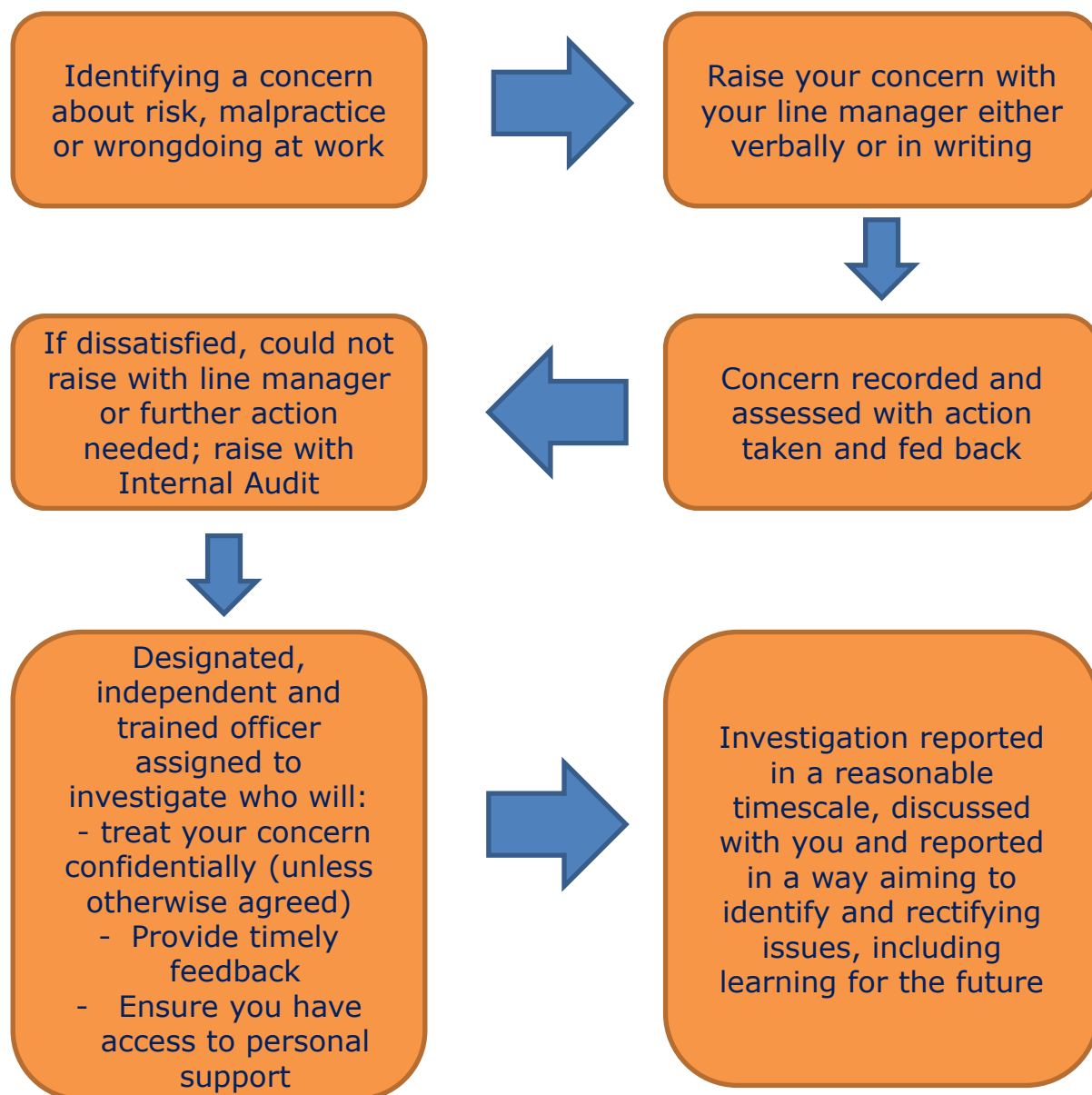
We understand that people raising concerns are sometimes worried about possible repercussions. We will not tolerate harassment or victimisation of anyone raising a concern, nor any attempt to bully you into not raising a concern. Any behaviour of this type is a breach of our values and may result in disciplinary action. If you are subject to this type of action you should report it. Providing you are acting honestly, it does not matter if you are mistaken or there is a reasonable explanation for your concerns.

If we conclude that a member of staff has made false allegations raised in bad faith (for example, maliciously or with a view to personal gain) then they may be subject to disciplinary action. Also, speaking up does not guarantee immunity for any person who raises concerns about malpractice they have been involved in.

If you are not satisfied

We cannot always guarantee you will receive the outcome you seek, but will try to deal with your concern fairly. You can help us to achieve that by using this policy. However, if you are unhappy with how your concern has been handled, please raise it with the Head of Audit Partnership or Chief Executive (contact details on page 8).

Example process for raising and escalating a concern



Contact Details

Organisation/Officer	Details
 <p>Rich Clarke Head of Audit Partnership</p>	<p>rich.clarke@midkent.gov.uk 07973 748 127</p>
 <p>Alison Broom Chief Executive</p>	<p>alisonbroom@maidstone.gov.uk 01622 602 019 (x2019)</p>
	<p>01622 602 813 (x2813) or anonymous online reporting using https://www.surveymonkey.com/r/MBCspkup</p>
	<p>PCaW are an independent charity that support and advise on whistleblowing. Whistleblowing advice line: 020 7404 6609 Email: whistle@pcaw.org.uk</p>
	<p>Non-Emergency Reporting: 101 General enquiries: contact via kent.police.uk (note you cannot report crime via email)</p>
	<p>Contact via: www.maidstonecab.org.uk (Maidstone residents only, others contact local CAB)</p>
 <p>Grant Thornton</p>	<p>Grant Thornton are our external auditors Darren Wells (Engagement Lead) Darren.j.wells@uk.gt.com 01293 554 120</p>