

# **DARTFORD** BOROUGH COUNCIL

CONSTITUTION OF THE COUNCIL

**PART 9 PROBITY, PROPRIETY**

## **Introduction to Part 9 – Probity, Propriety**

Part 9 of the Constitution sets out the Council's Counter-Fraud and Corruption Strategy and its Whistleblowing Policy and Procedure.

The purpose of the Counter-Fraud and Corruption Strategy is to set out the Council's commitment towards the prevention of fraud and corruption, including bribery from both internal and external sources.

The Whistleblowing Policy and Procedure is designed to be aligned with the Whistleblowing Commission's Code of Practice (March 2015), which sets out a best practice framework for the public sector.

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## 9.1 - Counter-Fraud and Corruption Strategy DARTFORD BOROUGH COUNCIL

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<b>Approved By</b>	Management Team	September 2025
	Audit Board	Date
<b>Date of next review</b>		September 2027

## 1. POLICY STATEMENT

1.1 The Council will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Council. The Council's expectation of propriety and accountability is that Members and Officers at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices. The Council also expects that individuals and organisations (e.g. suppliers, contractors, service providers) with whom it comes into contact will act towards the Council with integrity and without thought or actions involving fraud and corruption.

1.2 The purpose of this Counter-Fraud and Corruption Strategy is to set out the Council's commitment towards the prevention of fraud and corruption (including bribery) from both internal and external sources. It is primarily designed to improve resilience to fraud and to create a strong counter-fraud culture which highlights the Council's zero-tolerance approach to all stakeholders. Specifically it aims to:

- Encourage prevention,
- Promote detection; and
- Identify a clear pathway for reporting and investigation.

1.3 The Council's Counter-Fraud and Corruption Strategy is based on a series of elements, which when in place will contribute towards a strong anti-fraud culture and practice across the Council. The Council also supports the Fighting Fraud and Corruption Locally Strategy.

1.4 This document has been made publicly available via the Council's website and intranet and all staff have been informed of its existence and revision.

## 2. DEFINITIONS

2.1 The Chartered Institute of Public Finance and Accountancy (CIPFA) defines fraud as "any intentional false representation, including failure to declare information or abuse of position that is carried out to make gain, cause loss or expose another to the risk of loss."

2.2 Under the Fraud Act 2006, a person can be guilty of fraud by:

- False representation - *for example providing false information when applying for Single Person Discount, or staff falsely claiming to be sick*
- Failure to disclose information – *for example failing to disclose a financial interest in a company the Council is trading with*
- Abuse of position – *for example ordering goods through Council accounts for personal use*

2.3 Transparency International UK defines corruption as ‘the abuse of entrusted power for personal gain’.

2.4 This includes the offering, giving, soliciting or acceptance of an inducement or reward, which may influence the action of any person to act inappropriately.

2.5 In the UK, the Bribery Act 2010 creates the following offences:

- Offering, promising or giving a bribe
- Requesting, agreeing to receive or accepting a bribe
- Bribing a foreign official to obtain or retain business
- Failure by an organisation to prevent bribery by those acting on its behalf

### 3. ROLES AND RESPONSIBILITIES

3.1 The Economic Crime and Corporate Transparency Act (ECCT) includes the corporate criminal offence of “failure to prevent fraud.” An organisation may be held criminally liable where;

- an “associated person” commits fraud intending to benefit the organisation and
- the organisation did not have reasonable fraud prevention procedures in place.

3.2 The Council therefore expects and requires all its officers, members, contractors and all who associate with the Council to act with propriety and accountability. Specific responsibilities are set out below:

STAKEHOLDER	RESPONSIBILITIES
Chief Officer & Director of Corporate Services	<p>The Chief Officer &amp; Director of Corporate Services has overall responsibility for:</p> <ul style="list-style-type: none"> <li>• developing, maintaining and implementing this strategy</li> <li>• maintaining adequate and effective internal control arrangements</li> <li>• ensuring that all suspected irregularities are reported to the Head of Internal Audit and the Chief Officer &amp; Director of Corporate Services who will advise on the most appropriate course of action.</li> </ul>
Directors and Service Managers	<p>All Directors and Service Managers are responsible for:</p> <ul style="list-style-type: none"> <li>• embedding a strong counter-fraud culture with an ethos of honesty and integrity</li> <li>• embedding an open and transparent culture where staff feel empowered to report suspicions of wrong-doing</li> <li>• maintaining the internal control system including those designed for the prevention and detection of fraud and other illegal acts</li> <li>• ensuring that all suspected irregularities or financial improprieties are reported to the Head of Internal Audit and Chief Officer &amp; Director of Corporate Services</li> <li>• instigating the Council's disciplinary procedures where the outcome of an Internal Audit or similar investigation indicates improper behaviour</li> <li>• maintaining and regularly reviewing a service register of staff disclosures of financial or commercial interests in the Council's functions.</li> </ul>
Head of Internal Audit	<p>The Head of Internal Audit is responsible for:</p> <ul style="list-style-type: none"> <li>• reviewing and updating the Counter Fraud and Corruption strategy</li> <li>• maintaining the Council's Whistleblowing policy and arrangements</li> <li>• investigating and reporting of internal cases of alleged or potential fraud</li> <li>• promoting counter fraud awareness within the organisation</li> <li>• ensuring that fraud risks are considered as part of the annual audit planning process and during the course of individual internal audits</li> </ul>
Counter Fraud Manager	<p>The Counter Fraud Manager is responsible for:</p> <ul style="list-style-type: none"> <li>• proactively using appropriate tools and techniques and working with other relevant agencies to identify potential fraud</li> <li>• investigating and reporting on external cases of alleged or potential fraud (primarily Revenues and Benefits)</li> <li>• promoting counter fraud awareness within the organisation</li> </ul>

Money Laundering Reporting Officer	The Council's Money Laundering Reporting Officer (MLRO) is responsible for disclosing all known or suspected money laundering offences to the National Crime Agency. This role is filled by Head of Finance.
Audit Board	Audit Board is responsible for monitoring the Council's strategies and policies and considering the effectiveness of the arrangements for Whistleblowing and Counter-Fraud and Corruption procedures.
All Council Officers & Members	<p>All Council Officers and Members are responsible for:</p> <ul style="list-style-type: none"> <li>• Leading by example in ensuring adherence to legal requirements, rules, procedures and practices</li> <li>• Declaring all potential conflicts of interest that may affect their independence within their role as Members or officers</li> <li>• Acting with integrity and conducting their business in a forthright and honest manner</li> <li>• Paying regard to the requirements of the Bribery Act 2010 when acting on behalf of the Council or doing business with the Council</li> <li>• Familiarising themselves with the Council's Whistleblowing Policy</li> <li>• Reporting any suspicions of fraud or improper behaviour.</li> </ul>

#### 4. CULTURE

4.1 The Council is committed to a strong anti-fraud and corruption culture and has a zero-tolerance approach towards fraud, bribery and corruption activity.

4.2 The Council is determined that its ethos will be one of honesty and integrity. The Council supports the Seven Principles of Public Life (the 'Nolan Principles') as set out below:

- **Selflessness** – Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- **Integrity** – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- **Objectivity** – In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- **Accountability** – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

- **Openness** – Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- **Honesty** – Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership** – Holders of public office should promote and support these principles by leadership and example.

4.3 To promote this culture all managers, supported by Council policies, are expected to create and embed an environment in which employees feel they can raise concerns without recrimination and are confident that all concerns will be thoroughly investigated.

4.4 Whistleblowing arrangements exist to enable concerns to be raised and for the whistleblower to be protected.

## PREVENTION – FRAUD, BRIBERY AND CORRUPTION RISKS

4.5 The Council and other Local Authorities face a range of risks regarding fraud, bribery and corruption.

4.6 Directors and Service Managers are expected to ensure that fraud, bribery and corruption risks are considered as part of their risk management processes, both in terms of identification and mitigation measures.

The Internal Audit Team can support this process by providing advice and guidance on risks and controls as requested and providing assurance on the effectiveness of these controls in practice.

4.7 Some key fraud, bribery and corruption risks that the Council faces are set out below (this list is not exhaustive):

### Member and Employee Fraud

- False representation or failure to disclose information in order to gain employment at the Council
- Abuse of position in order to award a contract to a relative or friend without declaring an interest
- Offering or accepting a bribe in order to ignore a liability or award a grant or contract

- Offering or accepting a bribe in order to allow planning permission that does not meet the agreed criteria
- Abuse of position to make payments to someone who is not entitled to receive them

#### Contractor Fraud

- Charging for goods and services that have not been delivered or received

#### External

- False representation or failure to disclose information in order to gain social housing
- False representation or failure to disclose information to obtain Council Tax or Business Rates discounts or exemptions
- False representation or failure to disclose information in order to receive parking permits
- Submission of false invoices or false changes to bank details for existing suppliers
- Cybercrime, such as ransomware attacks
- Phishing, for example emails purporting to be from a senior officer requesting a payment to be made

## 5. PREVENTION – INTERNAL CONTROL

5.1 The Council has a series of policies and codes which form part of the internal control framework and a key part of the fight against fraud. These are communicated to all employees and Councillors to ensure they are aware of activities that are permitted and prohibited, including relevant actions that will be taken if requirements are breached. Key relevant policies are detailed below:

Employees	Members
<ul style="list-style-type: none"> <li>• The Employee's Handbook</li> <li>• Code of Conduct</li> <li>• Disciplinary Procedure</li> <li>• Standing Orders on Declarations of Interest</li> <li>• Financial Regulations</li> <li>• Contract Standing Orders</li> <li>• Local Taxation/Council Tax Support Fraud and Compliance Strategy</li> <li>• Whistleblowing Policy</li> </ul>	<ul style="list-style-type: none"> <li>• The Constitution</li> <li>• Member Code of Conduct</li> <li>• Gifts and Hospitality Protocol</li> <li>• Standing Orders on Declarations of Interest</li> <li>• Financial Regulations</li> <li>• Contract Procedure Rules.</li> <li>• Whistleblowing Policy.</li> </ul>

5.2 The Council recognises that a key preventative measure in the fight against fraud and corruption is to take effective steps at the recruitment stage to establish, as far as possible, the previous record of potential employees, in terms of their propriety and integrity. In this regard temporary and contract employees should be treated in the same manner as permanent employees.

5.3 Employee recruitment must comply with HR Policy. In particular references will be obtained regarding the honesty and integrity of all prospective employees prior to commencing employment with either Council. Also where appropriate, a Disclosure and Barring Services (DBS) check will be undertaken before commencement of employment for certain roles.

## 6. DETECTION AND INVESTIGATION

6.1 The array of preventative measures, including internal control systems within the Council, has been designed to deter fraud. Monitoring controls, if properly applied, should facilitate the identification of any unusual activity.

6.2 Managers should be alert to the possibility that unusual events or transactions could be symptoms of fraud or attempted fraud. Fraud may also be highlighted as a result of specific management checks or be brought to management's attention by a third party.

6.3 All Officers and Members have a duty to report any allegations or suspicions of fraud, bribery or corruption, as follows:

### External Fraud

6.4 Suspicions about external fraud should be reported to the Counter Fraud Manager for investigation.

6.5 An investigation will be carried out in accordance with the Sanctions and Prosecution Policy.

## 7. Internal Fraud

7.1 Employees may report their suspicions to their line manager, Director or Head of Internal Audit, or can utilise the arrangements set out in the Whistleblowing Policy, which exists to provide further support and guidance to employees regarding raising concerns and to provide protection to these employees.

7.2 The line manager, Service Manager or Director who receives the allegation (whether from a Councillor or a Council employee) must refer the matter to the following people, to determine how the potential irregularity will be investigated:

- Chief Officer & Director of Corporate Services
- Head of Internal Audit

7.3 If an investigation is required, an investigating officer will be appointed who will carry out an investigation in line with the Council's investigation processes. This investigation will seek to confirm or refute the allegation of fraud, bribery and corruption but will also look to identify any improvements to prevent similar incidents occurring.

7.4 On conclusion of the investigation, a report will be presented to the Chief Officer & Director of Corporate Services for a decision on the next steps.

7.5 Where a fraud has occurred, management must subsequently make any necessary changes to systems and procedures to minimise the risk of similar frauds recurring. The investigation may have identified where there has been a failure of supervision, breakdown or an absence of control.

## 8. SANCTIONS

8.1 The Council considers all fraudulent activity to be unacceptable and operates a 'zero tolerance' approach to fraud. As such, on the conclusion of an investigation with regard to both internal and external fraud it will consider applying the full range of sanctions available including prosecution. Decisions on sanctions will

take into account relevant legislation and internal policies, the Code for Crown Prosecutors and the aggravating and mitigating factors in the case. The Council will also consider referral to the police.

8.2 Where the outcome of an investigation indicates improper behaviour by a Council employee, this will be dealt with through the Disciplinary Policy. Where financial impropriety is discovered or it appears that a criminal offence may have been committed, the Council may also refer the matter to the police.

8.3 The Council will also pursue the repayment of any financial gain from individuals involved in malpractice and wrongdoing.

## 9. WORKING WITH OTHERS

9.1 In view of the rapid increase in fraud perpetrated against local authorities and benefits agencies, including fraudsters having multiple identities and addresses, there is a need to liaise and share information with other agencies and regulators in the fight against fraud and corruption.

9.2 Arrangements are in place to develop and encourage the exchange of information between other external agencies on national and local fraud and corruption activity, to help both prevent and detect these activities.

9.3 This includes data sharing and matching using records from other public sector bodies through the National Fraud Initiative and the Kent Intelligence Network. Other bodies with whom the Council works includes the Police, the Department for Work and Pensions, and the Kent Investigating Officers Group.

9.4 Whilst the ethos and required outcome of this Strategy is expected to remain constant, the procedures and processes by which this is undertaken may alter over time due to the changing nature of fraud, improvements in investigation techniques, and alterations to legislation.

## 10. REPORTING

10.1 The Audit Board will receive reports on counter fraud activity and outcomes and are responsible for approving and monitoring this strategy. These reports will be publicly available on the Council's website.

## 11. TRAINING AND AWARENESS

11.1 The Council recognises that the continuing success of its Counter-Fraud and Corruption Strategy and its general credibility will depend largely on the effectiveness of awareness, training and responsiveness of employees throughout the organisation.

11.2 This strategy will be available to all Members, officers and the public on the Council's internal and external website.

11.3 Counter fraud awareness will be promoted periodically throughout the organisation.

## STRATEGY REVIEW

11.4 This strategy will be reviewed and updated on a two-yearly basis, unless earlier changes are required. All changes bar minor amends to job or policy titles will be subject to approval and endorsed by the Audit Board.

## 9.2 - Whistleblowing Policy and Procedure

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<b>Approved By</b>	Leadership Team	
	Audit Board	Date
<b>Date of next review</b>		September 2025

## 1. Background

- 1.1. Whistleblowing is defined by the Whistleblowing Commission's Code of Practice as "the raising of a concern, either within the workplace or externally, about a danger, risk, malpractice or wrong-doing which affects others."
- 1.2. The [Public Interest Disclosure Act 1998](#) gives statutory protection to employees who "blow the whistle" on their employer's malpractice.
- 1.3. The Act makes clear the important role that a whistleblowing mechanism can play in helping organisations and employers to comply with the law. To this effect, the Council has developed a whistleblowing policy and procedure. This has been designed to align with the Whistleblowing Commission's Code of Practice 2013, which sets out a best practice whistleblowing framework for the Public Sector.
- 1.4. This policy underpins the Counter Fraud and Corruption Strategy and is complementary to the Officer and Member Codes of Conduct.

## 2. Policy statement and objectives

- 2.1. Dartford Borough Council takes seriously its responsibilities for safeguarding public funds and assets and for operating in an ethical manner that ensures the well-being of its employees, suppliers, service providers and customers.
- 2.2. To this end, the Council is committed to having effective whistleblowing arrangements in place in order to support, encourage and protect individuals who have genuine cause for raising concerns and to promote good governance and safeguard the public interest.
- 2.3. The Council will take all reports of improper activity seriously and will investigate all concerns raised fairly and consistently.
- 2.4. The Council will protect the person raising the concerns against victimisation, harassment and / or recrimination and recognises they may wish to raise concerns on a confidential basis.
- 2.5. The overarching objective of the Whistleblowing policy is to outline a framework which encourages potential whistleblowers to communicate their concerns within a safe environment without fear of recrimination. Specifically, it aims to:
  - encourage employees to feel confident in raising serious concerns and to question and act upon concerns in practice

- provide avenues for employees to raise those concerns and receive feedback on any action taken
- reassure employees that they will be protected from possible reprisals or victimisation, if they have a reasonable belief that they have made any disclosures in good faith

### 3. Responsibility

- 3.1. **Leadership Team** are responsible for approving and endorsing the Policy and for embedding an open and supportive culture where employees feel empowered to whistleblow without fear of reprisals. They are also responsible for assuring themselves that the policy is operating effectively and that concerns are investigated properly and fairly.
- 3.2. **Audit Board** are responsible through their Terms of Reference for reviewing and monitoring the Policy.
- 3.3. The **Head of Internal Audit** has overall responsibility for the maintenance and operation of this Policy and for keeping a record of all allegations received, their outcomes and the feedback provided.
- 3.4. **All staff** are responsible for raising relevant concerns they may have under this policy.
- 3.5. **All managers** are responsible for ensuring that concerns raised with them are taken seriously, treated appropriately and investigated fairly.
- 3.6. The **Monitoring Officer's** Annual Report to Members will incorporate a summary of whistleblowing events and their outcomes.
- 3.7. The **External Auditor** will also be advised at least annually, of all proven whistle-blowing events and their outcomes.

### 4. SCOPE

- 4.1. This Policy applies to all employees (including temporary and agency staff), Councillors, co-optees, volunteers, contractors, their agents and/or subcontractors, consultants, suppliers and service providers in the course of their work for the Council.
- 4.2. Disclosures may be made under the Whistleblowing policy relating to the following concerns:

- Conduct of a criminal nature or a breach of the law
- Miscarriage of justice
- Bullying, harassment or victimisation of a third party
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- Covering up or concealing any of the above
- The unauthorised use of public funds
- Possible fraud and corruption including offences falling under the Bribery Act 2010
- Sexual or physical abuse of customers
- Breach of Council procedures; or
- Other unethical conduct or malpractice.

4.3. Any serious concerns that employees have about any aspect of service provision or the conduct of officers, councillors, co-optees, partners or others acting on behalf of the Council, can be reported under this Policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Council subscribes to; or
- relates for example to a breach of the Council's Standing Orders, Financial Regulations, policies, practices and procedures; or
- falls below established standards of practice; or
- amounts to improper conduct.

4.4. The Whistleblowing policy does not replace the Corporate Complaints and Grievance procedures. Concerns relating to individual complaints or personal grievances, including employment matters, are likely to fall under complaints and grievance policies. Employees must not use this Policy to deal with day to day problems, such as mistakes, errors, or general differences of view that arise in the workplace. Operational matters should be raised with management first.

## 5. Safeguards and Support

5.1. The Council expects employees and others that they deal with who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. Employees are often the first to realise that there may be something seriously wrong within the Council.

5.2. Nonetheless, the Council recognises that the decision to report a concern can be a difficult one to make. Employees may not express their concerns because they feel that

speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment, victimisation or recrimination from the Council.

- 5.3. Provided they believe they are acting in the public interest and are making disclosures in good faith, employees raising a disclosure are protected by both employment law and this policy. ‘Confidentiality’ or other clauses in settlement agreements do not prevent employees from making disclosures in the public interest.
- 5.4. The Council has a strong commitment to good practice and high standards in protecting its employees from harassment, victimisation and recrimination when raising a whistleblowing disclosure. It will not tolerate any harassment, victimisation or recrimination when a concern is raised in good faith or in order to deter someone from making a disclosure. Any such instances amount to serious misconduct and will be dealt with under the Disciplinary policy.
- 5.5. The above provisions apply regardless of the outcome of the investigation including where the concern is unfounded or unsubstantiated.
- 5.6. The Council is also committed to providing support for whistleblowers. The person with whom you are raising your concern will discuss with you options available for support, which could include, for example, mentoring or a referral to Employee Assistance.
- 5.7. If you believe you have suffered or are under threat of suffering victimisation or harassment as a result of raising concerns, you may also report this concern as set out under section 9 below.

## 6. Confidentiality

- 6.1. Where requested, the Council will use its best endeavours to treat in confidence all concerns raised and will do its utmost not to reveal your identity without your agreement. However, the Council cannot guarantee that any investigation process will not reveal the source of the information, particularly in matters of criminal or civil law. If it is necessary to disclose your identify, the Council will make every effort to discuss this with you first, including arrangements that can be put in place to support you.

## 7. Anonymous Allegations

- 7.1. Whilst you are encouraged to put your name to your allegation whenever possible, it is recognised that in some instances, individuals may have genuine concerns about their safety, security or well-being which may prevent them from revealing their identity. Under such circumstances, the policy allows for anonymous disclosures and these are always preferable to remaining silent.

7.2. Before you choose to remain anonymous however, you should carefully consider the following:

- Anonymity may limit the actions that the Council is able to take as, for example, it may not be able to contact you for any follow-up information
- You are unlikely to be able to receive feedback on your concern
- Invoking legal protections for whistleblowers may be more difficult as there will not be any documentary evidence to link you to the concern raised.

## 8. False Allegations

8.1. If you make an allegation in good faith but the investigation finds this to be unsubstantiated or unfounded, no action will be taken against you. If, however, you make a false or malicious allegation for an ulterior motive, disciplinary action may be taken against you. It is therefore important that any allegation is made in good faith.

# **Whistleblowing Procedure**

## **How to raise a concern**

### **9. Who to contact**

9.1. Depending on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice, you are encouraged in the first instance to raise concerns with your immediate manager or your supervisor.

9.2. If you believe that your line manager may be involved, if you do not feel comfortable discussing the issue with your line manager or if you are not satisfied with the response that you receive, you may raise your concern with any of the individuals or contacts below. Key contact details are provided at **Appendix A**.

- Service Manager
- Director
- The Head of Internal Audit (or member of the Audit Team)
- The Council's whistleblowing reporting line / email address

9.3. If you are not an employee, you may raise your concern using any of the contacts given in **Appendix A**.

9.4. Anyone who receives a report of a concern must notify the Head of Internal Audit (unless the concern relates to Internal Audit). This ensures that all concerns are recorded, that they are treated fairly and consistently and that any patterns of behaviour are identified.

- 9.5. If your concerns are about Internal Audit, you must contact the Chief Officer & Director of Corporate Services in the first instance.
- 9.6. For all concerns, you may also contact the Chairman of the Audit Board, as a last resort, if you believe that your concerns have not been appropriately dealt with.

## **10. How to report a disclosure**

- 10.1 Concerns may be raised verbally (in person or on the telephone), in writing or by email.
- 10.2. A dedicated Freephone telephone number has been set up to allow you to speak in confidence to the Internal Audit Team. Alternatively you can email [whistleblowing@dartford.gov.uk](mailto:whistleblowing@dartford.gov.uk).
- 10.3. Please provide the following information when making a whistleblowing disclosure:
  - The background and history of the concern (giving relevant dates and evidence where available)
  - The reason why you are particularly concerned about the situation.
- 10.4. The earlier you express the concern, the easier it is to take action, as delays may make it more difficult to obtain the relevant evidence.
- 10.5. You are not expected to provide evidence or to prove the truth of an allegation, however you should ensure that there are reasonable grounds for your concern.
- 10.6. Where concerns are raised in person, you may invite your trade union representative, or a work place colleague to be present during any meetings or interviews in connection with the concerns you have raised.

## **11. What we will do**

- 11.1 The Council will take every whistleblowing concern seriously and will investigate appropriately.
- 11.2. Where appropriate, the matters raised may:
  - be investigated by senior management and / or the Internal Audit Team
  - be referred to the police;
  - be referred to the external auditor; or
  - form the subject of an independent inquiry.

11.3. In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

11.4. The overriding principle which the Council has in mind, is the public interest.

11.5. Concerns or allegations which fall within the scope of specific procedures (for example discrimination issues) will normally be referred for consideration under those procedures.

11.6. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

11.7. Within ten working days of a concern being raised, provided you have supplied your contact details, the investigating officer will write to you:

- Acknowledging that the concern has been received
- Indicating how we propose to deal with the matter and who will investigate
- Giving an estimate of how long it will take to provide a final response
- Advising you how and to whom you should report if you feel you are being treated unfairly as a result of the disclosure
- Supplying you with information on staff support mechanisms
- Advising you that you are entitled to independent advice.

11.8. The Council will take steps to minimise any difficulties which you may experience as a result of raising a concern.

11.9. The Council accepts that you need to be assured that the matter has been properly addressed. Subject to legal constraints, you will be informed of the outcomes of any investigation.

## **12. If you are not satisfied**

12.1. If you are not satisfied with how a whistle-blowing disclosure has been managed, please speak to the Head of Internal Audit or the Chief Officer & Director of Corporate Services.

## **13. External Disclosures**

### **‘Prescribed’ Disclosures**

13.1. If you feel that the Council has not responded to your concern satisfactorily, or if you feel unable to raise the matter internally, the law allows for disclosures to be made externally to ‘prescribed people or bodies’ whilst maintaining whistleblower protections

for the individual. The relevant 'prescribed person' depends on the subject matter of the concern and a full list can be found here:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/blowing-the-whistle-list-of-prescribed-people-and-bodies>

13.2. The most likely relevant bodies for the Council's business are set out in **Appendix B**.

13.3. You may also contact the police or seek advice from a legal professional.

#### **'Non prescribed' Disclosures**

13.4. These are disclosures made to other people or bodies, such as the media. Whistleblower protections would only apply to these disclosures in exceptional circumstances and therefore you are encouraged to seek independent, specialist advice prior to making any such disclosure.

#### **External Advice**

13.5. If you wish to seek advice outside the organisation you can also contact:

- Protect (formerly Public Concern at Work) on 0203 117 2520 [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)
- The Council's External Auditor (Grant Thornton) on 0207 383 5100
- Relevant professional bodies or regulatory organisations
- Your trade union representative

### **14. Policy review**

14.1. The Whistleblowing policy will be reviewed and updated every 2 years, or as and when amendments are needed.

### **15. Training**

15.1. As part of the Council's Counter-Fraud and Corruption Strategy, appropriate training will be offered to officers on key aspects of the whistle-blowing policy and how it should be implemented. The policy will be available on the Council's website for easy access by staff. Guidance will be provided to managers on how to respond to concerns raised.

## Appendix A – Key Contacts

Name	Job Title	Contact details
Sarah Martin	Chief Officer & Director of Corporate Services	<a href="mailto:sarah.martin@darford.gov.uk">sarah.martin@darford.gov.uk</a> 01322 343632
Caroline Hicks	Director of Growth & Community	<a href="mailto:Caroline.hicks@darford.gov.uk">Caroline.hicks@darford.gov.uk</a> 01322 343405
Peter Dosad	Director of Housing & Public Protection	<a href="mailto:Peter.dosad@darford.gov.uk">Peter.dosad@darford.gov.uk</a> 01322 343125
Jennifer Warrillow	Head of Internal Audit	<a href="mailto:jennifer.warrillow @darford.gov.uk">jennifer.warrillow @darford.gov.uk</a> 01322 343004 or 01732 227053
Whistleblowing hotline		<a href="mailto:whistleblowing@darford.gov.uk">whistleblowing@darford.gov.uk</a> 0800 496 3245

## Appendix B – External Contacts

Prescribed body	Scope of disclosures	Contact details
<b>The Comptroller and Auditor General</b>	Contact them about the proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services.	The Comptroller and Auditor General National Audit Office 157-197 Buckingham Palace Road London SW1W 9SP  Tel: 020 7798 7999 Website: <a href="http://www.nao.org.uk/contact-us/whistleblowing-disclosures/">www.nao.org.uk/contact-us/whistleblowing-disclosures/</a>
<b>The Information Commissioner</b>	Contact them about compliance with the requirement of legislation relating to data protection	The Information Commissioner's Office Wycliffe House Water Lane

	and to freedom of information.	Wilmslow SK9 5AF  Tel: 0303 123 1113 Email: <a href="mailto:caserwork@ico.org.uk">caserwork@ico.org.uk</a> <a href="http://www.ico.org.uk">www.ico.org.uk</a>
<b>Grant Thornton (the Council's External Auditors)</b>	Disclosures relating to local authorities.	0207 383 5100
<b>The Health and Safety Executive</b>	<p>The industries and work activities for which the Health and Safety Executive is the enforcing authority under the Health and Safety (Enforcing Authority) Regulations 1998</p> <p>The health and safety of individuals at work, or the health and safety of the public arising out of or in connection with the activities of persons at work.</p>	<p>Tel: 0300 003 1647 Online form: <a href="http://www.hse.gov.uk/contact/concerns.htm">www.hse.gov.uk/contact/concerns.htm</a></p>
<b>The Office for Environmental Protection</b>	Matters relating to failures of public authorities to comply with environmental law. This could be, for example, by failing to take proper account of environmental law when carrying out your activities, or by unlawfully performing, or failing to perform, any activities you have to carry out under environmental law.	<p>Office for Environmental Protection Wildwood Wildwood Drive Worcester WR5 2QT</p> <p>03300 416 581 <a href="http://www.theoep.org.uk">www.theoep.org.uk</a></p>