



ESSEX COUNTY FIRE & RESCUE SERVICE

WHISTLEBLOWING POLICY

About

This policy details how the Authority encourages openness and transparency and supports a culture where whistleblowing is deemed acceptable. Equal opportunity, diversity, and inclusion should be promoted in the workplace to ensure fairness within the organisation. The inclusion of such values and cultures makes employees feel valued, included, and able to speak freely. This creates a positive professional culture.

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Table of Contents

1 PURPOSE2

2 REPORTING WHISTLEBLOWING:2

3 ROLES AND RESPONSIBILITIES:3

4 SCOPE4

5 PROTECTION OF ‘WHISTLEBLOWERS’4

6 RELEVANT LEGISLATION5

7 RELATED SERVICE POLICIES OR RELATED PROCEDURES6

8 REVISION HISTORY6

9 PROMPTS6

1 PURPOSE

The Service wants our service users and employees to feel confident in the organisation. Further, the Service will take action to create a positive 'listening culture'. Which is intended to support continuous improvement. Whistleblowing is commonly understood as raising concerns about misconduct within an organisation or within an independent structure associated with it. It is important for members of the public and members of staff to understand that proof is not required to raise a concern.

2 REPORTING WHISTLEBLOWING:



Safer Together Reporting Concerns

Helpful policies: Code of Conduct, Code of Ethics, Dignity at Work, Grievance, Wellbeing Matters, Whistleblowing.

1 First Option

Your Line Manager

Your line manager will respond to concerns and offer support in most circumstances. With your agreement they may call in other support to help.

2 Advice & Support

Further internal options

HR People Business Partner

Safeguarding Team
vulnerable.adults@essex-fire.gov.uk

Occupational Health
mailbox.oh@essex-fire.gov.uk
01376 576011

Inclusion and Diversity Team

Dignity and Inclusion Advocates

3 Safe Share

Internal support - 24/7

Use this to discuss concerns relating to self and/or others.

safe.share@essex-fire.gov.uk
01376 576 487 (24/7)

This can be anonymous.

Safe Share is a central hub that offers support for you, or can gather information about concerns relating to others.

It puts the wishes and feelings of those seeking support and guidance first.

4 Whistleblowing

Internally OPFCC

Pippa Brent-Isherwood
01245 291613
pippa.brent-isherwood@essex.pnn.police.uk

Independent Charity Protect

0203 1172520
whistle@protect-advice.org.uk

Whistleblowing is a further opportunity to raise concerns.

This can be done through the Chief Executive of the Office of the Police, Fire and Crime Commissioner, or through an independent charity, Protect.

Our Whistleblowing Policy gives more information.

3 ROLES AND RESPONSIBILITIES:

1. The Service as a whole has a responsibility to:

- Promote a culture which enables service users and employees to raise any legitimate concerns as outlined in this policy without fear of reprimand or reprisal.
- Deal with all allegations appropriately, effectively and in a timely manner.

2. Managers have a responsibility to:

- Ensure that concerns raised are taken seriously.
- Investigate thoroughly and make an objective assessment of the concern.
- Keep the whistleblower advised of progress.
- Ensure that the action necessary to resolve a concern is taken.
- Keep the Service Leadership Team/ The Authority of the Service informed.

3. Service Users and Employees have a responsibility to ensure that:

- They have reasonable evidence or belief about any wrongdoing before making an allegation.
- They believe the wrongdoing about which they are complaining is serious in terms of detriment to the public or the Service.
- Their allegation is not motivated by animosity towards the person(s) about whom they are complaining.
- They are not making the allegation primarily for the purposes of personal gain.
- If an employee is found to have knowingly made a false allegation the case would be referred to HR for investigation.

Allegations of fraud, corruption, and gross misconduct:

All employees, members, partners and associates are expected to provide information if fraud or corruption is suspected. It is recognised that accident investigation, tip off and whistle blowing can lead to the discovery of fraud. It is swift and decisive action of employee's and members of the public that often allows fraud to be detected. The Authority will always act where evidence of fraud or corruption are apparent.

If there is a suspicion of fraud, theft or other potential gross misconduct, the employee should act quickly to report it. If the concern is mentioned to the subject of the allegation or other colleagues, it is likely that this will possibly prejudice an investigation.

4 SCOPE

This policy applies to all ECFRS staff including, Wholetime, Support Staff, Contractors, Volunteers etc. The scope of this policy covers the values and culture of all 44 Fire and rescue services (FRS) which defines the values principles and standards of behaviour and culture.

5 PROTECTION OF 'WHISTLEBLOWERS'

The legislation does not introduce a general protection for whistleblowers that applies in all circumstances. It applies to workers who follow procedures laid down in the legislation in disclosing specific categories of malpractice. These categories are quite wide. A disclosure will qualify for protection if, in the reasonable belief of the individual, it relates to one or more of the following actions:

- A criminal offence.
- A failure to comply with a legal obligation.
- A miscarriage of justice.
- The endangering of an individual's health and safety.
- Damage to the environment.
- Deliberate concealment of information in relation to any of the above.

Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest. These, and other employment issues should be raised under the ECFRS grievance policy. For non-employees this would be raised through the complaints process.

All employees that raise a concern will have a single point of contact from the HR team. Throughout the lifespan of a case, there will be a quantitative 'check in' points to ensure that updates are being given and support is suitable. On conclusion of a case a series of quantitative questions will be asked of the person who raised concerns. Questions will include satisfaction about the support provided.

Why our Service should encourage staff to highlight malpractices.

Every organisation faces the risk that someone within the organisation might be aware of serious misconduct. It is perfectly understandable that these individuals will be concerned about the impact of whistleblowing. Effective risk management is dependent on the fact that employees are confident to raise their concerns without suffering any detriment. In the absence of such confidence, employees may stay silent even where there are serious threats to the employer, their colleagues or to the public. Silence denies organisations an opportunity to deal with a serious problem. The cost of a missed opportunity can be significant e.g. fines, compensation, damaged reputation, regulatory investigation, lost jobs or even loss of life.

A positive whistleblowing culture has numerous advantages: -

- Can lead to the detection of wrongdoing and can act as a deterrent in this respect.
- Provides managers the information they need to make decisions and contain risk.
- Demonstrates to stakeholders and regulators the Service is serious about good governance.
- Reduces the chance of anonymous or malicious leaks (including to the media).
- Reduces the chance of legal claims against the organisation.
- Respects the opinion and confidence of all employees, helping to create a trusting workplace.

6 RELEVANT LEGISLATION

- Data Protection Act 2018 (including the General Data Protection Regulation 2016)
- Care Act 2014
- The Fire and Rescue Services Act 2004
- Fire & Rescue National Framework for England and Addendum
- Police Reform & Social Responsibility Act 2011
- Police Act 1997 (Criminal Records) Regulations 2002
- Public Interest Disclosure Act 1998, as amended by the Enterprise and Regulatory Reform Act 2013

7 RELATED SERVICE POLICIES OR RELATED PROCEDURES

- Comments, Compliments and Complaints Procedure.
- Grievance and Disciplinary Policy
- Data Protection Policy
- Code of Ethics

8 REVISION HISTORY

Release Number	Date	Revision Description	Owner
001	2019	Policy Implementation	Assistant Director – Business Planning and Performance
002	2023	Policy updates and review following National Fire Standards	Information Governance Team – Information Services

9 PROMPTS

Areas for consideration	<i>What to consider</i>	Tick
Benefits and Risk Implications	<i>What are the benefits to the Fire Service, public or others? What are the risks to the Fire Service, public or others? How will these risks be managed? Are there legal implications? Are there reputational implications?</i>	
Financial Implications	<i>Will this cost money, save money or be cost neutral? Are there revenue or capital implications? Are there indirect costs associated with the decision? How will the financial implications be managed and met?</i>	
Equality and Diversity Implications including People Impact Assessment	<i>How have you considered these? Will an equality impact assessment be required? Has one been completed? All procedural documents will need to have a People Impact Assessment (PIA) undertaken. The PIA is a process designed to ensure that a policy or procedure does not discriminate against any disadvantaged or vulnerable people.</i>	
Legal Implications	<i>Does the recommendation rely on a statutory duty or power? Are there any other statutory matters that need to be considered? Is there a risk of challenge to the process or the decision?</i>	

Health and Safety Implications	<i>Will there be any health and safety implications?</i>	
Possible appendices	<i>Is it possible to have a simplified 'policy on a page' as an appendix?</i>	

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