



# Speaking Up.....

## Ashford Borough Council's Whistleblowing Charter 2009

### Introduction

All of us at one time or another have concerns about what is happening at work. Usually these concerns are easily resolved. However, when they are about unlawful conduct, fraud, corruption or dangers to the public or the environment, it can be difficult to know what to do.

You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling ***"it's none of my business"*** or that ***"it's only my 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 are unsure who to speak to or what to do.

Ashford Borough Council has had a Whistleblowing Charter since 1999 to enable you to raise your concerns at an early stage and in the right way. We would rather that you raised the matter when it was just a concern rather than wait for proof of wrongdoing. It is now referred to as ***Speaking Up*** because that is what we want you to do.

This Charter is primarily for concerns where the interests of others or of the organisation itself are at risk. Specifically, we would like you to report the following:

- Criminal offences
- Failure to comply with legal obligations
- Miscarriages of justice
- Actions which endanger the health or safety of staff or the public
- Actions which cause damage to the environment
- Actions which are intended to conceal any of the above.

If something is troubling you and you think that we should know, please use this procedure. If you are concerned about your personal position at work for any reason, contact Personnel & Development for guidance.

*If in doubt – Speak Up!*



## **How we will handle the matter**

Once you have told us of your concern, we will assess what action should be taken. This may involve an internal inquiry or a more formal investigation. If you have not remained anonymous, we will tell you who is handling the matter, how you can contact them and whether your further assistance may be needed. At your request, we will write to you summarising your concern and setting out how we propose to handle it.

## **Our Assurances to you**

The Council and its Management Team are committed to this Charter. Therefore if you raise a genuine concern under this Charter, you will not be at risk of losing your job or suffering any form of retribution as a result. Employees who choose to raise their legitimate concerns in this way are subject to various protections under the Public Interest Disclosure Act 1998. If you have acted in good faith genuine mistakes may happen, however disciplinary action will follow if you have acted with malice.

The Council will not tolerate the harassment or victimisation of anyone raising a genuine concern. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent unless required to do so by law. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed to pursue an investigation or in court), we will discuss with you how we can proceed.

You can have confidence that your information will be handled sensitively and professionally. Remember that if you tell us who you are, it will be much easier for us to look into the matter, to protect your position and give you feedback.

**The purpose of this charter is to enable us to investigate possible malpractice and take appropriate steps to deal with it and we will give you as much feedback as we properly can.**



## **How to Speak Up**

- **Line Management**

If you are happy to, you should raise the matter in the first instance with your manager. This may be done verbally or in writing.

- **Confidential Internal Notification**

If for any reason you feel unable to raise the matter with your manager, you may raise it internally with:

- The Audit Partnership Manager (Financial matters, including fraud and corruption)  
or
- The Head of Personnel and Development (Personnel and personal issues)  
or
- The Monitoring Officer (Other illegality or malpractice)

If you would prefer to speak to a councillor, the Chairman of the Audit Committee, is happy to receive reports. However, you should be aware that since the object of this policy is to ensure bona-fide allegations of malpractice are investigated, your report will also need to be referred to one of the above officers for appropriate action.

- **Anonymous Notification**

You may telephone anonymously and leave a message (out of hours only or the phone will be answered in person) on 01233 330243.

Out of hours times:

Mon-Fri 7pm-7am and 24 hours Saturday and Sunday and Bank Holidays.

- **Independent Advice**

If you are unsure what to do or you want independent advice at any stage, you may contact:

- your Unison representative
- your Staffside representative; *or*
- the independent charity Public Concern at Work on 0207 404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.



- **If you are still concerned**

Provided you are acting in good faith and you have evidence to back up your concern, you can also contact the following for matters within the remit of their organisation:

- Audit Commission 0845 052 2646
- Health & Safety Executive 0845 345 0055
- Environment Agency 08708 506 506

**While 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. By using this Charter, you will help us to achieve this.**

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Speaking Up!

**Contact Details**

Audit Partnership Manager

Brian Parsons 01233 – 330442  
01622 – 602058

Head of Personnel and Development

Michelle Pecci 01233 – 330602

Monitoring Officer

Terry Mortimer 01233 - 330210

Chairman of the Audit Committee

Cllr. Neil Wallace 01580 - 211054

Union Representatives

Unison Chair/  
JCC Staff Side rep - Carole Winder 01233 - 330377  
Unison Branch Secretary – Linda Alexander 01233 - 330473

***Speaking Up!***

ABC's Whistleblowing Charter 2009

This document is refreshed and reissued annually.

A copy is given to all staff annually with payslips.

All new staff receive a copy on starting employment.

All contractors must be given a copy at the commencement of any contract.