

Whistleblowing Policy

Evidence based equality analysis

Main aims, purpose and outcomes and how does it fit in with the wider aims of the organisation:

The Council is committed to conducting its business with honesty and integrity, and it is expected that all employees and Members will maintain high standards in accordance with their own Code of Conduct. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to be able to address them effectively when they do occur.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected as far as possible.
- To provide staff with guidance as to how to raise those concerns.
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

Lead officer: Helen Peters

Stakeholders: Employees, Councillors, consultants, contractors, volunteers, casual workers and Agency workers and individuals/groups outside of the Council about whose wellbeing concerns may be raised via this policy .

Equality analysis is a valuable tool to help embed equality into everything we do

While process is important, equality analysis is essentially about outcomes

Lack of evidence of discrimination is not evidence of a lack of discrimination

It is not acceptable to say that a policy is applied uniformly to all groups and is therefore fair and equal. Applying a policy or procedure consistently may result in differential outcomes for different groups.

For each of the areas below, an assessment needs to be made on whether the policy has a positive, negative or neutral impact, and brief details of why this decision was made and notes of any mitigation should be included. Where the impact is negative, this needs to be given a high, medium or low assessment. It is important to rate the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

	Neutral	Positive	Negative
Target group / area			
Race and ethnicity (including Gypsies and Travellers; migrant workers, asylum seekers etc.)		Potential for positive impact as policy encourages raising of concerns/wrongdoing, which could include those affecting this target group/area	
Disability (as defined by the Equality Act - a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities)		As above	
Gender		As above. In addition, the Whistleblowing Policy makes explicit	

		reference to sexual abuse.	
Gender identity		As above	
Religion and belief		As above	
Sexual orientation (including heterosexual, lesbian, gay, bisexual)		As above	
Age (children and young people aged 0 – 24, adults aged 25 – 50, younger older people aged 51 – 75/80; older older people 81+. The age categories are for illustration only as overriding consideration should be given to needs)		As above. In addition, there is potentially a particular positive impact on younger staff who tend to be more junior, as the policy should encourage them to raise concerns without fear of reprisals – even if the matter involves more senior staff.	
Rural communities		Potential for positive impact as policy encourages raising of concerns/wrongdoing, which could include those affecting this target group/area	
Areas of deprivation		As above	
Human rights		As above. Not only could the policy assist in protecting human rights of external stakeholders (by encouraging concerns that affect them to be raised) but also it could protect those of the individuals that it is designed to be used by (i.e. staff, Members etc) - as they should be	

		confident to express their concerns without fear of reprisals (hence protection of their right to no punishment without law, freedom of conscience and of expression).	
Health and wellbeing (consider both the wider determinants of health such as education, housing, employment, environment, crime and transport, as well as the possible impacts on lifestyles and the effect there may be on health and care services)		Potential for positive impact as policy encourages raising of concerns/wrongdoing, which could include those affecting this target group/area	
Procurement/partnership (if project due to be carried out by contractors/partners etc, identify steps taken to ensure equality compliance)	Not applicable		

Evidence

The policy has been drawn up by Helen Peters (Whistleblowing Officer) and Anne Greenwood (Solicitor) and has been approved by the joint Directors of Governance. The plan is that following moderation by the Equality Group it will be put before the trade unions and Staffing Committee for comment. If appropriate it will then be amended.

Action plan:

Actions required	Key activity	Priority	Outcomes required	Officer responsible	Review date
Review policy to ensure that it remains		Medium		Anne Greenwood	Annual

compliant with current legislation and amend it if necessary					
Consider adding explicit statement to include raising concerns around Equality Act breaches as an example of a protected disclosure		High		Anne Greenwood	Before publication

Sign off	
Lead officer:	Helen Peters
Approved by Head of Service:	Approved by joint Directors of Governance
Moderation and/or Scrutiny – Chief Executive’s equality group	
Date: 7 June 2016	
Date analysis to be reviewed based on rating (high impact – review in one year, medium impact - review in two years, low impact in three years)	Three years