

East Cambridgeshire District Council Policy Review

Introduction to Protect

Protect has been the UK's foremost expert on whistleblowing in the UK since its inception in 1993. The charity is unique in its approach to the topic: it provides a free legal advice service to would-be whistleblowers, and has advised more than 50,000 people in the course of its history; it provides consultancy and training to businesses and has almost 300 member clients. Some of the organisations it has supported include Aviva, KPMG, HSBC, ITV, Lloyd's Banking Group, Prudential plc, Portsmouth City Council, Birmingham City Council, The Prince's Trust, and St John Ambulance. Finally, it is an active campaigner and policy adviser on the law which impacts whistleblowing. All our work with whistleblowers informs our work with organisations. Indeed, it is our unique approach and experience that attracts organisations across different sectors.

Whistleblowing Policies

A well drafted whistleblowing policy helps to provide staff with a clear understanding of what whistleblowing is and the processes by which an individual can raise and/or escalate a concern. It will also provide staff with assurances about victimization and confidentiality.

The most effective whistleblowing policies are short, concise and clear. They can be picked up by staff in need of quick and clear information and easily acted upon.

It is our view that East Cambridgeshire District Council's ("the Council") whistleblowing policy is thorough and well thought through. There is, however, room for improvement.

Key Recommendations

1. Reduce the length of the Whistleblowing Policy

Protect recommends that the Council significantly reduce the length of their whistleblowing policy. Our Model Policy for example, available as part of our [Member's](#) Toolkit, is five pages long and includes all of the elements of a successful and accessible whistleblowing policy.

2. Revise the structure of the Whistleblowing Policy

Protect recommend that the Council combine and condense Sections 1, 2 and 3.

We suggest that Section 4 should be about the Council's assurances to whistleblowers, such as on protecting confidentiality and adopting a zero-tolerance approach to whistleblower victimisation.

Protect suggests that Section 5 should outline how to raise a concern internally. It is important that this section appears nearer the beginning of the policy, so it is easy to locate.

This should be followed by a section on how the Council will handle concerns.

Next, the policy should set out where staff can access independent advice and provide external points of contact to report concerns to, such as the relevant Prescribed Bodies.

3. Ensure that the Whistleblowing Policy accurately reflects the law

Whilst whistleblowing policies should not be written legalistically, it is crucial that the information that they provide accurately mirrors what the law says.

Protect suggests that the Council check that their explanations of whistleblowing law are accurate, in order to avoid misleading staff on their legal rights.

4. Avoid providing guarantees that a whistleblower will not be identified or victimised

Protect commends the Council for wanting to provide staff with concrete assurances that they will not be victimised. However, the Council cannot guarantee this.

Protect suggests removing concrete promises and replacing them with assurances that the Council will do everything within their powers to protect the confidentiality of a whistleblower and that they adopt a strict zero-tolerance policy to whistleblower victimisation.

5. Review and expand the section on open, confidential and anonymous concern raising

Protect recommends that the Council explain the difference between open, confidential and anonymous concern raising.

This section should also include a specific assurance that anonymous concerns will be taken seriously and investigated as far as is reasonably practicable. We know anecdotally from our Advice Line that would-be whistleblowers wanting to make anonymous reports are often deterred because they do not think that their concerns will be taken seriously or investigated at all.

Further, we recommend reframing why anonymous concerns can cause challenges. What matters for an investigation into the concern is the detail of the disclosure, not whether a name is attached. The Council should consider explaining that, if a whistleblower does not include enough detail in an anonymous report, it may be more difficult to investigate. However, this will not influence their assessment of the credibility of a concern or impact their perception of the gravity of a disclosure.