



# DORSET & WILTSHIRE FIRE AND RESCUE SERVICE CG 4 - Whistleblowing (Confidential Reporting)

To be used in conjunction with the [Corporate Governance Policy Statement](#)

## Corporate Governance (CG)

1. Purpose & Definition	<a href="#">Detailed Info</a>
2. Procedure Principles	<a href="#">Detailed Info</a>
3. Responsibilities	
3.1 Line Managers	<a href="#">Detailed Info</a>
4. Monitoring & Assurance	<a href="#">Detailed Info</a>
5. Document Reference	<a href="#">Detailed Info</a>
6. Document Management & Version Control	<a href="#">Detailed Info</a>

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## 1. Purpose & Definition

- 1.1. Dorset & Wiltshire Fire and Rescue Service (DWFRS) is committed to the highest standards of openness and accountability. In line with that commitment, we want members of staff, volunteers and others that we deal with who have serious concerns about any aspect of our work to have the confidence to come forward and voice those concerns.
- 1.2. This procedure supports the anti-fraud and corruption and bribery procedure and encourages members of staff and volunteers to raise serious concerns within the Service, rather than overlook a problem or “blowing the whistle” externally.
- 1.3. Members of staff and volunteers are often the first to realise that there may be something seriously wrong in the workplace. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Service. They may also fear harassment or victimisation and feel that it may be easier to ignore the concerns rather than report what may just be a suspicion of malpractice.

## GC 4 – Whistleblowing (Confidential Reporting)

- 1.4. This procedure considers the requirements of the Public Interest Disclosure Act 1998, as amended by the Enterprise and Regulatory Reform Act 2013. It is unlawful for the Service to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.
- 1.5. Rarely, a case might arise where the employee has participated in the action causing concern. In such a case, it is in the employee's interest to raise the concern as soon as possible. The Service cannot promise not to act against such an employee, but the fact that they have come forward may be taken into account.
- 1.6. This procedure aims to:
- encourage you to feel confident to question and act upon serious concerns about practice
  - provide the means for you to raise concerns and receive feedback on any action taken
  - ensure you receive a response and are aware of how to pursue your concerns if you are not satisfied with the outcome
  - reassure you that disclosures made in good faith will be protected from reprisals, harassment or victimisation.
- 1.7. This applies to all members of staff, volunteers, agency workers and independent contractors. It should also be applied where there is perceived malpractices by contractors working for us, such as agency staff, suppliers, builders and drivers or those providing services under a contract.

## 2. Procedure Principles

### 2.1. What should be reported?

- 2.1.1. This procedure covers major concerns that fall outside of the scope of existing procedures and reporting arrangements, for example, the Grievance procedure or Complaints procedure.
- 2.1.2. A qualifying disclosure is defined as any disclosure of information about something that you 'reasonably believe' has occurred, is occurring or is likely to occur, relating to one or more of the following:
- A criminal offence
  - Failure to comply with a legal obligation
  - A miscarriage of justice
  - Endangering the health and safety of any individual (including risks to members of staff, volunteers, contractors, visitors, customers and members of the public)
  - Damage to the environment
  - Unauthorised use of public funds
  - Possible fraud and corruption, including bribery (whether related to the offer or promise of a financial or other advantage, or whether related to the receiving of a bribe)
  - Other unethical conduct

## GC 4 – Whistleblowing (Confidential Reporting)

- The cover up of any of the above.

2.1.3. In addition, under this procedure you can report any serious concerns held about any aspect of Service provision, the conduct of other members of the Service or others acting on behalf of the Fire Authority.

2.1.4. The disclosure may be something that:

- makes you feel uncomfortable in terms of known standards, your experience in the Service or the standards you believe the Service subscribes to
- is against the Service's policies or processes or the Authority's standing orders and financial regulations
- falls below existing established standards of practice
- amounts to improper conduct.

### 2.2. Confidentiality

2.2.1. All matters reported will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

### 2.3. Anonymous disclosures

2.3.1. This procedure encourages you to put your name to a disclosure whenever possible. This is because concerns expressed anonymously are much less powerful.

2.3.2. Anonymous disclosures will be considered at the discretion of the Service. The factors taken into account when exercising this discretion include the:

- seriousness of the issues raised
- credibility of the concern
- likelihood of confirming the allegation from attributable sources.

### 2.4. Untrue allegations

2.4.1. If you make an allegation in good faith, but it is not confirmed by an investigation, no action will be taken against you. However, disciplinary action may be taken if a disclosure is proven to be frivolous, malicious or for personal gain.

### 2.5. How to raise a concern

2.5.1. There are a number of options available if you wish to raise a concern, dependent upon the seriousness and sensitivity of the issue involved and who is suspected of malpractice, for example, if you believe that management is involved, you should approach a Director or the Chief Fire Officer.

2.5.2. If you wish to raise the matter directly then as a first step, you should normally raise a concern with your line manager.

2.5.3. If your concern relates to your line manager or you would prefer an alternative contact, then you should raise it with the Head of Strategic Planning & Corporate Assurance.

## GC 4 – Whistleblowing (Confidential Reporting)

- 2.5.4. If you wish to report a concern to a member of the strategic leadership team you can approach any of the Directors, Deputy Chief Fire Officer or Chief Fire Officer.
- 2.5.5. If you wish to report a concern to someone independent of the strategic management team you can approach the Fire & Rescue Authority Clerk & Monitoring Officer, who is accountable for the Fire & Rescue Authority. Contact Jonathan Mair, Corporate Director – Legal & Democratic, Dorset Council – email [Jonathan.mair@dorsetcouncil.gov.uk](mailto:Jonathan.mair@dorsetcouncil.gov.uk), telephone 01305 224181.
- 2.5.6. If your concern relates to a Member of the Fire & Rescue Authority, then you should raise it with the Head of Strategic Planning & Corporate Assurance or the Clerk & Monitoring Officer.
- 2.5.7. If you wish to raise your concern with someone independent of the Service, you can report it to our internal auditors, SWAP Internal Audit Services, email: [confidential@swapaudit.co.uk](mailto:confidential@swapaudit.co.uk), telephone: 01935 462381.
- 2.5.8. Advice on what to do and who to speak to may also be sought from ‘Protect’ who are an independent organisation who offer free confidential whistleblowing advice <https://protect-advice.org.uk/>
- 2.5.9. The earlier you express your concern, the easier it is to take action. Concerns should be raised in writing (anonymously where required) and should clearly make reference to the Whistleblowing procedure.
- 2.5.10. All concerns should state the:
- background and history of the concern (giving relevant dates)
  - reason why you are particularly concerned about the situation.
- 2.5.11. Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate that there are reasonable grounds for your concern.
- 2.5.12. You may wish to consider discussing your concern with a colleague first as you may find it easier to raise a matter if there are two (or more) people with the same experience or concerns.
- 2.5.13. You may invite your union representative, a senior officer or a friend to be present during any meetings or interviews in connection with the concerns you have raised.
- 2.6. **How the Service will respond**
- 2.6.1. The action taken will depend on the nature of your concerns and the information you disclose.
- 2.6.2. Where appropriate, the matters raised may be:
- investigated by senior managers, or through the disciplinary process
  - referred to the Clerk & Monitoring Officer
  - referred to the Police
  - referred to the auditors
  - the subject of an independent inquiry
  - referred to HR if appropriate to be resolved by other Service procedures.

## GC 4 – Whistleblowing (Confidential Reporting)

- 2.6.3. To protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide if an investigation is appropriate and what form it should take, if necessary. Investigations will not usually be conducted by staff working in the department about which the allegation has been made, nor by anyone in your line management structure.
- 2.6.4. Some concerns may be resolved or agreed without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.
- 2.6.5. An appropriate person will be appointed to deal with the concern and be confirmed as your single point of contact.
- 2.6.6. The person dealing with the concern will write to you within seven working days, to confirm their appointment and acknowledge the concern.
- 2.6.7. They will also confirm a mutually agreeable communication method with you, and ensure that you are advised, in a timely manner, with:
- an indication of how we propose to deal with the matter
  - an estimate of how long it will take to provide a final response
  - updates on initial enquiries
  - information on support, if appropriate
  - confirmation as to whether further investigations will take place and if not, why not.
- 2.6.8. Where necessary, the Service will seek further information from you.
- 2.6.9. Where any meeting is arranged you can be accompanied by a union representative, colleague or friend. This can be off site if you so wish.
- 2.6.10. Steps will be taken to minimise any difficulties that you may experience as a result of raising a concern. For example, if you are asked to give evidence in disciplinary or criminal proceedings, the Service will arrange for you to receive appropriate advice and support.
- 2.6.11. The Service will provide access and support via occupational health, where required, where, for example, counselling support can be arranged.
- 2.6.12. The Service accepts that you will need to be assured that the matter has been properly addressed. Therefore, subject to legal constraints, you will be informed of the outcome of any investigation.
- 2.6.13. If you raise a concern, you will be given the opportunity to feed back any issues or problems you may have experienced as a result. This will take place outside of your line management structure. The purpose of this is to ensure that the person who has raised concerns in the public interest do not suffer as a result.
- 2.6.14. Where appropriate and to help prove or disprove any allegations made, the Service will attempt to identify any other persons who may have information that relates to the investigation.
- 2.6.15. Witnesses will be approached by the investigating officer and asked if they would be willing to provide their support to the investigation and provide an account in the form of a written statement.

## GC 4 – Whistleblowing (Confidential Reporting)

2.6.16. All efforts will be made to ensure that witness confidentiality is maintained and that any meetings are conducted at a location that is convenient for the witness. However, witnesses must be aware that if the whistleblowing investigation forms part of any other legal proceedings, the personal details of the witness may be disclosed in the course of those proceedings.

### 2.7. The Responsible Officer

2.7.1. The Head of Strategic Planning & Corporate Assurance has overall responsibility for the maintenance and operation of this procedure.

2.7.2. Maintain a record of concerns raised and outcomes (but in a form which does not endanger employee confidentiality) for five years.

2.7.3. Report any areas of noncompliance to the Fire & Rescue Authority, via the Finance & Audit Committee, where required, identifying and monitoring the delivery of short-term action plans for resolve.

2.7.4. Report to the Fire & Rescue Authority, via the Finance & Audit Committee, on an annual basis, through the Statement of Assurance

### 2.8. How the matter can be taken further

2.8.1. This procedure is intended to provide members of staff and volunteers with an avenue within the Service to raise concerns.

2.8.2. The Service is committed to ensure that all disclosures are dealt with appropriately, consistently, fairly and professionally. If, however, you are not satisfied with any action, you can contact the following:

- The Chief Fire Officer
- The Clerk & Monitoring Officer (Corporate Director – Legal & Democratic, Dorset Council)
- The Head of Strategic Planning & Corporate Assurance
- Your Union
- The Police
- Relevant professional bodies or regulatory organisations
- External or Internal Auditors
- ‘Protect’, which is an independent charity offering free confidential legal advice. They can be contacted on 020 3117 2520.

2.8.3. If you do take the matter outside the Service, you should make sure you do not disclose confidential information or breach the Data Protection Act.

## 3. Responsibilities

### 3.1. Line managers

3.1.1. A member of staff or volunteer may come to you with concerns, and it is important that you are able to identify whether they are “whistle blowing”.

3.1.2. You should notify one of the following who will determine how the concern will be dealt with and appoint an investigating officer, as appropriate.

## GC 4 – Whistleblowing (Confidential Reporting)

- Head of Strategic Planning & Corporate Assurance
- Chief Fire Officer
- Deputy Chief Fire Officer
- A Director
- The Clerk & Monitoring Officer (Corporate Director – Legal & Democratic, Dorset Council)
- Internal Auditor.

3.1.3. Raise awareness of the Whistleblowing procedure throughout departments and teams, creating an understanding at all levels of the organisation support and encourage whistleblowing.

3.1.4. Encourage all team members to undertake the optional Whistleblowing E-Learning on the internal GROW platform to support staff development and understanding.

## 4. Monitoring & Assurance

### 4.1. Procedure Management

4.1.1. We will monitor the number and type of cases which arise and make subsequent alterations to practice and procedure from these findings where necessary.

### 4.2. Learning and Development

4.2.1. An E-learning Package is available to all members of Staff on the GROW platform.

4.2.2. Advice and guidance can also be sought directly with the Corporate Assurance Manager ([nick.sjogren@dwfire.org.uk](mailto:nick.sjogren@dwfire.org.uk)).

### 4.3. Annual Review

4.3.1. The Head of Strategic Planning & Corporate Assurance along with the Equality & Inclusion Manager will complete an annual review of the whistle blowing register to identify any trend and areas of concerns in relation to protected characteristics.

## 5. Document Reference

### 5.1. Document References

[FM 5 – Anti Fraud, Corruption & Anti Bribery](#)

Code of conduct

### 5.2. Forms

[C032 – Whistleblowing Register](#)

## 6. Document Management

Policy Statement Reference: <a href="#">Corporate Governance</a>			
Owner	Review Date	Author	Status
Jill McCrae	27/02/2022	Nick Sjogren	Published

### 6.1. Version Control:

Version	Page & Par Ref	Date	Changes Made	Authorised By
V7.0	Entire document	27.02.2021	Additional narrative to reflect the inclusion of 3 <sup>rd</sup> party witnesses (2.6.14 – 2.6.16)	Nick Sjogren/Jill McCrae
V6.0		28.02.2020	Update 'public concern at work' to Protect (2.5, 2.8)  2.5.5/3.1.2 – change to clerk and monitoring officer details  4.2 – reference to E-learning added and removal of induction training  3.14 – responsibility for line manager to ensure elearning is signposted.  Responsible Officer section removed.	Jill McCrae
V5.0	Pages 1, 3-7	26/3/2019	Updated titles of positions, contact numbers and change of information for Internal Auditors	Jill McCrae
V4.0	Page 1 & 7	21/06/2018	Updated Policy reference in accordance to new framework.	Tonya Saben



## GC 4 – Whistleblowing (Confidential Reporting)

V3.0	Entire document	16/04/2018 / 24/05/2018	<p>Updates to Responsible Officer.</p> <p>Minor wording updates</p> <p>Response timeframe to complainant updated from 10 working days to 7 working days.</p> <p>Update to line managers responsibilities to ensure the promotion &amp; awareness of the procedure.</p> <p>Include the annual reporting via the Statement of Assurance to the Finance &amp; Governance committee.</p> <p>(TS) Removed Policy Statement text on page 1 as this is no longer required.</p> <p>Removed section 5.1 as it is no longer required... If the following references have links to them, they are available within the DWFRS P&amp;P database...</p> <p>Changed reference to staff to members of staff in two places.</p> <p>Added section 5.2 for the new whistleblowing register form.</p>	Jill McCrae / Tonya Saben
V2.0	Page 1  Page 7	16/06/2016	<p>Added link to CG policy.</p> <p>Added section 5.1 and completed link in 5.2</p>	Tonya Saben
V1.0		29/3/2016	Document ready for publication	Lisa Smith

[Top of doc](#)