

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.

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

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

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

