



**Wednesday,  
10 July 2024  
1.00 pm**

**Meeting of  
Governance and  
Constitution Committee  
Sadler Road  
Winsford  
CW7 2FQ**

Contact Officer:  
Emilie Salkeld  
Democratic Services

Cheshire Fire and Rescue Service Headquarters, Sadler Road, Winsford, Cheshire, CW7 2FQ

Tel: 01606 868304  
E-mail: [emilie.salkeld@cheshirefire.gov.uk](mailto:emilie.salkeld@cheshirefire.gov.uk)

# **Cheshire Fire Authority**

## **Notes for Members of the Public**

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### **Attendance at Meetings**

The Cheshire Fire Authority welcomes and encourages members of the public to be at its meetings and Committees. You are requested to remain quiet whilst the meeting is taking place and to enter and leave the meeting room as quickly and quietly as possible.

All meetings of the Authority are held at the Training Centre, Sadler Road, Winsford. If you plan to attend please report first to the Reception Desk where you will be asked to sign in and will be given a visitors pass. You should return your pass to the Reception Desk when you leave the building. There are some car parking spaces available on site for visitors at the front of the building. Please do not park in spaces reserved for Fire Service personnel.

If you feel there might be particular problems with access to the building or car parking please contact the Reception Desk at Sadler Road Winsford Tel (01606) 868700.

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### **Access to Information**

Copies of the Agenda will be available at the meeting. A copy can also be obtained from the contact officer named on the front of the Agenda. Alternatively, the Agenda and individual reports are available on the Authority's website ([www.cheshirefire.gov.uk](http://www.cheshirefire.gov.uk))

The Agenda is usually divided into two parts. Most business is dealt with in the first part which is open to the public. On some occasions some business may need to be considered in the second part of the agenda, in private session. There are limited reasons which allow this to take place, e.g. as confidential information is being considered about an individual, or commercial information is being discussed.

**This agenda is available in large print, Braille, audio CD or in community languages upon request by contacting; Telephone: 01606868414 or email: [equalities@cheshirefire.gov.uk](mailto:equalities@cheshirefire.gov.uk)**

### **Recording of Meetings**

The Authority audio records its meetings. Please contact Democratic Services for a copy of the recording via [DemocraticServices@cheshirefire.gov.uk](mailto:DemocraticServices@cheshirefire.gov.uk). The recordings are not kept indefinitely.

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### **Fire Evacuation**

If the Fire Alarm sounds you should make your way to the nearest exit as quickly as possible and leave the building. Please follow any instructions from staff about evacuation routes.



## **MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE WEDNESDAY, 10 JULY 2024**

**Time : 1.00 pm**

**Lecture Theatre - Fire Service Headquarters, Sadler Road, Winsford,  
Cheshire CW7 2FQ**

### **AGENDA**

#### **Part 1 - Business to be discussed in public**

##### **1 PROCEDURAL MATTERS**

###### **1A Recording of Meeting**

Members are reminded that this meeting will be audio-recorded.

###### **1B Apologies for Absence**

###### **1C Declarations of Members' Interests**

Members are reminded to disclose any interests that are relevant to any item on the Agenda.

###### **1D Minutes of the Governance and Constitution Committee**

(Pages 5 - 8)

To confirm as a correct record the Minutes of the meeting of the Governance and Constitution Committee held on Wednesday 17<sup>th</sup> April 2024.

###### **1E Appointment of Members of the Audit Committee for 2024-25**

The Audit Committee is comprised of four elected Members and an independent audit committee member. The four elected Members are drawn from and appointed by the Governance and Constitution Committee.

To be politically proportionate the Labour Group needs to have the majority of seats on the Audit Committee. Therefore, the Audit Committee should be made up of three Labour Members, one Conservative Member and the independent audit committee member.

#### **Recommended That:**

**[1] Members confirm the three Labour Members and one Conservative Member who will sit on the Audit Committee for 2024-25; and**

**[2] The Labour Members indicate who will Chair the Audit Committee for 2024-25.**

## **ITEMS REQUIRING DISCUSSION / DECISION**

<b>2</b>	<b>Dispensation</b>	<b>(Pages 9 - 12)</b>
<b>3</b>	<b>Summary of Member Attendance 2023-24 Municipal Year</b>	<b>(Pages 13 - 18)</b>
<b>4</b>	<b>Compliments and Complaints Annual Report 2023-24</b>	<b>(Pages 19 - 32)</b>
<b>5</b>	<b>Whistleblowing Annual Report 2023-24</b>	<b>(Pages 33 - 38)</b>
<b>6</b>	<b>Whistleblowing Policy and Procedure</b>	<b>(Pages 39 - 54)</b>



**MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 17 April 2024 at Lecture Theatre - Fire Service Headquarters, Sadler Road, Winsford, Cheshire CW7 2FQ at 10.00 am**

**PRESENT:** Councillors Rob Polhill (Chair), Brian Gallagher, Peter Walker, Peter Wheeler and independent (non-elected) member Derek Barnett

**1 PROCEDURAL MATTERS**

**A Recording of Meeting**

Members were reminded that the meeting would be audio-recorded.

**B Apologies for Absence**

Apologies for absence were received from Councillor Sherin Akhtar, Rachel Bailey and David Brown.

**C Declarations of Members' Interests**

There were no declarations of Members' interests.

**D Minutes of the Governance and Constitution Committee**

**RESOLVED:**

**That the minutes of the Governance and Constitution Committee held on Wednesday 8<sup>th</sup> November 2023 be confirmed as a correct record.**

**2 DRAFT STATEMENT OF ASSURANCE 2023-24**

The Director of Governance introduced the report which provided Members with an opportunity to review the draft Statement of Assurance for 2023-24. He explained that the document was produced annually as one of the requirements of the Fire and Rescue National Framework for England. It was noted that some information needed to be added once it had been finalised, e.g. the auditors' opinions.

**RECOMMENDED: That**

**[1] the draft Statement of Assurance be approved by the Fire Authority.**

**3 REVIEW OF MEMBER CHAMPION ARRANGEMENTS**

The Director of Governance introduced the report which allowed Members to consider the Member Champions arrangements and make a recommendation to the Fire Authority. It was noted that progress had been made since the last time the

Member Champions arrangements had been considered. However, some roles still needed further work.

A Member commented that they found the information provided at the Member Planning Day on Member Champion activity to be useful. It was hoped that the reporting could be standardised across the roles.

**RECOMMENDED: That**

**[1] the Fire Authority continue with the existing arrangements for the Member Champions in 2024-25 with a view to further develop some roles.**

**4 FIRE AUTHORITY CONSTITUTION - REVIEW (PART THREE)**

The Director of Governance introduced the report which enabled Members to consider changes to the Fire Authority's Constitution for recommendation to the Fire Authority. The report considered Section 4, Procedural Matters and Section 11, Scheme of Delegation (Powers of Officers).

He highlighted Appendix 1 which contained the revised version of the Procedural Matters section. The revisions included clarification of some areas and updates to allow actions by electronic means. Significant changes were highlighted in yellow.

Members were also drawn to Appendix 2 which contained the revised version of the Scheme of Delegation. The changes included the realignment of some responsibilities and the combination of some activities which now sat with the full time Treasurer position. The Director of Governance advised that officers would be observing the progression of the White Paper on Fire Reform to determine whether further changes would be needed, e.g. to the responsibilities of the Fire Authority given the debate about the Chief Fire Officer operational independence.

Members noted that transparency between both appendices and thanked officers for their clarity.

**RECOMMENDED: That**

**[1] Sections 4 and 11 of the Constitution, as appended to the report, be approved by the Fire Authority at its meeting on Wednesday 26<sup>th</sup> June 2024 (along with the rest of the Constitution).**

**5 FINANCIAL REGULATIONS**

The Treasurer introduced the report which notified Members that the Financial Regulations had been reviewed by officers. He advised that there were no changes to the document attached as Appendix 1 to the report.

**RECOMMENDED: That**

- [1] the Financial Regulations be adopted by the Fire Authority at its meeting on Wednesday 26<sup>th</sup> June 2024 (along with the rest of the Constitution).**

**6 ANNUAL REVIEW OF MEMBERS' CODE OF CONDUCT**

The Director of Governance introduced the report which allowed Members to consider whether there should be any changes to the Members' Code of Conduct (the Code). He advised there had been no updates to the national code produced by the Local Government Association. Therefore, he did not propose any changes to the Code.

**RECOMMENDED: That**

- [1] the Members' Code of Conduct be approved by the Fire Authority at its meeting on Wednesday 26<sup>th</sup> June 2024 (along with the rest of the Constitution).**

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 10<sup>th</sup> JULY 2024  
**REPORT OF:** DIRECTOR OF GOVERNANCE  
**AUTHOR:** ANDREW LEADBETTER

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**SUBJECT:** DISPENSATION

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### Purpose of the Report

1. To ask Members to extend the benefit of the existing dispensation to new Members of the Fire Authority to allow them to take part in debates and votes upon the approval of the Members' Allowances Scheme (and any changes and/or additions to it).

### Recommended that:

- [1] The dispensation granted to Fire Authority Members on 30<sup>th</sup> January 2024 be extended to benefit the new Members of the Fire Authority that have requested it, thereby allowing them to take part in the debates and votes on the approval of the Members' Allowances Scheme (and any changes and/or additions to it).

### Background

2. The dispensation was granted by the Governance and Constitution Committee on 30<sup>th</sup> January 2024 to all Members of the Fire Authority. The dispensation relates to the approval of the Members' Allowances Scheme (and any changes and/or additions to it) and is effective until January 2028.

### Information

3. In considering whether to grant a dispensation Members are required to consider the provisions in Section 33 of the Localism Act 2011 (the Act). A copy of the section is attached as Appendix 1 to this report.
4. Section 33(1) states that there must be a written request from a Member to the proper officer (taken to be the Monitoring Officer). The names of the new Members that have confirmed that they wish to take advantage of the dispensation will be confirmed at the meeting.
5. Section 33(2) states that a dispensation can only be granted by an Authority if, after having had regard to all relevant circumstances, it is satisfied that one of the reasons described is applicable. Members previously accepted that they were satisfied that at least one of the

reasons listed applies to the Members' Allowances Scheme when granting the dispensation.

### **Financial Implications**

6. There are no financial implications arising from this report.

### **Legal Implications**

7. The legal implications are covered in the body of the report.

### **Equality and Diversity and Environmental Implications**

8. There are no equality and diversity or environmental implications arising from this report.

**CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD**

**TEL [01606] 868804**

**BACKGROUND PAPERS: NONE**

SECTION 33 OF THE LOCALISM ACT 2011

33 Dispensations from section 31(4)

- (1) A relevant authority may, on a written request made to the proper officer of the authority by a member or co-opted member of the authority, grant a dispensation relieving the member or co-opted member from either or both of the restrictions in section 31(4) in cases described in the dispensation.
- (2) A relevant authority may grant a dispensation under this section only if, after having had regard to all relevant circumstances, the authority—
  - (a) considers that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,
  - (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
  - (c) considers that granting the dispensation is in the interests of persons living in the authority's area,
  - (d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by section 31(4) from participating in any business to be transacted by the authority's executive, or
  - (e) considers that it is otherwise appropriate to grant a dispensation.
- (3) A dispensation under this section must specify the period for which it has effect, and the period specified may not exceed four years.
- (4) Section 31(4) does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under this section.

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 10<sup>th</sup> JULY 2024  
**REPORT OF:** DIRECTOR OF GOVERNANCE  
**AUTHOR:** ANDREW LEADBETTER

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**SUBJECT:** SUMMARY OF MEMBER ATTENDANCE  
2023-24 MUNICIPAL YEAR

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### Purpose of Report

1. To provide information about Member attendance for the 2023-24 Municipal Year.

### Recommended: That Members

- [1] Consider the information about Member attendance for the 2023-2024 Municipal Year in order to determine whether any action is necessary.

### Background

2. This Committee has the following responsibility: 'Monitors Member attendance and recommends action to the Fire Authority'.
3. Members previously agreed guidelines relating to Member attendance. They determined that an acceptable level of attendance was considered to be 70% or more in, respect of the Authority and its main committees, e.g., Governance and Constitution Committee and Performance and Overview Committee.
4. In addition, Members also agreed the following principles:
  - (a) In addition to recording Member attendance at the main bodies, information will be collected on attendance at other bodies, including attendance at conferences and seminars. This additional information will be made available at the request of the Committee;
  - (b) Should the Committee consider a Member's attendance is unsatisfactory, the circumstances will be referred by the Chair of the Committee to the relevant Member, in the first instance, and the Group Leader of the relevant party for action; and
  - (c) If this action does not improve the position, a formal resolution from the Committee will be sought to refer the matter to the Party Whip at the constituent authority for determination.

## **Information**

5. Appendix 1 to this report includes a table of Member attendance at the Fire Authority and the main committees for the 2023-24 Municipal Year. It only contains information about Members that are members of the Fire Authority for 2024-25; former Members are not included.
6. Appendix 2 to this report provides details of other meetings (including Member Planning Days), events and training sessions that Members have attended.

## **Financial Implications**

7. There are no financial considerations arising from this report.

## **Legal Implications**

8. There are no legal implications arising from this report.

## **Equality and Diversity Implications**

9. There are no equality and diversity implications arising from this report. It is important, however, that Members are treated appropriately and fairly if they are having difficulty attending meetings/events due to other commitments.

## **Environmental Implications**

10. There are no environmental implications.

**CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD**

**TEL [01606] 868804**

**BACKGROUND PAPERS: NONE**

## Meeting Attendance of Fire Authority, Member Planning Days and main committees

	Fire Authority Meetings	Audit Committee	Brigade Manager's Pay and Performance Committee	Governance and Constitution Committee	Performance and Overview Committee	Staffing Committee	Total Meetings Could Attend	Total Meetings Attended	%
<b>Councillor</b>	Held: 5	Held: 5	Held: 4	Held: 3	Held: 4	Held: 1 ***			
Sherin Akhtar*	3 of 4	1 of 4		1 of 2			10	5	50%
Rachel Bailey	4	3		1			13	8	62%
John Bird	3				2		9	5	56%
David Brown	3			2			8	5	63%
Peter Coan	4						5	4	80%
Steve Collings	5				4		9	9	100%
Razia Daniels	5				4		9	9	100%
Phil Harris	5				4		9	9	100%
Gina Lewis	4		4			1	10	9	90%
Nick Mannion	3				4		9	7	78%
Karen Mundry	4		3			0	10	7	70%
Stef Nelson	5		4			1	10	10	100%
Rob Polhill	5			3	1 - Sub		8	8	100%
Margaret Simon	5		4		4	1	14	14	100%
Peter Walker	4			3			8	7	88%
Peter Wheeler	4	5	4	3	3	1	22	20	91%
<b>Independent (non-elected) Member</b>									
Derek Barnett**				3	3		7	6	86%
<b>Independent Audit Committee Member</b>									
Suzanne Horrill		5					5	5	100%

Note - No meetings of the Estates and Property Committee took place during 2023-24.

Note \* - Cllr Sherin Akhtar joined the Fire Authority on 11th July 2023. The first meetings of the Fire Authority and the Governance and Constitution Committee occurred before this date. Attendance figures have been amended to reflect this. The first meeting of the Audit Committee on 12th July 2023 has also been ignored for the purpose of the calculation.

Note \*\* - The independent (non-elected) member is not required to attend the Fire Authority meeting but often does so.

Note \*\*\* - Some Members of the Staffing Committee were invited to sit on the interview panels for the appointments of the Area Managers, Head of Finance and Head of Service Improvement.



<b>Councillor</b>	<b>Member Planning Days (Held: 5) <sup>1</sup></b>	<b>Board and Working Group Meetings <sup>2</sup></b>	<b>UPG meetings (Held: 4 per unitary)</b>	<b>Events and Conferences <sup>3</sup></b>	<b>Training and Development Sessions <sup>4</sup></b>
<b>Sherin Akhtar</b>	4	0	3	4	2
<b>Rachel Bailey</b>	4	1	3	3	1
<b>John Bird</b>	3	0	2	0	0
<b>David Brown</b>	3	3	1	0	2
<b>Peter Coan</b>	1	0	0	0	0
<b>Steve Collings</b>	3	0	4	1	2
<b>Razia Daniels</b>	5	3	4	2	3
<b>Phil Harris</b>	4	1	1	0	3
<b>Gina Lewis</b>	5	1	4	10	2
<b>Nick Mannion</b>	2	2	4	2	2
<b>Karen Mundry</b>	4	4	3	0	5
<b>Stef Nelson</b>	5	2	4	9	6
<b>Rob Polhill</b>	5	0	4	0	6
<b>Margaret Simon</b>	3	0	3	0	2
<b>Peter Walker</b>	5	0	3	1	3
<b>Peter Wheeler</b>	2	0	1	0	1
<b>Independent (non-elected) Member</b>					
<b>Derek Barnett</b>	5	1	0	5	1

Note <sup>1</sup> - An additional Planning Day was held for Members who were unable to attend the session covering the CRMP Proposals. The attendance figures for the Members who attended this session have been amended to reflect this.

Note <sup>2</sup> - Board meetings include the Pension Board. Working Groups include: Member Training and Development Group, Sprinkler Group, Environment and Sustainability Working Group and Equality Steering Group.

Note <sup>3</sup> - The events and conferences incorporated within the table were extracted from the Corporate Events Calendar. It is possible that Members have attended events organised by other departments that have not been recorded or captured.

Note <sup>4</sup> - The training and development sessions included within the table were extracted from the Member Development Programme. Members may have participated in other informal training and development which has not been recorded or captured in the table.

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 10<sup>th</sup> JULY 2024  
**REPORT OF:** DIRECTOR OF GOVERNANCE  
**AUTHOR:** ANDREW LEADBETTER

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**SUBJECT:** COMPLIMENTS AND COMPLAINTS ANNUAL  
REPORT 2023-24

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### Purpose of Report

1. To provide Members with information about compliments and complaints, relating to the Service, received during the period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024.

### Recommended That:

- [1] the information regarding compliments and complaints received during the period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024 be considered and noted.

### Background

2. Since 2010 the Service has recorded three categories: informal complaints, formal complaints (those that cannot be resolved informally at the first attempt) and compliments.
3. The Compliments and Complaints Procedure (the Procedure) has been reviewed on a regular basis to identify improvements. The Governance and Constitution Committee reviewed the Procedure in July 2023. The Procedure can be found on the Service's website via the following link: [Compliments and Complaints Procedure](#).

### Information

4. The Procedure contains a two-tier approach to complaints. The Service aims to resolve all complaints received at initial contact, classifying them as informal. If the initial response does not bring about a satisfactory resolution, the complainant is asked if they wish the complaint to be escalated, when it becomes a formal complaint.

### Statistics for 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024

5. The statistics for 2023-24 are:
  - i. Formal Complaints - 3

- ii. Informal Complaints - 17
- iii. Compliments - 24

## Performance Comparison

6. Comparison of the overall numbers is a crude indicator because of the relatively low numbers. The comparison figures for the past five reporting periods are presented below:

	2023-24	2022-23	2021-22	2020-21	2019-20
<b>Formal complaints</b>	3	1	1	1	3
<b>Informal complaints</b>	17	26	27	30	31
<b>Compliments</b>	24	23	8	86	42

7. Appendix 1 to this report provides brief details of the informal complaints received and whether they have been dealt with within the timescales set out in the Procedure. Appendix 2 provides a summary of the formal complaints. Appendix 3 summarises the compliments received.

8. The following observations may be helpful:-

- (a) The complaints cover a range of issues with the vast majority being resolved quickly and on occasion resulting from a misunderstanding. The nature of complaints received can be categorised into key areas as follows:

Communication (2);  
 Conduct (2);  
 Driving vehicles (1);  
 Forced entry (5);  
 Incident (5);  
 Protection (2);  
 and Other (3)

- (b) As you would expect, the compliments received all related to the Service's departments that have direct interaction with members of the public. They related to:

Conduct of staff (1);  
 Incident response (11);  
 Prevention activity (7);  
 Protection activity (2);  
 and public engagement (3).

## **Financial Implications**

10. There are no financial implications arising from this report.

## **Legal Implications**

11. There are no legal implications arising from this report.

## **Equality & Diversity Implications**

12. There are no equality and diversity implications arising from this report.

## **Environmental Implications**

13. There are no environmental implications arising from this report.

## **BACKGROUND PAPERS: NONE**

Appendix 1 – Informal Complaints recorded

Appendix 2 – Formal Complaint recorded

Appendix 3 – Compliments recorded

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Appendix 1 - INFORMAL COMPLAINTS DATABASE 2023 - 24

Unique Ref (CMT)	Date of Complaint	How was the complaint received	Relevant Department	Comment	Response within target timescale (Y/N)	Action taken and outcome	Date Closed
CMT 01.23	05/04/23	Email	Service Delivery	The complainant was woken at 5:30am in the morning by a fire crew who had stopped outside the house using the water hydrant. Blue flashing lights were on all the time they were there.	Yes	SM gave an apology and full explanation of the crews actions. He has spoken to the crew and asked them to be more considerate in future.	16/04/23
CMT 02.23	11/04/23	Email	Service Delivery/ H&S	The individual was being billed by a third party after CFRS forced entry to his property. CFRS advised at the time they would pay for the damage.	Yes	SM spoke to the complainant and informed him CFRS will pick up the cost for the repair to his property. He is happy with the resolution. The invoice from Rapid Secure has been sent through to Finance for payment.	24/05/23
CMT 03.23	26/04/23	Email	Service Delivery	The complainant's car had been damaged whilst a crew were tackling a fire.	No <sup>1</sup>	CFRS have initiated a liability claim process. The claim will be process by our Fire & Rescue Indemnity Company (FRIC)	17/05/23
CMT 04.23	26/04/23	Telephone	Service Delivery	Complaint received regarding an invoice the complainant has received for boarding up her window after an incident.	No <sup>2</sup>	CFRS have forced entry at NWS request, and it remains for the homeowner to pay boarding up costs. The complainant has been advised.	17/05/23
CMT 05.23	07/05/23	Email	Service Delivery	The complainant complained about noise coming from Chester Fire Station.	Yes	SM updated the four Watch Managers who lead the four teams at Chester emphasising the need to ensure that noise levels that emanate from the station do not affect the local residents	10/05/23
CMT 06.23	29/05/23	Email	Service Delivery	A complaint received regarding the Union Flag flying at the Crewe Fire station being both frayed and faded and looks extremely dishevelled. The complainant would like to have it replaced, quickly, with a new one.	Yes	The flag was replaced.	30/05/23
CMT 07.23	11/09/23	Email	Service Delivery	A complaint regarding driving by an officer on the way to the fire station to go to an incident. The driving displayed was a combination of poor decision making, speed and recklessness that could have caused a significant incident.	No <sup>3</sup>	The staff member was spoken to and apologised profusely for their actions. SM replied to the complainant and also explained why the firefighter was not on site at the time.	28/09/23

CMT 08.23	25/10/23	Email	Service Delivery	The complainant struck a large metal object in the roadway left by a crew who were attending a vehicle fire at Trident Retail Park.	Yes	H&S Manager initiated an insurance claim and sent all of the details to the claimant.	26/10/23
CMT 09.23	28/11/23	Phone	Protection	Complaint about the Service unexpectedly conducting a site specific risk inspection.	Yes	SM has spoken to the complainant and reassured him regarding the reason for the visit.	22/12/23
CMT 10.23	28/11/23	Phone	Protection Department	Complaint received regarding imminent concerns for life safety and why it was necessary for CFRS to be at the premises.	Yes	SM met with the complainant, he was content with the explanation and rationale for why CFRS issued notices. The complainant also confirmed that the matter had been dealt with.	06/12/23
CMT 11.23	11/12/23	Email	Service Delivery	Entry was forced into a property as concern for welfare. The complainant is extremely unhappy in respect of how her property has been left, she reports there to be two vulnerable persons at the address and my complainant states that the address is covered in broken glass and that she has cut herself already trying to tidy it up.	Yes	SM spoke to a representative from NWS and explained the incident and the outcome, the complaint was closed.	11/01/23
CMT 12.23	10/12/23	Email	Service Delivery	A complainant was not happy with how long it took the fire department to get to Abbeygate student accommodation. The fire alarm was going off for 30 minutes before a fire engine turned up and the station is only round the corner.	Yes	SM explained to the complainant that on this occasion the crew from Chester was unavailable and therefore a fire engine from another fire station further away was deployed. Our crews are often called out to incidents across the county and there are occasions where it is necessary to deploy crews from fire stations outside of the local area.	13/12/23
CMT 13.23	22/12/23	Phone call	Service Delivery	The complainant advised that they had to spend money on putting the place right following a forced entry. The complainant wasn't in the property at the time of the incident, but there is a key safe. The complainant also said she doesn't know why they broke in.	Yes	This complaint has be raised via a number of channels (Prevention, OPA, Comms, NWS). GM has liaised with NWS and they are dealing with the complaint. From a CFRS perspective the compliant is closed.	08/01/24



CMT 14.23	19/01/24	Phone call	Comms / Protection	Householder complained at the way the cause of the fire was reported.	Yes	Head of Communication and a GM visited the wife and the landlord's partner. As agreed, an update was put on the local Warrington Fire Station Facebook channel concerning the fire.	16/02/24
CMT 15.23	17/02/24	Email	Service Delivery	A complaint was received regarding Sat 17 /2/24 at 6 am Ormiston way flats in Congleton. A fire engine was flashing its lights and engine left running. The light was shining in my bedroom.	Yes	SM emailed the complainant apologising for the noise and lights that have impacted sleep and explained the incident/reason for being there.	21/02/24
CMT 16.23	20/02/24	Phone call	Service Delivery	A complaint was received regarding a visit to Nantwich Fire Station. The complainant was told he could visit the station however, when he arrived he was informed that he could not have a tour due to health and safety.	Yes	SM has spoken with the complainants support worker and advised it could be re booked to have a tour around Nantwich fire station, or visit during one of CFRS open days at fire stations within Cheshire.	20/02/24
CMT 17.23	28/03/24	Phone Call	Service Delivery	A complaint was received regarding the service forcing entry to the home whilst the complainant was not at home and the carers had been cancelled. He was not happy that the crew broke the window to gain entry.	Yes	SM explained the situation to the complainant. The call came in via Ambulance following carers getting in touch to say they couldn't gain entry to property. The complainant was referred to his insurance company and referred this back to the carer company.	30/04/24

**Explanatory note for response timescales not met**

Note <sup>1</sup>	CMT 03.23	The investigation was conducted by the Health and Safety Manager and SM. There was a lack of updates from either team to the Complaints mailbox and lack of communication between the departments. The Governance Officer escalated the lack of response to the complainant to the Assistant Chief Fire Officer. The final response was sent by the Health and Safety Manager after the target timescale.
Note <sup>2</sup>	CMT 04.23	The investigation was delayed due to the complainant not answering calls or responding to messages and also due to the investigating officer communicating with NNAS/Cheshire Police. The SM spoke to the complainant at length and she accepted the response and agreed that there was no further action for Cheshire Fire.
Note <sup>3</sup>	CMT 07.23	The investigation was delayed due to the individual in question being on Annual Leave.

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**Appendix 2 - FORMAL COMPLAINT DATABASE 2023-24**

Unique Ref (COMP)	Date of Complaint	Details of Complaint	Details of response sent by HOD	Within target timescale	Date Closed
FCOMP 01.23	03/07/23	A complaint received from neighbours of a Service owned property with concerns about pets kept at the property and the risk of escape due to a broken fence panel.	The Estates team contacted the complainant and the fence was repaired. In the meantime, the occupiers of the Service's house did not let their pets into the garden unless they were on a lead.	Yes	13/02/24
FCOMP 02.23	21/11/23	A complaint was received about the behaviour of a staff member towards the complainant when she visited a residential property following a fatal incident. The complainant felt that the staff member was shouting, saying she should not be there and was allegedly filming her on his phone. She also said things had gone missing from the property. Apparently this has been reported to the Police.	SM completed a fact find following CFRS process and the complainant informed of the outcome. The complainant was happy with the process/outcome and the complaint can now be closed. No action was taken by the Police.	Yes	09/01/24
FCOMP 03.23	05/01/24	A complaint was received from a person who had sought feedback twice after being unsuccessful in gaining a firefighter job. The complainant first requested feedback from the HR team on September 5th 2023 and was still awaiting feedback.	The Head of People and Development held a virtual meeting with the complainant on 9th February to talk through the recruitment and feedback processes and to re-assure the complainant that the procedures are conducted fairly. This was followed up with a letter sent to the complainant 13th February outlining what was discussed in the meeting and closing down the complainant.	No	13/02/24

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Appendix 3 - COMPLIMENTS DATABASE 2023 - 24

Unique Ref (Compliment)	Date of Compliment	How was the compliment received	Compliment	Relevant Department	Department Notified of Compliment
Compliment 01.23	19/04/23	Email	To thank the firefighters who came out to a horrific car accident in which 5 young people were travelling.	Service Delivery	Yes
Compliment 02.23	29/04/23	Email	I just want to say thank you to the firemen that took the time to call him over and let him look in the truck and put the lights on for him, he's not stopped talking about it all day	Service Delivery	Yes
Compliment 03.23	22/05/23	Email	A member of the prevention team visited us yesterday and put my daughter at ease immediately. Sometimes she can be very wary of new people, but judging by the confidence (showing off!) she displayed, I knew your staff member had created a rapport very quickly. Your team did a safety check of our house, we tested smoke alarms together, my daughter was presented with a certificate and a chart, and also given a Blaze teddy bear. I spent most of last night making Blaze new outfits for when he has a day off!!	Prevention	Yes
Compliment 04.23	24/05/23	Email	Excellent service today dealing with the fire. Real professional and friendly approach by you all.... well done!	Service Delivery	Yes
Compliment 05.23	08/06/23	Phone	A call made to say thank you for the visit today. "The prevention lady was absolutely brilliant, so helpful and efficient. It was a pleasure to have her here and it's made me think about fire safety in a way I hadn't thought of before. She was very professional and an absolute credit to the Fire Service."	Prevention	Yes
Compliment 06.23	19/06/23	Letter	Thanks to the prompt and efficient actions of Cheshire Fire and Rescue the fire was extinguished and importantly no staff were injured as a consequence.	Service Delivery	Yes and Article put in Alert mag
Compliment 07.23	04/07/23	Email	I attended Holmes Chapel Fire Station today in my role as Congleton Town Mayor, the event was CHS youth support, I'm emailing to say what a fantastic initiative this is getting young people with behaviour and anxiety issues out of the classroom working with the fire authority and helping get over the issues they face and making them feel valued.	Prevention	Yes
Compliment 08.23	05/07/23	Email	I wanted to get in touch to say thank you to two of your colleagues who stopped to help me on the A555 this morning when my car had suddenly broken down. I had my baby and my young son with me and my car totally gave up in the middle lane of traffic. I was so worried about getting the children to safety that I felt almost in shock and wasn't thinking properly. They were calm and supportive, they comforted the children whilst I rang the AA and went above and beyond getting us to a cafe to wait for roadside assistance.	Prevention	Yes
Compliment 09.23	15/07/23	Email	Thank you to all involved with the incident as local residents we were extremely grateful for the professionalism and bravery of all of the staff concerned.	Service Delivery	Yes

Compliment 10.23	16/07/23	Email	<p>I would like to express my sincere appreciation to the Fire Crew from Chester who attended an incident at our property when we were away on holiday. The Fire Crew extinguished the flames on our neighbours Leylandii hedge, and saved the risk of further damage to our property by raking out and damping down. I am very grateful for the care they took, and I would like you to pass on my personal thanks to them. Our friends who made the 999 call had saved some photos and a video from the aftermath. It is only on our return yesterday that I realise how much worse the situation could have been without their intervention. Thanks once again.</p>	Service Delivery	Yes
Compliment 11.23	04/08/23	Comms Email	<p>Would just like to say a massive thank you to your wonderful service our family received from you.</p> <p>My elderly Mum got stuck at the very top of the stairs on the stairlift it had completely stopped working. I was so upset and did not know what to do. The engineer was over in Wigan and would be ages before he got there. In fact when he did whole thing had to be taken apart so wouldn't have been able to mend it with Mum stuck in it</p> <p>I contacted your services and within 10 mins the fire fighters came out. Four of them and lifted Mum out of lift. They were amazing so kind and caring, nothing to much trouble and waited till I had sorted Mum and got her in bathroom and bed .</p> <p>Just like to express our sincere thanks and gratitude for this</p>	Service Delivery	Yes
Compliment 12.23	20/09/23	Feedback Email	<p>I would like to comment on the exemplary conduct of two fire crews attending a fire in Weaverham. This was a complex situation involving a distressed lady, a very secure premises and need for breathing apparatus use.</p> <p>All attending were communicative, caring, good humoured, acted effectively. This was probably a routine call for them, but to me was impressively effective teamwork and showed a controlled bravery that is to be commended. Thank you and well done.</p>	Service Delivery	Yes
Compliment 13.23	20/09/23	Email	<p>I just want to say thank you so much for helping me.</p> <p>A lady came for the safety check. I will always be grateful for your support and help.</p>	Prevention and Protection	Yes
Compliment 14.23	01/11/23	Email	<p>Thank you for your initial consultation response dated 26th May 2023 – it has helped immensely in convincing the Architects and their Client to make the changes to the proposals that provide what I believe is now a compliant layout.</p> <p>After rejecting many non-compliant amendments the Architects have now included an additional stair to the end of compartment 10, so I believe it is now designed following the principles of PHE.</p>	Protection Department	Yes

Compliment 15.23	28/11/23	Email	I just wanted to say thank you for your help and willingness to discuss and subsequently agree a solution which enabled us to move forward with the project.	Protection Department	Yes
Compliment 16.23	19/12/23	Email	The manager complimented the crew, more than once during the call, on their response time and on their efficiency once on site to locate the origin, carry out their checks and help to reopen the store within a short period of time. I asked if he would like his compliment passed on and he was keen that I let you know.	Service Delivery	Yes
Compliment 17.23	29/12/23	Email	I just wanted to thank you on behalf of our family for everything you did. Your care and compassion really helped us and you were able to explain things in ways which comforted us and helped us to understand.	Prevention	Yes
Compliment 18.23	12/01/24	Email	Out of desperation I approached your staff at Chester Fire Station to see if they could help. They definitely did, they allowed us to park up, making sure we did not block the bays. Thank you so much, our residents had a lovely day.	Service Delivery	Yes
Compliment 19.23	23/01/24	Facebook	Please pass on our thanks to the crews, they were amazing with the girls whilst my husband was cut from the car.	Service Delivery	Yes
Compliment 20.23	28/01/24	Email	I wanted to thank Cheshire Fire and Rescue to come out to fit new smoke alarms and a wonderful vibrating pad for under the mattress for my elderly(99Yr) Dad. I am very grateful indeed. I hope you can relay my thanks forward to those involved.	Prevention	Yes
Compliment 21.23	17/02/24	Email	The Ambulance Service were asked to attend to the incident after I was left lying in the rain and wind in a roadway outside my house unable to move. I am a 77 year old male with cancer who had just been released from hospital after major knee surgery and thus very vulnerable.	Service Delivery	Yes & CFO Waller
Compliment 22.23	28/02/24	Email	I am writing to express my thanks and gratitude to the firefighters who attended my home yesterday to assist in transporting my husband upstairs to our first floor flat.	Service Delivery	Yes
Compliment 23.23	18/03/24	Form	Many thanks to your firefighters for their fire safety assembly at Cherry Grove today. The children were thoroughly engaged, and have learned many essential lessons about fire safety.	Service Delivery	Yes
Compliment 24.23	22/03/24	Email	Following sanctuary measures and home fire safety assessment.	Prevention Department	Yes

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 10<sup>TH</sup> JULY 2024  
**REPORT OF:** DIRECTOR OF GOVERNANCE  
**AUTHOR:** STEPHEN HULSE

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**SUBJECT:** WHISTLEBLOWING ANNUAL REPORT 2023-24

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### Purpose of Report

1. To provide Members with information about whistleblowing for 2023-24.

### Recommended: That Members

[1] note the contents of the report.

### Background

2. "Whistleblowing" is the term used to describe the raising of a concern by a worker who considers that there has been wrongdoing or malpractice by his employer or fellow workers and where it is in the public interest to do so. This could be:
  - a criminal offence, for example fraud;
  - someone's health and safety is in danger;
  - risk or actual damage to the environment;
  - a miscarriage of justice;
  - the Service is breaking the law, for example does not have the right insurance; or
  - it is believed that someone is covering up wrongdoing.
3. The legislation, initially introduced in 1998, is designed to reduce malpractice in organisations and to ensure individuals can report malpractice without fear of reprisals. Provided they satisfy certain conditions in the way they report the wrongdoing the law protects workers from dismissal or detriment. Employees, trainees, and agency workers are classed as workers.

## Information

### Whistleblowing Complaints

4. The Service has engaged an organisation called Safecall to provide an outsourced whistleblowing hotline. It enables reporting and is said to “allow employees to speak up and report their concerns to the highest levels of management.”
5. The Safecall service is promoted annually by the Health and Safety Manager, last in April 2024. The Article, that was contained in the staff newsletter “The Green” is attached to this report in **Appendix 1**.

### Whistleblowing Activity

6. The Service has been contacted on three occasions by Safecall in 2023-24, however, the concerns raised did not meet the threshold for whistleblowing. An overview of concerns raised with Safecall is provided in **Appendix 2**.

### Financial Implications

7. There is an annual charge for the Safecall reporting system and call handling. In 2023-24, this was £4,152.

### Legal Implications

8. The arrangements to deal with whistleblowings seek to ensure compliance with the legislation and mitigate risks to the reputation of the Service and the Fire Authority.

### Equality and Diversity Implications

9. The arrangements are meant to minimise the risk of reprisals against those raising concerns and allow concerns about discriminatory practices to be raised internally and dealt with appropriately.

### Environmental Implications

10. There are no environmental implications.

**CONTACT: DONNA LINTON, HQ SADLER ROAD, WINSFORD  
TEL 07776 297806  
BACKGROUND PAPERS: NONE**

## **Appendix 1 – Safecall article 2024**

**If you have a sincere concern at work or are concerned about a wrongdoing then report it immediately to your line manager, or speak to a senior manager or contact Safecall on:**

**0800 915 1571 or report online at: [www.safecall.co.uk/report](http://www.safecall.co.uk/report)**

All calls are treated confidentially by Safecall, and you may remain anonymous if you wish.

### **Who are Safecall?**

Safecall is a completely independent company that operates a confidential reporting service for Cheshire Fire & Rescue Service. It is available 24 hours a day and is staffed by highly skilled professional call handlers. Offices are based in the UK, and you can reach them 24/7 365 days of the year via the Freephone number or send a report via the website.

### **How does it work?**

When you contact Safecall by telephone you will be asked by the call handler to explain your concern in as much detail as possible. During this time, the call handler will take notes and may ask you questions based on the account you give. Once complete, Safecall will send a written report to a senior manager.

If you choose to report the concern online by visiting the Safecall website, you will need to complete the online form, which once completed and submitted, Safecall will send a written report to a senior manager.

### **Can I remain anonymous?**

Yes. It is acceptable to remain anonymous. Even if you make a mistake and accidentally tell Safecall your name they will not pass it on. Also, Safecall do not record any audio of the calls to help protect the identity of anonymous callers.

### **What can be reported?**

The service is available to receive reports including, Fraud, Security, Health and Safety, Data Breaches, Bullying, Bribery, Corruption, Dishonesty, Harassment, Victimisation, or any other issue that you feel is unacceptable in the workplace.

### **Who will receive my report?**

The report is initially sent to the Health, Safety & Wellbeing Manager who will then allocate the report to the most appropriate person in the Service to address.

## **Appendix 2 – Safecall events**

### **First report**

**Call was made anonymously,**

#### **The Allegation**

A delivery driver felt that they were spoken to in an unfriendly manner whilst at the Sadler Road Headquarters delivering a package.

The Service finding:

The individual receiving the package was made aware of the complaint. A discussion was held with their line manager about dealing with members of the public.

**Outcome: Did not meet whistleblowing threshold.**

### **Second Report**

**Call was made semi-anonymously,**

#### **The Allegation**

The caller reported issues relating to safeguarding that could damage the reputation of the Service.

A concern was raised following a visit to a care home. These visits are normal and provide fire prevention and safety advice to residents and staff.

On this occasion the visit was unscheduled and unannounced. The caller was concerned in relation to approach taken and methods used to conduct the visit by the Watch manager which they deemed contravened Service Policy and put the Service at risk.

The Service finding:

Following an investigation into the events reported through the Safecall platform, the findings were:

- 1) No safeguarding issues were identified.
- 2) The caller was right to raise concerns as the approach to the visit was somewhat unorthodox, consequently the Service Performance Group have implemented further training for managers.

**Outcome: Did not meet whistleblowing threshold.**

**Third report was generated via Phone on 01/09/2023 15:41**

**Call was made named.**

### **The Allegation**

During a counselling session it was suggested that a staff member had the traits of a Neurodiversity condition/s.

Through their medical practitioner they were put onto a waiting list to have the condition formally diagnosed; however, this could take up to two years.

Mistakenly the manager did not follow the appropriate approach for dealing with Neurodiverse issues from the Human resources team and/or EDI officer. Therefore, the manager applied incorrect solutions to work commitments.

The Service finding and outcome:

Manager was advised accordingly on best approach and methods to be undertaken. Meeting between the two parties resolved the issue and appropriate practices applied.

**Outcome: Did not meet whistleblowing threshold.**

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 10 JULY 2024  
**REPORT OF:** DIRECTOR OF GOVERNANCE  
**AUTHOR:** STEPHEN HULSE

---

**SUBJECT:** WHISTLEBLOWING POLICY AND PROCEDURE

---

### Purpose of Report

1. To secure approval of a new whistleblowing policy and procedure.  
sentences.

### Recommended: That

- [1] Members approve the Freedom to speak up (whistleblowing) policy and procedure.

### Background

2. Members will recall that an internal audit report concerned with whistleblowing contained a number of recommendations, one of which was that a review and update to the existing whistleblowing policy and procedure was necessary. The recommendations is reproduced in Appendix 1 to this report.
3. The Health, Safety and Wellbeing Manager has reviewed a number of policies and procedures and created a new document.

### Information

4. The replacement policy and procedure concerned with whistleblowing is attached to this report as Appendix 2. Members will see that it is entitled 'Freedom to speak up (whistleblowing) policy and procedure'. Whilst it is primarily concerned with whistleblowing, it does provide a steer about the raising of concerns that do not meet the whistleblowing threshold. The Service wishes to encourage the raising of any concerns and primarily hopes that staff can do so internally. However, it acknowledges the importance of having an external option, such as Safecall.
5. The new policy and procedure make it clear that the Health, Safety and Wellbeing Manager is very much front and centre in the handling of whistleblowing. However, such matters could be raised directly with other staff and not necessarily come to his attention. Therefore, it is important that other

managers are aware of the policy and procedure and when to engage with him; otherwise, there may be inconsistencies in how matters are handled and in the presentation of data.

## **Financial Implications**

6. There is an annual charge for the Safecall reporting system and call handling. In 2023-24, this was £4,152.

## **Legal Implications**

7. The policy and procedure seeks to ensure compliance with legislation and mitigate risks to the reputation of the Service and the Fire Authority.

## **Equality and Diversity Implications**

8. The policy and procedure is intended to minimise the risk of reprisals against those raising concerns and allow concerns about discriminatory practices to be raised internally and dealt with appropriately without recourse to litigation.

## **Environmental Implications**

9. There are no environmental implications.

**CONTACT: DONNA LINTON, GOVERNANCE AND CORPORATE PLANNING  
MANAGER  
TEL [01606] 868804  
BACKGROUND PAPERS: NONE**



REF:	Section	Finding	Specific Risk	Recommendation	Management Response
3	Whistleblowing Policy Updates  Control Design	<p>Key Finding – CFRS have a whistleblowing policy in place which was reviewed in July 2022 and is due for review in July 2024.</p> <p>Results of the MIAA whistleblowing survey and interviews has highlighted that initial concerns have been raised, but these may have not been escalated appropriately to ensure the whistleblowing processes within the policy are triggered.</p> <p>Nearly 80% of our respondents confirmed their manager would be their first point of call and therefore they play a key role in ensuring whistleblowing concerns are heard and escalated appropriately, however their roles and responsibilities are not clearly defined within the policy.</p> <p>We have also recommended several updates to reflect good practice.</p>	<p>Current policy in place may not clearly state all roles and responsibilities and may not include all appropriate information for members of staff with regards to Whistleblowing processes.</p>	<p>The policy should be updated include roles and responsibilities of individuals, line managers, Health, Safety and Wellbeing Manager, Senior Leadership Team and the Governance and Constitution Committee. The policy should also include guidance for line managers on how to handle a concern raised to them, and the procedures to follow to ensure appropriate action is taken, and the whistleblowing procedures are followed accordingly.</p> <p>The policy should outline the training requirements which should include training as part of the step up and step in leadership programmes, and induction to ensure all new members of staff are aware of the procedures in place.</p> <p>The policy should outline key reporting requirements including timelines, and these should be formally reported as part of the quarterly report to People Group. This will ensure timely turnaround of concerns that have been raised openly to ensure feedback to the individual.</p> <p>The policy should have a clear process map outlining each stage of the process to ensure each stage is triggered when needed.</p>	<p>New Policy (and Procedure) approved and publicised.</p> <p>Responsible Officer – Stephen Hulse, Health, Safety and Wellbeing Manager.</p> <p>Implementation Date – by April 2024</p>

## Freedom to speak up (whistleblowing) policy and procedure.

This document sets out the Service's policy and procedure to raise matters of concern that amount to whistleblowing. It also provides information about how to raise other concerns.

<b>OWNER</b>	<b>Health Safety and Wellbeing Manager</b>
<b>LAST REVIEW</b>	<b>June 2024</b>
<b>REVIEW DUE DATE</b>	<b>June 2025</b>
<b>VERSION CONTROL/AMEND SCHEDULE</b>	<b>V5</b>

### **CROSS REFERENCES**

- Code of Conduct for employees
- Grievance Policy
- Dignity at Work Policy
- Equal Opportunities Policy

## **Part 1 - Policy statement**

The purpose of this policy is to provide information about a safe mechanism for anyone who works for the Service to come forward and raise concerns they have about any aspect of the Service's work, and to be able to do so without fear of detriment or reprisal.

Speaking up about any concern you have at work is really important. In fact, it is vital because it will help us to keep improving the Service for all employees by providing a better working environment.

You may feel worried about raising a concern and we understand this. But please do not let this put you off, our Service Leadership Team and the Fire Authority are committed to an open and honest culture. We will look into what you say, and you will always have access to the support you need.

## Part 2 - Procedure Section

### Introduction

The Service recognises that there may be times where you personally feel there is something seriously wrong within the organisation. Whilst most of these concerns can be resolved with your line manager or grandparent manager, there may be some cases when you feel intimidated or disloyal to colleagues if you speak out when noticing something that, in your view, is 'wrong.'

You may also fear intimidation, harassment or victimisation if you reveal your observations. In these circumstances you may feel it easier to ignore concerns rather than report something.

The Service is committed to a culture of openness and accountability and takes all forms of malpractice, fraud, corruption or abuse very seriously. It is concerned about the potential effect of these matters on the services it provides. It is important, therefore, that you feel comfortable raising issues which concern you. If you have any concerns about possible criminal offences being committed; failure to comply with legal obligations; miscarriages of justice; the health and safety of any individual; harm or risk to the environment; or the concealment of wrongdoing and/or information about any of the above, it can be very difficult to know what to do.

You may be worried that by reporting issues of concern, you are exposing yourself to victimisation, disciplinary action or putting your job at risk. The Service understands these concerns, and this policy is intended to reassure you that this is not the case.

### Purpose of the policy

The purpose of this policy is to:

- Allow employees to have confidence in raising matters of concern;
- Encourage employees to question and act upon concerns about the Service's practises;
- Provide mechanisms for employees to raise concerns and receive feedback on any actions taken;
- Ensure employees are aware how to escalate matters if they are not satisfied;
- Provide reassurance that employees will be protected from reprisals or victimisation.

### Scope of the policy

This policy is relevant to the types of issues listed below:

- Conduct which is a criminal offence. This can include fraud, corruption (including bribery);
- Disclosures related to miscarriages of justice;
- Health and Safety risks to employees or the public;
- Damage to the environment;
- The inappropriate or unauthorised use of public funds or other resources;
- Potential corruption, fraud or other financial malpractice; and
- Concerns about the professional competence of colleagues or other employees;
- Other unethical conduct.

Other concerns should be raised using the correct procedure, e.g. the Grievance Policy, Dignity at Work Policy, or Equal Opportunities Policy

Roles and Responsibilities.

Line Managers:

- Be open to concerns raised by your direct reports.
- Guide employees to the correct process for their concern to be dealt with effectively.
- Decide and agree with the employee the correct process for their concern.
- Provide support throughout the process, have regular reviews and develop an action plan.
- Follow up actions with the necessary contributors.

Grandparent Managers:

- Be open to concerns raised by employees.
- Ensure that employees have been directed to the correct process for their concern to be dealt with effectively.
- Ensure that effective support has been provided throughout the process.
- Check that actions are sufficient to resolve the issue.

Health, Safety and Wellbeing Manager:

- Maintain a method for the reporting of employee concerns, which cannot be resolved via Management or Human Resource processes.
- Acknowledge concerns raised.
- Review concerns and decide on appropriate action.
- Ensure that investigations are conducted when necessary.

- Ensure that adequate and appropriate support is provided to the employee.
- Ensure that personal action plans are being implemented to resolve the issue.
- Check with the employee that they are satisfied with the outcome or reasons have been provided for the decision.

Employees:

- Raise concerns openly to their line manager or grandparent manager.
- Raise concerns with the whistleblower helpline when appropriate.
- Provide information to support whistleblowing events.

Provided you are acting honestly, it does not matter if you are mistaken or if there is an innocent explanation for your concerns.

How to raise your concern.

In many circumstances the easiest way to get your concern resolved will be to raise it formally or informally with your line manager. If you are unable to resolve your concern with your line manager or grandparent manager and genuinely feel your concern could seriously impact the Service's reputation and is in the public interest, Safecall can be used to raise the matter.

Safecall has a Freephone telephone line 08009151571 that is open 24/7. The line is managed by experienced call handlers who will take the details of the issue you wish to raise; they may ask questions to ensure that the issues are recorded correctly. You will be given the option to either disclose your name or to remain anonymous. They will take down your contact details as these will be used to feedback the outcomes of the Services investigation into the allegation/s.

If you wish, Safecall has a website allowing reports to be raised directly on their website.

Safecall will send a copy of the report by email to the Service Health, Safety and Wellbeing Manager initially and if unacknowledged to the Health, Safety and Wellbeing Advisor a day later; the report is password protected so that only these two members of staff will be able to open it.

If the concern raised is concerned with something related to the Health and Safety Manager, the notification will be sent to the Area Manager for Operational Policy and Assurance.

The Health, Safety and Wellbeing Manager or Advisor will take an initial view about the best way to deal with the report, deciding which Senior Manager is the most appropriate to deal with the issue raised in the report.

If the issue raised fulfils the definition of whistleblowing (or appears to have the prospect of doing so) the Health, Safety and Wellbeing Manager will agree with the manager a deadline for completing any investigation and the feedback to be provided via Safecall, unless the matter has been raised anonymously when feedback will not be possible.

The following headings should help you organise your thoughts, but you do not have to follow them exactly:

- Why you are concerned and the background information;
- Any other procedures, which you have already used, and what happened;
- The people who are involved and where they work;
- Dates or periods of time; and
- The names and jobs of any other people who will [or may] support your concern.

The earlier a concern is raised the better. Whilst you will not be expected to prove that allegations are true, you will be expected to have a reasonable basis for your concern.

Help with the Procedure

Any of the following will help you to understand the procedure:

Health, Safety and Wellbeing Manager;

Health and Safety Advisor;

The Monitoring Officer;

The manager for your department/watch;

A Senior Employment Advisor;

Treasurer to the Fire Authority; and

A trade union representative;

## How your Concern will be dealt with

As a start, the Health, Safety and Wellbeing Manager will make discreet enquiries to decide whether an investigation is needed and if so, who is most appropriate to conduct the investigation. This will help protect everyone concerned. The overriding principle will be the public interest.

If this first testing stage shows that the concern is or could fulfil the definition of whistleblowing and should be followed up, there will be a full investigation which will if necessary be facilitated by Human Resources. It may be necessary to involve other agencies, for example the police or the external auditors.

## What you will be told

Within ten working days of your concern being received, the Health, Safety and Welfare Manager who oversaw the initial complaint will reply to you via the Safecall platform confirming:

- What initial enquiries have been made;
- How your concern has been or will be dealt with;
- How long any further action may take [as far as this can be known]; and
- What further work is planned and how you may be involved.

Safecall has the facility to report back to the person who made the original report if the issue was raised semi-anonymously.

Updates will be provided via the Safecall platform to you at regular intervals throughout any investigation, at least monthly.

The amount of contact you have with the people considering the matter will depend on the type of concern, the potential difficulties of investigating and the availability of information. You may be requested to assist.

Wherever possible, you will be told the final outcome.



## Part 3 - Guidance Section

### What can I report?

You should report any concerns that you have about the conduct of our employees, volunteers, councillors, or contractors that may affect the services we provide or the reputation of the Service.

Examples of concerns that may be raised under the procedure are: -

- Conduct which is a criminal offence. This can include fraud, corruption (including bribery);
- Disclosures related to miscarriages of justice;
- Health and Safety risks to employees or the public;
- Damage to the environment;
- The inappropriate or unauthorised use of public funds or other resources;
- Potential corruption, fraud or other financial malpractice; and
- Concerns about the professional competence of colleagues or other employees;
- Other unethical conduct.

The Service considers that normal management channels are sufficiently open and effective for most concerns to be raised. This will not always be appropriate, or possible, and that is why this procedure has been created. It offers the means to raise concerns you may have about any aspect of the Service provision, or the conduct of staff or elected Members, or other individuals acting on behalf of The Service. A concern may be raised, for example, from worries about failure to observe standards, procedures, or policies being circumvented, or improper conduct.

The procedure does not cover concerns that are covered by other procedures. For example, an employment problem may well be covered by the Grievance Procedure or Dignity at Work procedure. If you are in doubt as to which is the appropriate procedure, you should consult your Line Manager or Employee Relations Team.

### Harassment or victimisation

You may be put off raising a concern because you are worried about reprisals. If you raise a concern in good faith and genuinely believe it to be well founded,

you will have nothing to fear. You will be doing your duty to the Fire Authority and the public. The Authority will not tolerate any harassment or victimisation and will do all it can to protect you. Furthermore, if you happen to be involved in any disciplinary or other procedures, these will be kept quite separate from the investigation or any matter you raise under this procedure.

You will not be penalised where you make an allegation in good faith, which is not confirmed after it has been investigated [but a concern that is raised frivolously, maliciously or for personal gain may result in disciplinary action].

You may wish to raise such a concern through the Dignity at Work Policy and procedure (edocs1213).

## Confidentiality

The preferred route for raising concerns is through the established, internal service management procedures. Your concern will be treated in strict confidence, within this procedure, and everything done to keep your identity secret [if this is what you want]. However, you may have to be a witness at some point if matters are taken further, following investigations. It might then not be possible to keep your identity fully secret.

If you want to raise an issue but feel that you cannot use the established internal service procedures The Service has an arrangement with Safecall that allows staff to raise concerns anonymously if desired.

## Anonymous allegations

An anonymous concern is likely to carry much less weight than one which is disclosed; the investigating manager would have to decide whether or not to accept the concern. This decision would depend on the seriousness of the issue, the credibility of the concern and the likelihood of being able to confirm the allegation in other ways. Fully disclosed concerns are always better.

## Raising a Concern - who to approach

When deciding who it would be best to approach, take into account the type of matter, its seriousness and its sensitivity, and who may be involved. Some examples are given: -

- The manager for your department/watch or their manager.

- Your department Manager or another department Manager.
- Internal auditor.
- The Monitoring Officer to the Fire Authority for concerns that have service wide implication or needs to be raised with someone independent of your work area.
- Safecall – Independent, confidential reporting line for concerns about fraud, theft, damage to equipment, harassment/bullying, or concerns involving your manager that you feel you cannot raise through Service procedures.

## Personal support

The Service will do all it can to minimise any difficulties which you may have because you have mentioned your concern. As far as possible, you will be offered personal support, and this will be arranged by a Senior Employment Advisor. For example, if you had to give evidence in disciplinary or criminal proceedings, full advice about the procedure would be given to you.

## If you are not satisfied with the Service`s response

This procedure is meant to give everyone an effective way to raise a concern and if possible, to resolve it internally. You should not feel that you have to take an issue outside the Service to get satisfaction. But if you are still unhappy after raising the concern [and getting a final response], you are entitled to consider taking your concern elsewhere. If you do this, these are some contacts which are available:

- The Service`s external auditors;
- A relevant professional or regulatory body;
- Your trade union;
- A relevant voluntary organisation;
- A Citizens Advice Bureau; or
- The Police.

If you raise the matter outside the Service, you must take into account rules about disclosing confidential information.

## Involvement of your Trade Union or Professional Association

You may ask your trade union or professional association to raise a matter on your behalf. In this case, if you wish, you can remain anonymous when the

concern is first raised. But you may have to be involved personally if the matter goes further.

You may also have your trade union, professional association or a friend at any meeting or interview.

## Contact Details

The following individuals are able to provide assistance if you have a concern and are not sure what to do.

Stephen Hulse  
Health, Safety and Well-being Manager  
Cheshire Fire and Rescue Service  
Winsford, Cheshire  
Tel: 01606 868750

Safecall  
Independent Advisors  
Tel: 0800 9151571

Andrew Leadbetter  
Director of Governance  
Cheshire Fire and Rescue Service  
Winsford, Cheshire  
Tel: 01606 868456

Internal Auditor  
Anne-Marie Harrop  
Regional Assurance Director  
Tel: 07920150313

External Auditor  
Alex Walling  
Public Sector Audit Director  
Tel: 0117 2358838  
Email: [AWalling@bishopfleming.co.uk](mailto:AWalling@bishopfleming.co.uk)

You can obtain the constitution, which includes contract standing orders, financial regulations and the Scheme of Delegation on the Intranet under Democratic Services.

## Appendix A Flowchart

