

Buckinghamshire & Milton Keynes Fire Authority

OC 21/ 01

Whistle blowing: Maintaining an Ethical Climate at Work**Policy Statement**

Buckinghamshire and Milton Keynes Fire Authority is committed to achieving high standards and values in public service. The employees of the Authority play a vital part in creating and maintaining an ethical climate at work and may often be the first to notice unacceptable behaviour or practice within the Authority.

It is the policy of the authority that employees concerns are heard and responded to without risk of harassment or victimisation. This Code of Practice details the procedure for employees concerns to be heard.

Document history

Issue 2.0 has been rewritten to enable employees to raise a concern in confidence with total anonymity through the Employees Assistance Programme (EAP). Other changes have been made to create a better fit with a number of other policies and codes of practice. For this reason no areas of the document have been highlighted to indicate where a change has been made.

Issue 2.1 includes Appendix A PPC's internal process for dealing with Whistle blowing calls from employees.

Contents

Aims

Introduction

Our Assurances to you

Your safety

Your confidence

How we will handle the matter

How to raise a concern

Step one (Informal Stage)

Step two (Formal Stage)

Step three (Final Stage)

If you are dissatisfied

Monitoring the policy

Process Chart

Appendix A PPC Internal Process

Aims

The aims of this policy are to:

provide clear avenues for employees to raise concerns and to receive feedback on how these concerns are addressed;

allow employees to take the matter further if they are dissatisfied with the Authority's response to the concerns expressed and

protect employees from possible reprisals or victimisation for whistle blowing in good faith.

Introduction

The [Public Interest Disclosure Act 1998](#) covers this policy and applies to people at work - employees, contractors, agency staff and suppliers.

All of us at one time or another has concerns about what is happening at work. Usually, these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice, the health and safety of employees or the public, or dangers to the environment, it can be difficult to know what to do. Therefore, any significant concern that any employee has about any aspect of service provision, or the conduct of officers, members of the Fire Authority or other parties acting on behalf of the Fire Authority which may be:

unlawful
and/or
against the Fire Authority's policies, procedures or rules and/or
established standards of practice,

should be reported under this Policy. This may include fraud, corruption, or any type of malpractice.

You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may decide to say something, but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

Buckinghamshire & Milton Keynes Fire Authority has introduced this procedure to enable you to raise your concerns about such malpractice at an early stage and in the right way. We would rather that you raised the matter when it is just a concern rather than wait for proof.

If something is troubling you, which you think we should know about or look into, please use this procedure. If, however, you are aggrieved about your personal position, please use the Grievance Procedure - Whistle blowing is not a substitute for the Fire Authority's Grievance ([OC 56/02](#)) Capability ([OC 26](#)) or Disciplinary Procedures ([OC 24/01](#)) and is not a channel for staff to raise grievances relating to their own employment.

This Whistle blowing Procedure is primarily for concerns where the interests of others or of the organisation itself are at risk.

Our Assurances to you

Your safety

The managers and members of the Fire Authority are committed to this policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of retribution as a result. Provided you are acting in good faith, it does not matter if you are mistaken. Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue and, if on investigation, that is found to be the case, will pursue the matter through the appropriate policy.

Your confidence

We will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, we recognise that you may, nonetheless, want to raise a concern in confidence under this policy so, to provide you with total anonymity, the Employees Assistance Programme (EAP) have extended their services to provide a dedicated 'Whistle blowing' line so that they can relay your concerns on your behalf (Details of how to contact the EAP can be found on page 6 final stage).

If you raise your concerns directly with your line manager, Chief Fire Officer or the Chairman of the Fire Authority, and ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance, because your evidence is needed in court), we will discuss with you whether and how we can proceed. Or, if your concerns have been relayed via the EAP we will ask them to discuss this with you.

Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter or to protect your position or to give you feedback. Accordingly, while we will consider anonymous reports, this policy is not appropriate for concerns raised anonymously.

How we will handle the matter

Once you have made us aware of your concern, we will look into it to assess what action should be taken. This may involve an internal inquiry or a more formal investigation. We will tell you (or your EAP representative) who is handling the matter, how to contact him / her and whether your further assistance may be needed. If you request, we will write to you (either directly or via your EAP representative) summarising your concern and setting out how we propose to handle it. Please note, however, that we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.

When you raise the concern you may be asked how you think the matter might best be resolved. If you do have any personal interest in the matter, we do ask that you let us know at the outset. If your concern falls more properly within the Grievance Procedure we will let you know.

While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can.

All concerns will be acknowledged, and, where possible, we will give an indication of how management propose to deal with the matter. An indication of likely timescales involved in providing a final response will also be provided. If it is not possible for initial enquiries to be completed within ten working days the letter of acknowledgement will explain the situation. If a decision is made not to investigate, a brief explanation of the reasons for the decision will be provided.

The Fire Authority's Disciplinary Procedure ([OC 24/01](#)), Code of Conduct, Standing Orders and individual Contracts of Employment require employees not to disclose confidential, false or misleading information. When considering taking a concern outside the Fire Authority, employees should be aware of their duty of confidentiality and ensure that the matter is raised without confidential information being divulged

How to raise a concern

Matters should be raised in confidence and not discussed with other parties. Employees should not make any public statement without having exhausted these procedures.

Whilst you may ask a work colleague or your trade union representative to accompany you to any meetings, it is important that they respect the need for the matter to remain confidential.

Disciplinary action may be taken against any employee discovered to have made allegations falsely and maliciously. Employees will not be disciplined if they have an honest and reasonable suspicion that malpractice has occurred or is likely to occur. However, a concern that is sincerely felt and expressed may, on investigation, prove to be unfounded and the Fire Authority will try to ensure that the negative impact of an unfounded allegation on any "accused" person and the person raising the concern is minimised.

Step one (Informal Stage)

If you have a concern about malpractice, we hope you will feel able to raise it first with your manager. This may be done verbally or in writing.

Step two (Formal Stage)

Department:	Corporate Planning
Approval date:	December 2005
Issue number:	2.1
Issue date:	January 2006
Review date:	January 2008

If you feel unable to raise the matter with your manager, for whatever reason, please raise the matter with the:

Complaints Officer	-	Sue Caul BHQ Extension 140
Area Manager Human Resources	-	Jeremy Morrison BHQ Extension 220

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

Step three (Final Stage)

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact:

Chief Fire Officer	-	Damian Smith BHQ Extension 101
Chairman of the Fire Authority	-	Cllr David Rowlands Via Robyn Marley BHQ Extension 107
Fire Brigades Union		01494 513034
Unison		0870 7701 112
Audit Commission ⁱ	-	0207 828 1212
Public Concern at Work ⁱⁱ		0207 404 6609 or www.pcaw.co.uk
Employee Assistance Programme (EAP) ⁱⁱⁱ	-	0800 282193

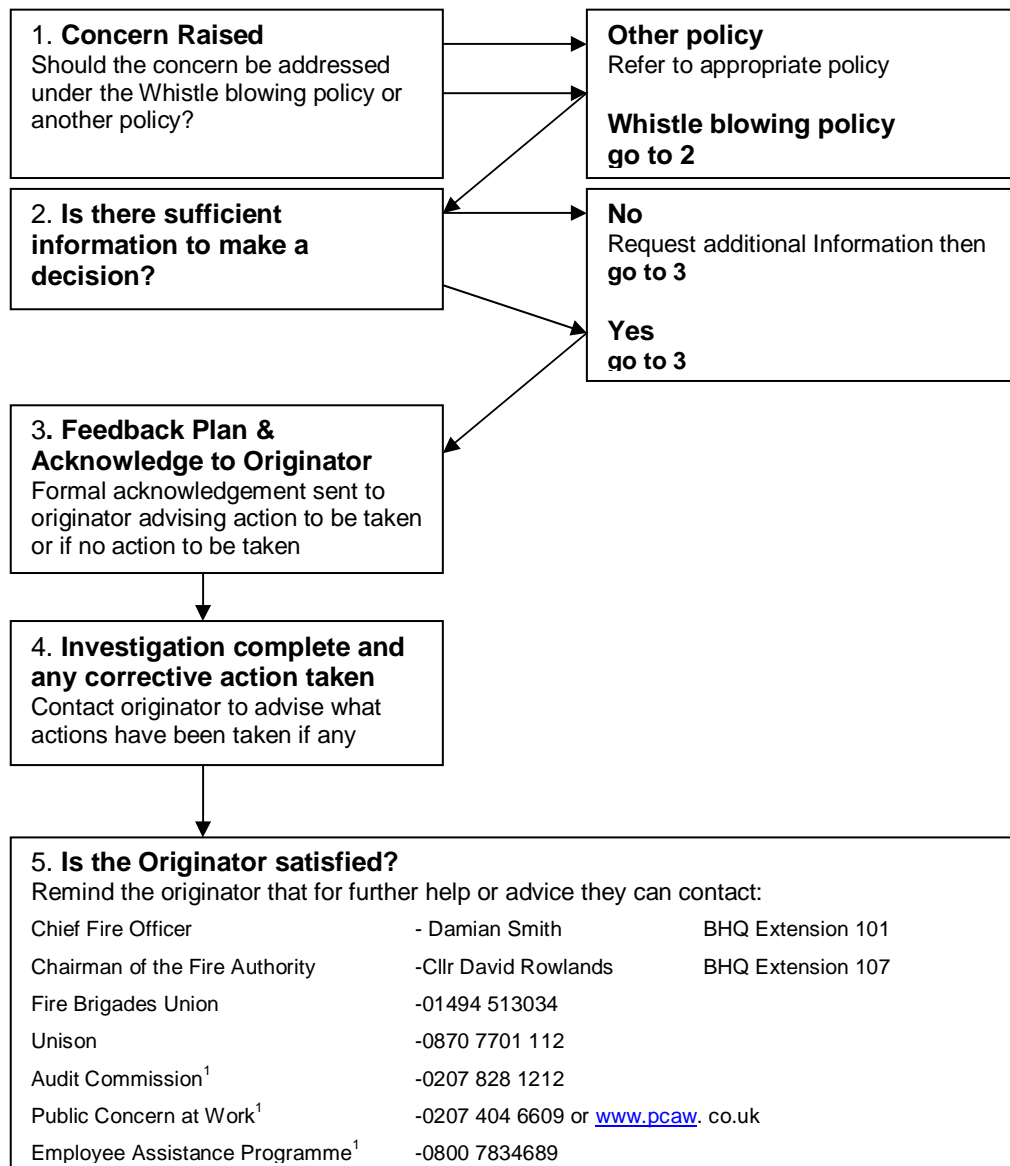
If you are dissatisfied

If you are unhappy with our response, remember you can go to the other levels and bodies detailed in this policy. Whilst we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and properly.

Monitoring the Policy

The Complaints Officer will maintain a record of all matters raised through the Whistle blowing Policy in order that an assessment may be made of the effectiveness of the policy and any emerging patterns.

Process Chart for dealing with concerns raised under the Whistle blowing policy OC 21/01



Buckinghamshire Fire & Rescue

Whistle Blowing Service

Purpose

The aim of this service is to enable employees to have an independent means of reporting concerns about their organisation. Callers can choose to remain anonymous although the greater the amount of detail disclosed means a more effective investigation can take place.

Personal Performance Consultants UK Ltd (PPC), will attempt to gather as much relevant information as possible, using non judgmental, open questions and bearing in mind initially the caller may be naturally reticent.

Process overview

This service should be seen purely as a conduit. PPC does not make any recommendations or give advice to callers. PPC will gather information by asking open questions and then recording a summary of the responses given. This information is verified with the caller.

Due to the nature of the service the only way a caller can receive feedback from their employer is by calling the service centre again at a later date, quoting their CARES (Confidential & Responsive Employee System) case number. PPC will not proactively attempt to contact the caller.

1. Name

This will be called Buckinghamshire Fire & Rescue Reporting Line.

2. Telephone Number

Free-phone Number: 0800 783 4689

3. Confidentiality

PPC Service Representative Text:

`Buckinghamshire Fire & Rescue Reporting Line` this is (name) speaking.
How can I help you?

Can I give you an overview of the process? I will be taking some details from you, and will give you a case number.

We will forward all information to Bucks Fire & Rescue and they will send us feedback after 14 days of this call. Before we start do you mind if we take a few personal details for our database. I would like to remind you that this call is confidential and that you may remain anonymous if you wish.

CAN I JUST REMIND YOU THAT ALL INFORMATION GATHERED WILL BE SUBMITTED TO BUCKINGHAMSHIRE FIRE & RESCUE AND ACTIONED UPON. DO YOU STILL WISH TO PROCEED?

3. Investigation

The questions that would be asked on the telephone are:

- Name of caller
- Telephone number
- Address where they work
- Address where incident has occurred
- Description of incident
- Has the employee raised the issue with anyone else in BF&R, if yes, details of who

4. Reporting

This is to be sent by e-mail to the following addresses:

To: Jeremy Morrison (Area Manager Human Resources)
jmorrison@bucksfire.gov.uk 01296 - 744620

cc: Sue Caul (Complaints Officer)
scaul@bucksfire.gov.uk 01296 - 744440

These people will be responsible for acting on the information and will provide feedback to PPC on the action taken.

5. Feedback

We would suggest a guideline of 2 weeks which is considered sufficient time for the company to assess the information and provide feedback to PPC in order that the whistle blower can be told to re-contact PPC after 2 weeks has elapsed in order that he/she may receive an update on the action taken relating to the particular whistle blowing incident.

The telephone number for the whistle blower helpline will be separate to that of the EAP with PPC.

Note:

Standard response where caller is waiting for feedback.....

“Thank you for calling. The matter is under investigation and if you have any more information please contact the investigation team on 01296 - 744440”

FAQ:

1.) Caller: Can I ask exactly who you are and what you do?

SR: We are the Buckinghamshire Fire & Rescue confidential feedback line. We offer a service where an employee can call in to report or comment on any form of malpractice e.g. theft, fraud or poor safety practice. .

2.) Caller: Are you part of Buckinghamshire Fire & Rescue?

SR: We are agents that work on behalf of Buckinghamshire Fire & Rescue as an independent third party.

3.) Caller: How do I know this service is confidential?

SR: We will not release your name or any contact information to Buck Fire & Rescue unless you give your permission. However, any information you provide us with will be passed on to Bucks Fire & Rescue. We will agree with you the exact wording of the information to be passed on.

4.) Caller: How do I know that by telling you this information that some thing will be done about it?

SR: We can assure you that your information will be passed through to the appropriate department and you have the opportunity to ring in for feedback.

5.) Caller: How soon before I can pick up a response?

SR: 14 days

6.) Caller: Could you call when the feedback arrives?

SR: To avoid you being contacted at an inappropriate time, you will have to contact us at your convenience. Please be aware that we are available 24/7.

Notes

ⁱ The Audit Commission is an independent public body responsible for ensuring that public money is spent economically, efficiently, and effectively.

ⁱⁱ Public Concern at Work is an independent charity whose lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

ⁱⁱⁱ In addition to the providing a confidential helpline for counselling and other forms of assistance, advice and information to employees on a systematic and uniform basis, and to recognised standards. The EAP also provides a dedicated 'Whistle blowing' line for employees to raise concerns about the organisation.