

# **AUDIT COMMITTEE**

## **29 MARCH 2012**

### **WHISTLEBLOWING POLICY**

Report author: Perry Holmes, Monitoring Officer

#### **Summary**

This report is to present proposed amendments to the Council's Whistleblowing Policy for Members' consideration.

#### **1. Budget and Policy Framework**

- 1.1 It is within the Audit Committee's terms of reference to receive reports in line with the Council's Whistleblowing policy.
- 1.2 The Whistleblowing Policy is included within the Constitution and so approval of the policy is a matter for Council.

#### **2. Background**

- 2.1 On 24 November 2011, the Audit Committee considered a report from the former Monitoring Officer setting out the number, nature and status of Whistleblowing events between September 2010 and September 2011. The report related to Whistleblowing concerns raised under the Council's Whistleblowing and included concerns of fraud and corruption, and data security breaches.
- 2.2 The Committee also considered a report that gave details of the Bribery Act 2010. The Audit Committee agreed that the Anti-Fraud and Corruption Policy and the Whistleblowing Policy are reviewed to incorporate relevant changes under this Act and provide staff with a clear route for raising concerns.
- 2.3 The Council's Whistleblowing Policy covers acts of fraud, corruption, bribery, unethical conduct and malpractice.
- 2.4 Concerns raised from September 2011 under the Whistleblowing Policy shall be presented to Members in September 2012.

### **3. Revised Whistleblowing Policy**

- 3.1 The Council's existing Whistleblowing Policy has been reviewed and a revised draft is set out at Appendix 1 for Members consideration.
- 3.2 The draft Whistleblowing Policy amends the Council's existing Policy, with the following revisions:
  - 3.2.1 Emphasises the importance of raising concerns internally in accordance with the Council's Whistleblowing Policy;
  - 3.2.2 Identifies the forms of conduct; which will be investigated under the Whistleblowing Policy, including Bribery;
  - 3.2.3 Refers specifically to the documents that should be read in conjunction with the Whistleblowing Policy;
  - 3.2.4 Identifies the individuals protected under the Whistleblowing Policy;
  - 3.2.5 Identifies specialist teams and nominated Whistleblowing Officers to investigate concerns;
  - 3.2.6 Identifies that whilst it may be attractive to alert the Media to a concern, that such action may be a disciplinary matter under the Council's Disciplinary Procedure or could potentially prejudice an investigation, should an investigation be warranted;
  - 3.2.7 Informs individuals that all whistleblowing cases (anonymised information) shall be reported to the Audit committee annually;
  - 3.2.8 Informs staff that there may be occasions where more than one Whistleblowing Officer or Specialist Team may be alerted. For example, where a concern is raised about financial irregularity within service areas; and
  - 3.2.9 Advises that the Whistleblowing Policy is not applicable to Academies.
- 3.3 The Whistleblowing Policy will be the subject of consultation and will be considered by the Employment Matters Committee on 11 April 2012. To safeguard against discrimination or unfair or unfavourable treatment, it is also necessary for the policy to be considered by the Trade Unions and assessed via the council's Diversity Impact Assessment process.
- 3.4 A Diversity Impact Assessment screening was undertaken (see appendix two) and it is noted that it is not necessary to undertake a full impact assessment.
- 3.4 Following the process outlined above it is proposed that the policy is referred to Council on 26 April 2012 for approval and inclusion within the Council's Constitution.

#### **4. Risk management**

- 4.1 The current Whistleblowing Policy sets out the Council's commitment to tackling unlawful acts including fraud, corruption, bribery, unethical conduct and malpractice.
- 4.2 The Whistleblowing Policy encourages all individuals to raise serious concerns about practices by the Council. If the amended policy is approved, details will be publicised to all staff and other relevant people.

#### **5. Financial and legal implications**

- 5.1 The Whistleblowing Policy has been developed in line with the provisions of the Public Interest Disclosure Act 1998 (the "PIDA"). The PIDA protects a worker from victimisation or detriment following a disclosure made in accordance with the provisions of this Act.
- 5.2 A written policy is indicative of good corporate governance practice. The policy also gives the Council an opportunity to give prominence to the issue and to express its commitment to the legal protection afforded to whistle-blowers.
- 5.3 There are no direct financial implications arising from this report.

#### **6. Recommendations**

- 6.1 That the Audit Committee refers the Whistleblowing Policy, as set out in Appendix 1, to the Employment Matters Committee for consideration and referral to Council for approval.

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#### **Background Papers:**

Bribery Act 2010  
Medway Council's Anti Fraud and Corruption Policy





# Whistleblowing Policy

March 2012



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## **1. Introduction**

- 1.1 The Council is committed to tackling all types of unlawful acts including fraud, bribery, corruption, unethical conduct and malpractice regardless of who commits them, or where in the Council they are committed. In this way the Council ensures that its services are used in the best interests of the local community.
- 1.2 The Council has agreed a constitution, which sets out how the Council operates, how decisions are made, and the procedures to follow to ensure that these are efficient, transparent and accountable to local people. While some of these processes are required by law, others are a matter for the Council to choose. The constitution also has a number of codified rules and regulations to make sure that financial, working and organisational procedures are properly controlled. These are an important part of the internal control processes, and it is important that all members and staff know about them. The most notable are:
  - 1.2.1 Financial rules (Chapter 4, part 6);
  - 1.2.2 Contracts rules (Chapter 4, part 7);
  - 1.2.3 Employment rules (Chapter 4, part 8);
  - 1.2.4 Members code of conduct (Chapter 5, part 1);
  - 1.2.5 Employee code of conduct (Chapter 5, part 3); and
  - 1.2.6 Code of corporate governance (Chapter 5, part 6).
- 1.3 The Council aims to ensure that anyone wishing to raise a concern feels confident in the process under this Policy. This Policy is designed to allow you to raise a concern without fear of reprisals or victimisation, if your disclosure is made in good faith.
- 1.4 To encourage and enable you to do this, the Council will ensure that anyone who uses this Policy to raise a concern will be protected from any form of detriment, harassment or victimisation regardless of:
  - the content or severity of the concern you raise;
  - with whom you raise the concern; and
  - whatever the outcome of raising the concern.
- 1.5 The Policy provides an opportunity for your concern to be dealt with internally, after all that is where the solutions will be found, or through an agreed external body.
- 1.6 There is always a temptation to take a concern directly to the media, but this does not necessarily mean that the issues raised are appropriately addressed and often fails to protect innocent parties. You should remember that you have a duty of confidence

to your employer and that unauthorised disclosure of information maybe a disciplinary offence. Please refer to paragraph 16 below.

- 1.7 Staff should consider the repercussions of making disclosures to parties other than a specialist Whistleblowing Officer (appendix one). Where concerns are of a serious/severe nature, it is possible that an inadvertent or deliberate disclosure to a third party could result in prejudicing a criminal investigation, if such a criminal investigation is warranted.
- 1.8 The best advice before you decide on what action to take is to seek the advice of one of the specialist Whistleblowing Officers..

## **2. What is covered by Whistleblowing?**

- 2.1 A concern can relate to any unethical or unprofessional conduct within the Council, including malpractice, and abuse. The Policy not only covers acts that have actually occurred but also potentially unethical or unprofessional conduct.
- 2.2 The person making the disclosure must do so in the reasonable belief that it shows one or more of the following:
  - A criminal offence has been committed, is being committed, or is likely to be committed;
  - A person has failed, is failing, or is likely to fail to comply with any legal obligation to which she/he is subject;
  - A miscarriage of justice has occurred, is occurring, or is likely to occur;
  - Acts or potential acts of fraud and corruption, bribery or the misuse of public funds;
  - Failure to prevent acts of fraud and corruption or bribery under the Council's Anti-Fraud and Corruption Policy;
  - The health & safety of any individual (employee or member of the public) has been, is being, or is likely to be endangered;
  - The environment has been, is being or is likely to be damaged;
  - Actual or potential acts of all forms of discrimination;
  - The actual or possible abuse (sexual or physical) of clients in the Council's care;
  - Actual or potential acts of harassment or bullying of, or by, someone working for the Council;
  - Any unethical conduct that causes concern or brings the reputation of the Council into disrepute;
  - The deliberate concealment of information that would indicate any of the above; or
  - Information tending to show any matter falling within any one of these points has been, is being, or is likely to be concealed.
- 2.3 Other relevant documents to consider when considering raising a concern are:



- 2.3.1 The Council's Anti-Fraud and Corruption Policy;
- 2.3.2 The Employee's Code of Conduct; and
- 2.3.3 The Members' Code of Conduct.

- 2.4 If you are in any doubt as to whether or not to raise a concern then confidential advice can be sought from HR Services (contact [employeerelations@medway.gov.uk](mailto:employeerelations@medway.gov.uk)) or your trade union representative (contact details are available on the Just4you intranet).

Note: If, when disclosing a concern you commit a criminal offence, for example accepting a bribe and or acts of corruption, you may lose your rights to protection from detriment. Further advice can be sought from one of the specialist teams.

### **3. Who Is Covered By the Whistleblowing Procedure?**

- 3.1 The Public Interest Disclosure Act 1998 will protect Workers who disclose information in the correct manner from dismissal or penalisation. "Workers" include individuals who are;
  - Employees employed under a contract of employment;
  - Employed under any other contract, under which they perform personally any work or services;
  - Agency workers; or
  - Undertaking work experience as part of a training course.

### **4. How am I Protected?**

- 4.1 Under the Public Interest Disclosure Act 1998, to qualify for protection for disclosure the Worker must:
  - Be acting in good faith; and
  - Have reasonable grounds for believing that the information disclosed indicates the existence of one of the problems itemised in section 2 above.

### **5. Confidentiality**

- 5.1 The Council accepts that wherever possible the confidentiality of anyone wishing to raise a concern will be protected. There might however be occasions where your confidentiality cannot be protected, for example, where there is the involvement of the Police.
- 5.2 If there is any possibility that your confidentiality cannot be protected you will be told of the reasons and offered appropriate advice and support.

## **6. Raising a concern**

- 6.1 You are encouraged to raise a concern provided that:
- You have reasonable belief that the information you hold, or the allegation is accurate; and
  - You make the disclosure in good faith.
- 6.2 Under no circumstances should you investigate a concern yourself. This shall avoid prejudicing any investigation, including a criminal investigation, if it is warranted. Further, this will protect you from any repercussions.

## **7. Anonymously raised concerns**

- 7.1 Concerns expressed anonymously will be investigated on the basis of their merits. However, an investigation may be hampered by the inability to gain further information and the Council would encourage you to provide some method of contacting you to assist in the investigation.

## **8. Who can concerns be raised about?**

- 8.1 You can raise a concern about the practice of anyone who undertakes work for, or on behalf of, the Council, including:
- Employees of the Council;
  - Contractors;
  - Councillors;
  - Volunteers; and
  - School Based staff (not Academies).
- 8.2 **School based staff** - In a school you would normally raise a concern with your direct Line Manager. If this is inappropriate then your Head Teacher or Chair of Governors should be contacted, who may involve the nominated Whistleblowing Officer.
- 8.3 Medway Council has a legal responsibility to deal with any issues raised under the Whistleblowing Policy, regardless of the type of School you work in, be it controlled, aided or foundation. If it is not appropriate for a School based whistleblower to raise a concern with the Head Teacher or Chair of Governors then they should contact the Head of HR Services.
- 8.4 This Whistleblowing Policy does not relate to Academies.

## **9. How to raise a concern**

- 9.1 No matter with whom you raise your concern it will be dealt with under this Policy. If the person with whom you raise the concern feels it necessary, they may refer your concern on to either a specialist team or a more senior Council officer, whichever is appropriate. If this is the case you will be contacted first and have the opportunity to discuss any issues this may raise.
- 9.2 Staff should be aware that raising a concern by email might result in third party's identifying a Whistleblower. Staff should therefore consider arranging a meeting with the relevant Whistleblowing officer/Specialist team if they are concerned about third parties accessing emails.

### **As a First Point of Contact**

- 9.3 A concern would normally be raised initially with your line manager or supervisor. However this may not always be possible, dependent on the nature of the concern and who is involved.

### **As an alternative**

- 9.4 If you feel unable to raise the matter with your Line Manager or Supervisor you may wish to contact your Director of Service or the Director of the Service to which your concerns relate (if different).
- 9.5 You may wish to refer your concern directly to one of the Council's specialist teams as listed in appendix one
- 9.6 All the Whistleblowing Officers have received specialist training in dealing with concerns and will follow the procedure as laid out in this Policy.

## **10. Misuse of the Whistleblowing Policy**

- 10.1 Raising a concern with malicious intent or for personal gain or the gain of others is not acceptable and may lead to disciplinary action under the Council's Disciplinary Policy. If in any doubt employees should contact the relevant whistleblowing officer.

## **11. Responsible Officer** Frauds are often discovered as a result of whistleblowing and the Council has arrangements in place to enable such information to be properly dealt with, and the whistleblower protected.

- 11.1 Referrals to particular Specialist teams may be forwarded to the Internal Audit/Finance team if there is a financial aspect to a complaint. In particular, all whistleblowing cases related to fraud and financial

irregularity will be subject to initial enquiries by the Audit Services Manager to confirm or repudiate suspicions raised, and if the concerns are substantiated a full investigation will be undertaken.

- 11.2 The Chief Finance Officer needs to be informed of all fraudulent matters and will decide on the appropriate action following the results of the investigation. A report of instances of all uses of this Policy shall be provided to the Audit Committee. This report will not identify any parties using this Policy, but is intended to monitor Whistleblowing procedures.

## **12. The Procedure**

### **12.1 What to consider when expressing a concern –**

To enable your concerns to be dealt with in a proper and effective manner here are some guidelines for you to consider:

- Be as clear as possible about what the concern is and to whom and what it relates. You may also want to discuss the concern with others to see if it is shared.
- Be as clear as possible about who maybe involved, when and where actions may have taken place. Please ensure the facts are recorded i.e. record the dates and times in a diary. This way you can be clear about what has actually been heard or seen and when, rather than rely on memory or hearsay.
- Ensure you ask for your concerns to be dealt with under this procedure.

## **13. The procedure to be followed**

- 13.1 To ensure that all concerns raised are taken seriously and are fully investigated the Council has agreed a procedure to be followed in all cases.
- 13.2 Staff should be aware that raising a concern by email might result in third party's identifying a Whistleblower. Staff should therefore consider arranging a meeting with the relevant Whistleblowing officer/Specialist team if they are concerned about third parties accessing emails.
- 13.3 If, at any stage of the procedure, you are asked or wish to meet with someone addressing the concerns you have raised you have the option to be accompanied by a work place colleague, trade union representative or representative from a professional body.
- 13.4 Upon raising a concern:
- 13.4.1 However you wish to express your concern, by telephone or in person, you will:

- Receive an acknowledgement of your concerns within five working days of notifying the investigating person whom you have expressed the concern (this can be sent to your home address);
- The investigating person will then decide how to progress your concern. This may mean undertaking an investigation. This does not mean that the concern is either true or untrue, but will help to assess the gravity of the complaint and establish the facts. It could be possible that concerns raised may be the result of a misunderstanding or an authorised change in practice.

13.4.2 Within ten working days of making your concerns known you will either:-

- Have a confidential meeting with the investigating person to further discuss your concerns; or
- Have received, in writing, an outline of how the investigating person intends to deal with the concerns raised.

13.4.3 Dependent on the nature of the concerns you may have subsequent meetings with the relevant investigating persons. These can be held “off-site” if preferred.

## **14. The outcome of your concern**

14.1 Having raised the concern, the Council recognises that you will need to be assured that the issues have been dealt with correctly. You will be kept informed on a regular basis of what actions are being taken and the final results of any investigations.

14.2 In some situations, such as referrals to external bodies, it may not be appropriate (or legally possible) to supply you with the full information discovered. However the reasons for this will be explained at the appropriate time.

14.3 All uses of this Policy will be formally recorded and a register maintained.

## **15. Taking your concern further**

15.1 If you have exhausted all these channels and you still have concerns, or feel that the issues have not been fully or appropriately addressed, you can contact the Chief Executive, or have him contacted on your behalf, to discuss your concern in confidence. At this point, you may also raise your concerns with elected members.

15.2 However you should not refer the matter outside the organisation without first ensuring that all other possible avenues have been exhausted.

15.3 Details of regulatory bodies can be found in Appendix two.

## **16 Contacting the media**

16.1 If a Worker is considering contacting the Press, they are strongly advised to seek guidance from professional or other representative bodies and to discuss the matter where possible with line and professional managers. Please be aware that contacting the media before allowing the Whistleblowing team to investigate could result in prejudicing any investigation.

16.2 If you decide to proceed with contacting the media, you must inform the Chief Executive of the action you have taken or are proposing to take and the Chief Executive will brief Group Leaders on the matter.

16.3 Disclosures to the media can be made under the law, and will be protected if the following circumstances are met:

- The disclosure is made in good faith;
- The employee reasonably believes the information and any allegations are substantially true;
- The employee does not act for personal gain.

16.4 **Additionally, one or more of the following conditions must be met:**

- The Worker reasonably believes they would be subjected to a detriment if disclosure were made to the employer or prescribed person;
- In the absence of an appropriate prescribed person, the Worker reasonably believes a disclosure to their employer would result in the destruction or concealment of information about the wrongdoing;
- The Worker has previously disclosed substantially the same information to their employer or prescribed person; and
- It must be reasonable to make the disclosure.

16.5 Please be aware that premature contact with the media, where none of the conditions above are met, may result in disciplinary action under the Council's Disciplinary Policy.

## Appendix one

### Specialist Teams and Whistleblowing Officers

Please note that there may be circumstances where it may be necessary for a concern to be sent to more than one Whistleblowing Officer, for example, where a concern spans two service areas.

<b>Specialist Team</b>	<b>Concerns</b>	<b>Whistleblowing Officer</b>	<b>Contact number</b>
Financial / Audit and Corporate Fraud team	Fraud, corruption or misappropriation of Council assets or resources or financial irregularity	Alison Russell Audit Services Manager	01634 332355
Adult and Community	The care and welfare of adults and community issues; e.g. the conduct of care staff, or housing staff	Genette Laws Social Care Commissioning and Voluntary Sector Manager	01634 331345
Children	The care and welfare of children e.g. the use of school funds (may overlap with the Financial / Audit team)	Ralph Edwards, Head of HR	01634 331090
	A child is being neglected or abused please contact the local authority designated Officer	Clare Wilkes, The Local Authority Designated Officer	01634 331229
Human Resources	The conduct of employees in general and specific issues of discrimination, harassment etc.	Lizzie Hunt Employee Relations Consultant	01634 334092
Information Technology	The misuse of information technology such as e-mail and the internet.	Moir Bragg, Corporate Projects Manager	01634 332087
Regeneration	Environmental issues, eg building control, planning etc...	Joy Kirby, Business Quality Assurance Manager	01634 331422
All matters relating to the Council	Monitoring Officer	Perry Holmes	01634 332133

## **Additional Information**

**Trade Unions:** - contact details for the trade unions are available on the Just4you intranet at:

<http://just4you.medway.gov.uk/hr/a-zofhrinformation/tradeunions.aspx>

**Equalities Forums** - (Black Workers Forum (BWF), Disabled Workers Forum (DWF) and Lesbian, Gay, Bisexual and Trans staff (LGBT) Forum).

Concerns relating to all matters affecting the Council, contact details for the forums are available on the Just4you intranet at the following link:

<http://just4you.medway.gov.uk/support/staffforums.aspx>



## **Regulatory and professional bodies**

Health & Safety Executive [www.hse.gov.uk](http://www.hse.gov.uk)  
Tel. 0845 345 0055

Care Quality Commission [www.cqc.org.uk](http://www.cqc.org.uk)  
Tel. 03000 616161

Health Professions Council (HPC) [www.hpc-uk.org](http://www.hpc-uk.org)  
Tel 0800 328 4218

General Social Care Council [www.gscc.org.uk/](http://www.gscc.org.uk/)  
Tel 01788 532405

Nursing and Midwifery Council (NMC) [www.nmc-uk.org](http://www.nmc-uk.org)  
Tel 0207 333 9333

General Medical Council (GMC) [www.gmc-uk.org](http://www.gmc-uk.org)  
Tel 0161 923 6602

Audit Commission [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk)  
Tel. 0844 7983131

Local Government Ombudsman [www.lgo.org.uk](http://www.lgo.org.uk)  
Tel. 0300 061 0614

Information Commissioner's Office [www.ico.gov.uk](http://www.ico.gov.uk)  
Tel. 0303 123 1113

Equality and Human Rights Commission [www.equalityhumanrights.com](http://www.equalityhumanrights.com)  
Tel. 0845 604 6610

Ofsted [www.ofsted.gov.uk](http://www.ofsted.gov.uk)  
Tel. 0300 123 4666

Institution of Civil Engineers <http://www.ice.org.uk/homepage/index.asp>  
Tel. 020 7222 7722



## Diversity Impact Assessment: Screening Form

<b>Directorate</b>	<b>Name of Function or Policy or Major Service Change</b>		
<b>Business Support Department</b>	<b>Whistleblowing Policy</b>		
Officer responsible for assessment	Date of assessment	New or existing?	
Tricia Palmer, Assistant Director, Organisational Services	19 March 2012	Existing	
<b>Defining what is being assessed</b>			
<b>1. Briefly describe the purpose and objectives</b>	The Whistleblowing Policy provides a mechanism for employees to raise a concern internally about suspected fraud, corruption, unethical conduct and malpractice without fear of reprisals or victimisation. This enables the council to deal with a concern before it has an adverse affect on others or brings the Council into disrepute with the public or the media		
<b>2. Who is intended to benefit, and in what way?</b>	The policy has been introduced to benefit the Council, employees and service users.		
<b>3. What outcomes are wanted?</b>	Desired outcomes: <ul style="list-style-type: none"> <li>- employees using the policy to raise their concerns;</li> <li>- concerns raised internally and dealt with in an efficient and appropriate manner;</li> <li>- minimising the risk of adverse media and/or bringing the council into disrepute.</li> </ul>		
<b>4. What factors/forces could contribute/detract from the outcomes?</b>	<b>Contribute</b> <ul style="list-style-type: none"> <li>- Raising awareness to all staff of the policy and what it means;</li> <li>- Whistleblowing cases being dealt with promptly and appropriately;</li> <li>- Whistleblowing cases being handled internally wherever possible;</li> <li>- Trained Whistleblowing officers.</li> </ul>	<b>Detract</b> <ul style="list-style-type: none"> <li>- employees not understanding the protection afforded to them under this policy and therefore failing to use it;</li> <li>- employees feeling intimidated and in fear of reprisals.</li> </ul>	
<b>5. Who are the main stakeholders?</b>	The council, employees and service users.		
<b>6. Who implements this and who is responsible?</b>	The Assistant Director, Organisational Services		

Assessing impact		
7. Are there concerns that there <u>could</u> be a differential impact due to <i>racial groups</i> ?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> <li>- has been shared with the Trade Unions, and at time of writing no concerns have been raised in this regard.</li> <li>- does not require a whistleblower to provide details about their race;</li> <li>- explicitly states that acts of discrimination can be reported under this policy.;</li> <li>- will be made available in other languages if requested.</li> </ul>	
8. Are there concerns that there <u>could</u> be a differential impact due to <i>disability</i> ?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> <li>- has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard.</li> <li>- do not require a whistleblower to provide details about their disability;</li> <li>- explicitly states that acts of discrimination can be reported under this policy;</li> <li>- will be accessible in different formats if required.</li> </ul>	
9. Are there concerns that there <u>could</u> be a differential impact due to <i>gender</i> ?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> <li>- has been shared with the Trade Unions and at the time of writing no concerns have been raised in this regard</li> <li>- do not require a whistleblower to provide details about their gender;</li> <li>- explicitly states that acts of discrimination can be reported under this policy;</li> </ul>	
10. Are there concerns there <u>could</u> be a differential impact due to <i>sexual orientation</i> ?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> <li>- has been shared with the Trade Unions and at the time of writing no concerns have been raised regarding sexual orientation;</li> <li>- do not require a whistleblower to provide details about their sexual orientation;</li> <li>- explicitly states that acts of discrimination can be reported under this policy;</li> </ul>	

11. Are there concerns there <u>could</u> be a have a differential impact due to <i>religion or belief</i> ?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> <li>- has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard;</li> <li>- do not require a whistleblower to provide details about their religion or belief;</li> <li>- explicitly states that acts of discrimination can be reported under this policy.</li> </ul>	
12. Are there concerns there <u>could</u> be a differential impact due to people's <i>age</i> ?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> <li>- has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard;</li> <li>- do not require a whistleblower to provide details about their age;</li> <li>- explicitly states that acts of discrimination can be reported under this policy.</li> </ul>	
13. Are there concerns that there <u>could</u> be a differential impact due to <i>being trans-gendered or transsexual</i> ?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> <li>- has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard;</li> <li>- do not require a whistleblower to provide details of whether they are transsexuals or being transgendered;</li> <li>- explicitly states that acts of discrimination can be reported under this policy.</li> </ul>	
14. Are there any <i>other</i> groups that would find it difficult to access/make use of the function (e.g. young parents, commuters, people with caring responsibilities or dependants, young carers, or people living in rural areas)?		If yes, which group(s)?
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> <li>- has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard;</li> <li>- explicitly states that acts of discrimination can be reported under this policy.</li> </ul>	
15. Are there concerns there <u>could</u> have a differential		Brief statement of main issue

impact due to <i>multiple discriminations</i> (e.g. disability <u>and</u> age)?	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> <li>- has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard;</li> <li>- explicitly states that acts of discrimination can be reported under this policy.</li> </ul>	

Conclusions & recommendation		
16. Could the differential impacts identified in questions 7-15 amount to there being the potential for adverse impact?	YES	N/A
	NO	
17. Can the adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or another reason?	YES	N/A
	NO	
Recommendation to proceed to a full impact assessment?		
NO	This function/ policy/ service change complies with the requirements of the legislation and there is evidence to show this is the case.	
NO, BUT ...	What is required to ensure this complies with the requirements of the legislation? (see DIA Guidance Notes)?	Employees must be mindful of their responsibilities under the Dignity at Work (Bullying and Harassment) Policy and the implications of discriminating against colleagues, service users or others. This policy and other employment policies are promoted periodically and are available at all times on the council's intranet. This policy is included within the staff handbook.
YES	Give details of key person responsible and target date for carrying out full impact assessment (see DIA Guidance Notes)	Tricia Palmer, Assistant Director, Organisational Services.

<b>Planning ahead: Reminders for the next review</b>		
<b>Date of next review</b>	On-going	
<b>Areas to check at next review (e.g. new census information, new legislation due)</b>	Check whether the policy is being used and whether employees are aware of the policy and its purpose.	
<b>Is there <i>another</i> group (e.g. new communities) that is relevant and ought to be considered next time?</b>		
<b>Signed (completing officer/service manager)</b>	<b>Date</b>	
<b>Signed (service manager/Assistant Director)</b>	<b>Date</b>	