

Whistle Blowing Policy Arrangements for the Public

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 loss 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 etc.;

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 Whistle Blowing 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. We would rather that you raised the matter when it is just a concern rather than wait for proof. The Whistleblowing Policy is intended to encourage and enable you, as a member of the community, to be able to communicate serious concerns with the Council rather than overlooking a problem.
- 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. Aims

2.1 This policy aims to:

- encourage members of the public to feel confident in raising serious concerns;
- reassure members of the public that, if they raise any concerns in good faith and reasonably believe them to be true, i.e. "whistleblow", they will be protected from victimisation and their concerns will be taken seriously;
- provide avenues for a member of the public to raise concerns and receive appropriate feedback on any action taken;
- ensure that members of the public get an appropriate response to the concerns they have raised from the Council and, if not satisfied, show how they may take the matter further if they are dissatisfied with the response.

3. Scope

- 3.1 This document may be used by any 'member of the public', ie any individual who is not an employee of the Council. This includes suppliers, contractors, partners, consultants, service providers, Council service recipients, customers, claimants, other Local Authorities or organisations, Councillors and any members of the public.
- 3.2 It is not intended that this policy, and its associated procedures, be used to raise concerns which fall within the scope of other Council procedures where more appropriate procedures are available, for example complaints about service delivery (see the Council's Customer Services Procedure).

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 in good faith.

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. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent or unless instructed by a Tribunal or Court. 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.

Anonymous Allegations

- 4.3 This policy strongly encourages you to put your name to your allegation. Concerns expressed anonymously will be much more difficult for us to look into or to protect your position 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;
 - 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 As a first step, you should normally raise concerns with the Council's Customer Service Manager. An alternative would be to contact the Director of the service area involved. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that management of the particular service area is involved then, alternatively, the following individuals can be contacted.

- Chief Executive;
- City Treasurer;
- City Solicitor;
- Corporate Head of Personnel;
- Assistant City Treasurer (Audit and Procurement) or Internal Audit Services;
- Corporate Procurement Manager (for Contractors / Suppliers).

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

Specific contact details are described in Annex 1.

- 5.2 Concerns are better raised in writing. 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. If you do not feel able to put your concern in writing, you can telephone or meet the appropriate officer.

- 5.3 The earlier you express the concern, the easier it is to take action.
- 5.4 Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

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;
 - be referred to the Police;
 - be 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 write to you:
- acknowledging that the concern has been received;
 - indicating, in overall terms, how it proposes to deal with the matter.
- 6.5 The amount of contact between the Council officers considering the issues and you 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 accepts that you need to be assured that the matter has been properly addressed and as such, where possible, the Council will provide information in this regard.

7. How the matter can be taken further

- 7.1 This policy is intended to provide you with an avenue to raise concerns directly with the Council and to give you the reassurance you need to raise such matters in this manner.

7.2 The Council hopes you will be satisfied with the response of the Council. If you are not, or if you feel, for whatever reason, you cannot raise the matter directly with the Council then the following are possible contact points:

- the Council's External Auditor – Audit Commission (0191 460 2022);
- the Police;
- the Local Government Ombudsman (0845 602 1983);
- the Information Commissioner (01625 545 700);
- Audit Commission Public Interest Disclosure line (0845 052 2646);

The list above is not exhaustive and other possible parties to contact may be:

- your local Councillor (if you live in the area of the Council);
- relevant regulatory organisations;
- your solicitor.

We would rather you raised a matter with the appropriate regulator or outside body than not at all.

8. The Responsible Officer

8.1 The City Solicitor has overall responsibility for the maintenance and operation of the Whistle Blowing Policy. The City Solicitor will maintain a corporate register of the number and nature of the concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Chief Executive and Council, where appropriate.

8.2 The Policy will be reviewed on an annual basis to ensure the Policy remains up to date and to ensure it remains effective. The review will be carried out by the City Treasurer, the City Solicitor and the Corporate Head of Personnel.

**Whistle Blowing Policy
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Contact Details (Council)

Contact	Details
Council	
Customer Service Manager	Tel no: 0191 553 1065 E-mail: customer.services@sunderland.gov.uk Address: Civic Centre, Burdon Road, Sunderland SR2 7DN
Assistant City Treasurer (Audit and Procurement)	Tel no: 0191 5532636 Address: 2 The Esplanade, Sunderland, Tyne and Wear, SR2 7BQ Web site: www.sunderland.gov.uk
Internal Audit Services	Tel no: 0191 5532684 E-mail: internal.audit@sunderland.gov.uk Address: 2 The Esplanade, Sunderland Tyne and Wear, SR2 7BQ Web site: www.sunderland.gov.uk
Chief Executive	Tel no: 0191 5531112
City Treasurer	Tel no: 0191 5531802
City Solicitor	Tel no: 0191 5531001
Corporate Head of Personnel	Tel no: 0191 5531722
Corporate Procurement Manager	Tel no: 0191 5531770
	Address: City of Sunderland Civic Centre, Burdon Road, Sunderland, Tyne and Wear SR2 7DN Web site: www.sunderland.gov.uk

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Contact Details (External)

Contact	Details
External to Council	
External Auditor	<p>Tel no: 0191 460 2022</p> <p>Address : Audit Commission (Northern Office) Nickalls House Metro Centre Gateshead Tyne and Wear NE11 9NH</p>
Audit Commission	<p>Tel no: Public Interest Disclosure line: 0845 052 2646 Head Office: 020 7828 1212</p> <p>Address: Chief Executive Audit Commission 1st Floor, Millbank Tower, Millbank, London, SW1P 4HQ Web site: www.audit-commission.gov.uk</p>
Police	Local Police Station (Yellow pages)
Local Councillors	Web site: www.sunderland.gov.uk