



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

AUDIT COMMITTEE

21 September 2021

**Report of the Director of Legal & Democratic Services and Assistant
Director of Finance (Audit)**

WHISTLEBLOWING POLICY

1. Purpose

- 1.1 To consider the draft Whistleblowing Policy and refer it to Cabinet for formal approval.

2. Information and Analysis

- 2.1 'Whistleblowing' means the confidential reporting by an individual of any concerns relating to a perceived wrongdoing involving any aspect of the Council's work or those who work for the Council. This includes reporting of suspected wrongdoing, malpractice or illegality within the Council.
- 2.2 The Council currently has in place the Confidential Reporting Code which was approved in November 2016. It has been reviewed to ensure that it is up to date and fit for purpose. When conducting the review, the Guidance for Employers and Code of Practice issued by the Department for Business Innovation & Skills has been taken into account. The guidance makes it clear there is no one-size-fits-all whistleblowing policy, however provides some tips about what a policy should include. It recognises policies will vary depending on the size

and nature of the organisation, but should be clear, simple and easily understood.

- 2.3 In light of the guidance, the Confidential Reporting Code has been renamed Whistleblowing Policy as it is considered the purpose of the document will be more clearly understood. The document has also been re-drafted so that it is easier to read.
- 2.4 The draft Policy sets out how the Council will handle and respond to any whistleblowing allegations and seeks to:
 - a) encourage employees and members of the public and/or their representatives to feel confident in raising concerns or allegations in the public interest about suspected serious wrongdoing in the Council and its services without fear of reprisals or victimisation even where the concern or allegations are not subsequently confirmed by the investigation;
 - b) give a clear message that allegations of serious wrongdoing or impropriety are taken seriously;
 - c) ensure that where the disclosure proves to be well founded, the individuals responsible for such serious wrongdoing will be held accountable for their actions;
 - d) set out what employees and members of the public can expect by way of confidentiality and protection when making a whistleblowing disclosure; and
 - e) identify independent support for employees who wish to make a whistleblowing disclosure.
- 2.5 It is proposed that Audit Committee considers the draft Policy, makes comments and refers it to Cabinet for formal approval.
- 2.6 Once the Policy is approved, the Council will ensure it is publicised via the intranet and the employee newsletter and training is provided. It will also be published on the internet. This will ensure that individuals are aware of the policy and how to make a disclosure.
- 2.7 Once the Policy is approved, it will be necessary to remove references to the Confidential Reporting Code and replace with Whistleblowing Policy in the Constitution, specifically the Code of Conduct for Officer, Financial Regulations and role and function of the Governance, Ethics and Standards Committee. This will be addressed through reports to Governance, Ethics and Standards Committee and Council.

3. Alternative Options Considered

3.1 Audit Committee could choose not to consider the draft Policy.

4. Implications

4.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

5. Consultation

5.1 Cabinet will formally approve the Whistleblowing Policy, however it is presented to Audit Committee for comment in recognition of the Committee's role in providing independent assurance on the Council's arrangements for governance, risk management and internal control. Governance, Ethics and Standards Committee will also be given the opportunity to comment on the draft Policy as the Committee is responsible for the overview of the Confidential Reporting Code.

6. Background Papers

6.1 Department for Business, Innovation & Skills Whistleblowing Guidance for Employers and Code of Practice

7. Appendices

7.1 Appendix 1 – Implications

7.2 Appendix 2 – Current Confidential Reporting Code

7.3 Appendix 3 – draft Whistleblowing Policy

8. Recommendation

That Committee provides comment on the draft Whistleblowing Policy at Appendix 3 and refers it to Cabinet for formal approval.

9. Reasons for Recommendation(s)

9.1 To ensure that Audit Committee is given the opportunity to comment on the draft Whistleblowing Policy prior to formal approval by Cabinet.

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Implications

Financial

1.1 None directly arising from this report.

Legal

2.1 The law relating to whistleblowing is set out in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

2.2 The legislation does not require the Council to have a whistleblowing policy in place, however the existence of a whistleblowing policy shows the Council's commitment to listen to the concerns of employees and how it will respond to those concerns.

Human Resources

3.1 As set out in the legal implications section.

Information Technology

4.1 None directly arising from this report.

Equalities Impact

5.1 The Whistleblowing Policy is aimed at ensuring the highest standard of ethical and honest behaviour. It is intended to give confidence to those who wish to raise an allegation of wrongdoing and should not disadvantage any individual that has one or more protected characteristics. An Equality Impact Assessment will be prepared for consideration by Cabinet in due course.

Corporate objectives and priorities for change

6.1 None directly arising from this report.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 Having a robust Whistleblowing Policy in place that encourages employees to report wrongdoing is an important way to manage risks to the Council.

WHISTLEBLOWING

THE CONFIDENTIAL REPORTING CODE



Version history			
Version	Date	Detail	Author
1.00	02/11/2015	Revised the code	Liz Wild

Derbyshire County Council

Confidential Reporting Code

1 Introduction

- 1.1** Confidential reporting is the disclosure or communication of information about possible malpractice by individuals or organisations. Disclosure can be either internal within the organisation or external to an outside authority.
- 1.2** This confidential reporting code is intended to enable individuals or organizations to disclose information about malpractice internally and to provide them with protection from subsequent victimisation, discrimination or disadvantage. This will assist in detecting and deterring malpractice and, by demonstrating the Council's accountability, maintain public confidence and the Council's good reputation.

2 Purpose

- 2.1** Employees are often the first to realise that there may be evidence of malpractice within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation.
- 2.2** In line with the Council's commitment to high standards of openness, integrity and accountability, the Council expects employees who have a reasonable belief that malpractice is taking place within the Council to come forward and voice those concerns internally. This may be an awareness of suspected irregularity, wrongdoing or a failure of standards. This code provides the means for employees to make such disclosures.
- 2.3** An employee's concerns about malpractice may include a reasonable belief that one or more of the following has occurred or is likely to occur:
- Conduct which is an offence or a breach of law,
 - Miscarriages of justice,
 - Health and safety risks, including risks to the public as well as other employees,
 - Damage to the environment,
 - The unauthorised use of public funds,
 - Fraud and corruption,
 - Sexual or physical abuse of clients,
 - Other unethical conduct.

- 2.4** Under this code employees should make disclosures about possible malpractice with:
- a) Their line manager
 - b) Where (a) is inappropriate, their Strategic Director, Director or senior manager in their department.
 - c) Where (a) and (b) are inappropriate, you should approach the Director of Legal Services, or,
 - d) if the concern is regarding financial irregularities or fraud then you should contact the Assistant Director of Finance (Audit).

It is recognised that most cases will have to proceed on a confidential basis.

- 2.5** It is in the interests of all parties that disclosures are dealt with properly, quickly and discreetly. The overriding consideration for the Council and the employee is that it would be in the public interest for any malpractice found to be corrected and, where appropriate, sanctions applied.
- 2.6** The code provides employees with a procedure to make disclosures of suspected irregularity or wrongdoing without fear of adverse treatment as a result. The Council will not tolerate any harassment or victimisation of employees making disclosures (including informal pressures) and will take action to protect employees when they make a disclosure that they reasonably believe is in the public interest.
- 2.7** The code addresses major concerns that fall outside the scope of other procedures and where the interests of others or of the Council are at risk. It has been developed within the following legislative and policy framework:
- It takes into account the requirements of the Public Interest Disclosure Act 1998.
 - It is complementary to the Council's Code of Conduct which makes clear the standards of propriety and good practice expected of employees.
 - It is complementary to the Council's Discipline, Grievance and Harassment Procedures. Together they form a framework which allows employees to be disciplined, to seek personal redress, to raise personal complaint and to disclose malpractice where appropriate.
 - The code is in addition to the Council's complaints procedures and other reporting procedures applying to some departments, for example child protection procedures.

3 Scope

- 3.1** This code applies to all employees, including those employees within the Children's Services Department for whom the Local Education Authority is the relevant body but excluding teachers. It is also applicable to:

- a) contractors working for the Council on Council premises, for example, agency staff, builders, drivers.
- b) suppliers and those providing services under a contract with the Council in their own premises, for example care homes.

4 Procedure for Making A Disclosure

4.1 Introduction

4.1.1 This code provides you with a procedure for making disclosures internally about suspected wrongdoing, irregularity or a failure of standards within the Council. Its aims are:

1. To encourage you to feel confident in raising serious concerns and to question and act upon concerns about possible malpractice within the Council.
2. To provide a means for you to disclose those concerns and receive feedback on any action taken.
3. To ensure that you receive a response to your concerns and that you are aware of how to pursue them further if you are not satisfied.
4. To reassure you that you will be protected from possible reprisals or victimisation and from subsequent discrimination or disadvantage.

4.1.2 Any serious concerns that you have about an aspect of service provision or the conduct of officers or Members of the Council or others acting on behalf of the Council can be reported under this code. This may be about something that:

- a) makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Council subscribes to.
- b) is against the Council's Standing Orders and policies.
- c) falls below established standards of practice.
- d) amounts to improper conduct.

Examples of these are given in paragraph 2.3.

4.2 Confidentiality

4.2.1 All disclosures will be treated in confidence and wherever possible, every effort will be made not to reveal your identity. However, you may need to come forward as a witness and you will be given every support from management at that time.

4.3 Anonymous Disclosures

4.3.1 You should put your name to your disclosure whenever possible. Disclosures made anonymously will still be considered at the discretion of the Council.

However, it is helpful to have your name in case further information is required.

4.3.2 In exercising its discretion, the Council will take into account the:

- a) seriousness of the issues raised.
- b) credibility of the disclosure.
- c) likelihood of confirming what is alleged from attributable sources.

4.4 Untrue Disclosures

4.4.1 If you make a disclosure that you reasonably believe is in the public interest, but it is not confirmed by the investigation, no action will be taken against you. If however, your allegation is frivolous, malicious or for personal gain, you may be subject to disciplinary action.

4.5 Employee Action

4.5.1 As a first step, you should normally raise your concerns with your immediate line manager. If you believe your line manager is involved, you should approach your Strategic Director or another senior manager in your department. This depends however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. If you believe that senior management is involved, you should approach the Director of Legal Services, or, if the concern is regarding financial irregularities or fraud then you should contact the Assistant Director of Finance (Audit).

4.5.2 You may raise your concern either verbally or in writing. The earlier you express the concern, the easier it is to take action. You should provide:

- a) details of your concerns, including the nature, dates and location of any relevant incidents.
- b) reasons why you feel concerned about the situation.

4.5.3 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

4.5.4 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns. You may also discuss your concerns with your trade union representative.

4.5.5 You may invite your trade union or other representative to be present during any meetings or interviews in connection with the concerns you have raised.

4.5.6 The amount of contact between you and the officer considering the issues will depend on the nature of the matters raised, the potential difficulties

involved and the clarity of the information provided. If necessary, the Council will seek further information from you.

4.6 Action Taken by the Council

4.6.1 The Council will respond to your disclosure. Where appropriate, the matters raised may be:

- a) investigated by management, by Audit Services, or through the disciplinary process.
- b) referred to the Police.
- c) referred to the external auditor.
- d) the subject of an independent inquiry.

4.6.2 In order to protect individuals and those accused of possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The over-riding principle the Council will have in mind is the public interest. Disclosures for which there are other specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

4.6.3 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

4.6.4 Within 10 working days of a concern being raised, you will receive a response:

- a) acknowledging that the concern has been received.
- b) telling you what initial enquiries have been made.
- c) indicating how the matter is going to be dealt with.
- d) giving an estimate of how long it will take to provide a final response.
- e) supplying you with information on staff support mechanisms.
- f) telling you why if there is to be no further investigation.

4.6.5 The Council will take steps to minimise any difficulties you may experience as a result of making a disclosure. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Council will arrange for you to receive advice about the procedure.

4.6.6 You will need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will be informed of the outcomes of any investigation.

4.6.7 The Director of Legal Services has overall responsibility for the maintenance and operation of this code. A record of disclosures made and the outcomes is maintained (but in a form which does not endanger your confidentiality) and reports will be made as necessary to the Council.

4.7 How the Matter Can Be Taken Further

4.7.1 This code is intended to provide you with a route within the Council to make disclosures of malpractice. The Council hopes you will be satisfied with any action taken. If you are not, and you believe the information you have disclosed is substantially true, possible contact points are:

- Public Concern At Work
- The external auditor
- Your trade union
- Your local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- A relevant voluntary organisation
- The Police

4.7.2 If you do take the matter outside the Council, you should ensure that you do not disclose confidential information. Check with the officer dealing with your disclosure within the Council before divulging any information.

4.7.3 General advice and guidance on how matters of concern may be pursued can be obtained from the:

- a) Chief Executive,
- b) Director of Legal Services,
- c) Assistant Director of Finance (Audit).

John McElvaney
Director of Legal Services
Corporate Resources Department

November 2016

Whistleblowing Policy

1. Introduction

1.1 Derbyshire County Council is committed to the highest possible standards of honesty, openness and accountability and will not tolerate wrongdoing, malpractice or illegality in the workplace.

1.2 The Council's Whistleblowing Policy is a vital element of our governance arrangements and is designed to allow those employed by the Council, members of the public or organisations to come forward and disclose serious allegations of wrongdoing, malpractice or illegality involving the actions of the Council's employees, its Councillors, contractors or any aspect of the Council's activities. The Council is committed to treat all disclosures fairly and consistently.

1.3 It is intended that this Whistleblowing Policy enables individuals or organisations to disclose information about wrongdoing, malpractice or illegality internally and to provide them with protection from subsequent victimisation, discrimination or disadvantage. This will assist in detecting and deterring malpractice and, by demonstrating the Council's accountability, maintain public confidence and the Council's good reputation.

1.4 This Whistleblowing Policy should be read in conjunction with the Anti-Fraud Anti-Corruption Strategy and Fraud Response Plan.

2. Aim of the Policy

2.1 The aims of this Policy are to:

- create a culture of zero tolerance toward fraud and corruption and deter wrongdoing;
- encourage employees and others with serious concerns about any aspect of the Council's work to feel confident to come forward and voice those concerns within the Council rather than ignoring a problem or 'blowing the whistle' outside;
- ensure concerns are raised at an early stage and in the right way ensuring that critical information gets to the people who need to know and who are able to take action so that the matter can be properly investigated;

- provide reassurance to those who raise concerns in the public interest and not maliciously or for personal gain, that they can do so without fear of reprisals or victimisation or disciplinary action, regardless of whether these are subsequently proven;
- ensure that a response is received when concerns are raised, and it is clear how to pursue the matter if not satisfied with the response.

3. Scope of the Policy

3.1 The Whistleblowing Policy seeks to cover all disclosures and allegations made by employees of Derbyshire County Council, including temporary and agency staff. For those employed in maintained schools, the school must have whistleblowing procedures in place and a model Whistleblowing Policy is available which can be adopted by governing boards of Derbyshire schools. The Secretary of State for Education is the prescribed person for matters relating to education for individuals who wish to raise concerns but not direct with their employer. This Policy also extends to any other individual who wants to raise an allegation of wrongdoing, malpractice or illegality. This could include consultants, contractors, sub-contractors who are engaged in work for the Council, volunteers, Councillors, anyone who uses the Council's services or a member of the public.

3.2 The Whistleblowing Policy is not intended to replace existing procedures and it should not be used where other more appropriate reporting procedures are available.

- a) If the concern relates to treatment as an employee, it should be raised under the existing Grievance or Harassment procedures;
- b) If the concern is about services provided, it should be raised under the Complaints Procedure;
- c) If the concern is regarding the behaviour of a County Councillor, it should be raised under the Code of Conduct complaints process.

4. What is Whistleblowing?

4.1 In this policy 'whistleblowing' means the confidential reporting by an individual of any concerns relating to a perceived wrongdoing involving any aspect of the Council's work or those who work for the Council. This includes reporting of suspected wrongdoing, malpractice or illegality within the Council.

4.2 The Public Interest Disclosure Act 1998 (PIDA 1998), known as the whistleblowing law is designed to encourage and enable employees to "speak out" and to report suspected wrongdoing at work. This is commonly known as "blowing the whistle". The PIDA protects employees (including those employed in schools maintained by the Council, temporary workers and

agency staff), from any detriment from their employer or colleagues that arises as a result of making a “protected disclosure” (a qualifying disclosure) in the public interest. This includes protection from harassment, victimisation or dismissal by their employer.

4.3 A qualifying disclosure means any disclosure which in the reasonable belief of the employee shows the following:

- that a criminal offence has been committed, is being committed or is likely to be committed;
- that a person has failed, is failing or likely to fail to comply with a legal obligation to which he/she is subject;
- that a miscarriage of justice has occurred, is occurring or likely to occur;
- that the health and safety of an individual has been, is being or is likely to be endangered;
- that the environment has been, is being or is likely to be damaged;
- that any of the above matters are being or likely to be deliberately concealed.

4.4 Personal grievances are not covered by this Policy and instead should be dealt with under the Council’s Grievance Procedure.

5. Whistleblowing by Employees

5.1 Who should concerns be raised with?

All employees should ensure that they remain aware of this Whistleblowing Policy and use it where they have concerns about wrongdoing, malpractice or illegality internally.

Under this Policy employees should raise their concerns with:

- a) their line manager;
- b) where this is inappropriate, (e.g. because it is believed the line manager is involved) their Executive Director, Director or other senior manager;
- c) where (a) and (b) are inappropriate (e.g. Members or it is believed senior management are involved), the Monitoring Officer; or
- d) if the concern is regarding financial irregularities or fraud, the Assistant Director of Finance (Audit).

5.2 Protection for Employees

5.2.1 Under the PIDA 1998, employees are protected when they make a qualifying disclosure. This applies where the employee:

- makes the disclosure in good faith;

- reasonably believes that the disclosure they are making is in the public interest; and
- reasonably believes that the information detailed and any allegation in it are substantially true.

5.2.2 The PIDA 1998 makes it unlawful for the Council to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

5.2.3 The Council recognises that the decision to report a concern can be a difficult one to make. If an employee honestly and reasonably believes what they are saying is true, they should have nothing to fear because they will be doing their duty to their employer, their colleagues and those for whom they are providing a service.

5.2.4 The Council will not tolerate any harassment or victimisation of a whistleblower (including informal pressures) and will take appropriate action to protect an employee when they raise a concern in good faith. Any harassment or victimisation of a whistleblower will be treated as a serious disciplinary offence which will be dealt with under the Disciplinary Procedure.

5.3. Support to Employees

5.3.1 An employee may wish to consider discussing their concerns confidentially with a colleague first and may find it easier to raise the matter if there are two (or more) employees who have had the same experience or concerns.

5.3.2 An employee may discuss their concerns confidentially with their trade union representative. They may also invite their trade union or other representative to be present during any meetings or interviews in connection with the concerns they have raised.

5.3.3 Any employee making a qualifying disclosure under this Policy:

- will be given full support from senior management, and
- the Council will do all it can to help them throughout the investigation. This may include consideration of temporary redeployment for the period of the investigation, if appropriate.

5.3.4 Any employee thinking about raising a concern can refer to the guidance from the Government or Acas for further information and obtain confidential advice from Protect (formerly Public Concern at Work).

6. Whistleblowing by Contractors, service users, members of the public etc.

6.1 Who should concerns be raised with?

Under this Policy consultants, contractors, sub-contractors who are engaged in work for the Council, volunteers, Councillors, anyone who uses the Council's services or a member of the public can still contact the Council to report any concerns or disclosures of wrongdoing. They should raise concerns with:

- a) the Monitoring Officer; or
- b) if the concern is regarding financial irregularities or fraud, the Assistant Director of Finance (Audit).

6.2 Protection and Support

The protection under the PIDA 1998 does not extend to disclosures made by those who are not County Council employees. For those who are not County Council employees, the Council will endeavour to provide appropriate advice and support wherever possible.

7. How to raise a concern

7.1 Concerns may be raised verbally or in writing, although it is better if it is provided in writing and an online form is available. The earlier a concern is raised, the easier it will be for the Council to take action. Any person reporting a concern should provide as much information as possible, including:

- their name and contact details;
- who the concerns relate to;
- full details on the nature of the alleged wrongdoing and why it is believed to be true; and
- evidence in support (including copies of any documents, dates and information relating to relevant events).

7.2 It is not expected that the individual proves their suspicions beyond doubt, however they will need to demonstrate that they have a genuine concern relating to suspected wrongdoing or malpractice within the Council and there are reasonable grounds for that concern.

8. Confidentiality

8.1 All concerns will be treated in confidence and every effort will be made not to reveal identity of the individual raising concerns, if that is their wish. However, it is recognised that if disciplinary or other proceedings follow the investigation, it may not be possible to take action without the individual who has raised concerns coming forward as a witness.

9. Anonymous Allegations

9.1 The Council recognises that there may be circumstances where individuals are worried about being identified when they report concerns, particularly where they are an employee. However, this Policy encourages individuals to put their name to an allegation wherever possible as we believe that open or confidential whistleblowing is the best means of addressing the concerns and protecting individuals. Where an individual does not provide their name, it will be much more difficult for the Council to support and protect their position or to give them feedback. It will also be more difficult for the individual to qualify for protection under the PIDA 1998. This is because there would be no documentary evidence linking them to the disclosure for the Employment Tribunal to consider.

9.2 In addition concerns expressed anonymously are more difficult to investigate, and harder to substantiate. Anonymous allegations will be considered at the discretion of the Monitoring Officer in conjunction with the Assistant Director of Finance (Audit) taking into account the following factors:

- the seriousness of the issues raised;
- the credibility of the concern;
- the same or similar concerns being received; and
- the likelihood of confirming the allegations from other credible sources.

9.3 Where anonymous allegations are investigated, the individual may seek feedback through a telephone appointment or by using an anonymised email address. A reference will be provided to the individual reporting concerns to ensure safeguards are in place to ensure feedback is given to them and not a third party.

10. Untrue Allegations

10.1 If an allegation is made which is frivolous, vexatious, malicious or for personal gain, the Council may take appropriate action that could include disciplinary action.

11. How the Council will respond

11.1 The Council will endeavour to respond to concerns raised as quickly as possible. If a name and contact details have been provided, the person with whom the concerns are raised will formally acknowledge receipt within 5 working days of the concerns being received.

11.2 In order to be fair to all employees, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The over-riding principle for the Council will be the public interest.

11.3 Where appropriate, the concerns raised may be:

- investigated by management, by Audit Services, or through the disciplinary process;
- referred to the Police;
- referred to the external auditor;
- the subject of an independent inquiry;
- resolved by agreed action without the need for investigation; or
- deemed not to be sufficient to warrant an investigation.

11.4 Disclosures for which there are other specific procedures (for example, child protection, safeguarding or discrimination issues) will normally be referred for consideration under those procedures.

11.5 If a name and contact details have been provided, the person with whom the concerns are raised will within 10 working days of a concern being received, confirm in writing:

- what initial enquiries have been made;
- how the matter is going to be dealt with;
- an estimate of how long it will take to provide a final response;
- employee support mechanisms (where appropriate);
- why there is to be no further investigation, if appropriate.

11.6 It is recognised that the individual who raised concerns will need to be assured that the matter has been properly addressed. Therefore, subject to legal and data protection constraints, they will be informed of the outcome of any investigation.

12. How the Matter Can Be Taken Further

12.1 This Policy is intended to provide an avenue within the Council to raise concerns. The Council hopes any individuals who raise concerns will be satisfied with any action taken. If they are not, and they feel it is right to take the matter outside the Council, the following may be contacted:

- the Council's External Auditor;
- the trade union;
- the police;
- the Local Government and Social Care Ombudsman;
- the independent charity Protect (formerly Public Concern at Work);
- other relevant bodies prescribed by legislation.

12.2 If concerns are raised outside the Council it should be to one of these prescribed contacts. A public disclosure to anyone else could take an individual outside the protection of the PIDA 1998 and of this Policy.

12.3 Information that is confidential to the Council or to anyone else, such as a client or contractor of the Council, should only be shared with those included in the above list of prescribed contacts.

12.4 This Policy does not prevent an individual from taking their own independent legal advice.

13. The Responsible Officer

13.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this Policy.

14. Corporate Recording and Monitoring

14.1 The Monitoring Officer will maintain a corporate register containing all concerns that are brought to his/her attention. All officers to whom concerns are raised under this Policy must notify the Monitoring Officer and provide sufficient details for the corporate register.

14.2 The Monitoring Officer will review the corporate register and produce an annual report for the Governance, Ethics and Standards Committee which is responsible for the overview of this Policy.