

Glasgow Life

Whistleblowing Policy

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Contents

1. Introduction 3

2. Preventing Fraud, Corruption, and Bribery in the Workplace..... 4

3. Whistleblowing and Investigation Arrangements for Employees 4

4. Whistleblower Protection 4

 4.1 Whistleblowers are protected if they: 4

 4.2 Whistleblowers’ Rights..... 5

 4.3 Who is Protected? 5

5. Safeguards 5

 i. Harassment or Victimisation 5

 ii. Confidentiality 6

 iii. Anonymous Allegations 6

 iv. Untrue Allegations 6

6. How your complaint will be dealt with..... 6

7. How to raise a concern 7

1. Introduction

- 1.1 Employees are often the first to realise that there may be something seriously wrong within Glasgow Life. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to Glasgow Life. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 Glasgow Life is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, Glasgow Life expects employees and others with serious concerns about any aspect of Glasgow Life's work to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that staff can do so without fear of reprisals. This Whistleblowing Policy is intended to encourage and enable staff to raise serious concerns within Glasgow Life rather than overlooking a problem or 'blowing the whistle' to the media or other external bodies.
- 1.3 Whistleblowing is when you suspect someone is doing something wrong, and you report it to someone in the organisation in a position of authority. The whistleblowing facility exists for members of staff. Members of the public can also report any cases of wrongdoing which they believe are being committed within Glasgow Life. Examples include misuse of public funds, abuse of position etc.
- 1.4 The purpose of the Whistleblowing Policy is to advise you about the ways cases of wrongdoing can be reported and how we will deal with it.

Most importantly, our arrangements aim to:
 - Provide secure ways for our staff and the public to raise concerns; and
 - Provide reassurance that every effort will be made to protect anyone who makes a report from being victimised.
- 1.5 The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of disclosing certain serious concerns.
- 1.6 There are procedures in place which allow staff members to lodge a grievance relating to their own employment, for example, their working environment.
- 1.7 Whistleblowing is intended to cover concerns that fall outside the range of these procedures, except in exceptional circumstances where an employee has a concern that is so serious that they feel they have no route to report it.
- 1.8 This policy has been discussed with the relevant Trade Unions and has their support.

2. Preventing Fraud, Corruption, and Bribery in the Workplace

- 2.1 A number of rules and procedures have been approved and guidance produced to make sure Glasgow Life's business is properly controlled. It is important that all Board Members and employees are aware of, and uphold, them.

Our guidance documents include the following:

- Board Code of Conduct
 - Code of Conduct for Employees
 - Financial Regulations
 - Procurement Strategy and Manual
 - Scheme of Delegated Functions
- 2.2 Our employees must read, understand, and carry out the rules and procedures of the Code of Conduct for Employees.
- 2.3 If employees don't follow these rules and procedures, they may be subject to action in line with Glasgow Life's Disciplinary and Appeals policy and may ultimately be dismissed.
- 2.4 All cases of actual or suspected fraud, corruption, bribery, and theft must be reported immediately to Internal Audit. Members of the Management Team must make sure their employees are aware they must do this.
- 2.5 The best way to tackle fraud, corruption and bribery is to prevent it from happening in the first place. Maintaining and publicising whistleblowing facilities that allow and encourage the public to report concerns, for example, the whistleblowing hotline and web reporting facilities, will help Glasgow Life in this regard.

3. Whistleblowing and Investigation Arrangements for Employees

- 3.1 Whistleblowers are protected by legislation if they whistleblow appropriately. The following information outlines the legislative protection offered to employees.

4. Whistleblower Protection

4.1 Whistleblowers are protected if they:

- Reasonably believe the information disclosed tends to show that one of the following has happened, is happening, or is likely to happen:
 - Criminal activity.
 - Breach of a legal obligation, for example, not having insurance for employees or the public.
 - Miscarriage of justice.
 - Danger to an individual's health and safety.

- Damage to the environment.
- A deliberate attempt to cover up any of the above.
- Make the disclosure in the public interest.
- Reasonably believe the information is true.
- Believe the whistleblowing allegation is being made to the right person.

As well as using the Glasgow Life whistleblowing facility provided by Internal Audit there are outside agencies whistleblowers can contact. However, an employee can only inform the outside agency if they reasonably believe the disclosure lies within the remit of that agency; and the information disclosed, and any allegation contained within it, is substantially true.

4.2 Whistleblowers' Rights

An employee cannot be dismissed because of whistleblowing. If they are, the employee can claim unfair dismissal provided they satisfy that the main reason for the dismissal was the making of the disclosure they believed to be true, in the public interest and told to the right person.

An employee cannot miss out on opportunities for promotion, transfer, training, or any other benefits because of whistleblowing. Also, they cannot be bullied, harassed, or victimised on the grounds of whistleblowing. If they do suffer detriment, they can bring a claim before an Employment Tribunal. Glasgow Life is now responsible for an act of detriment committed by an employee against a colleague. An employee who victimises their whistleblowing colleagues will also be held personally liable.

4.3 Who is Protected?

The following people are protected:

- Employees
- Agency workers
- People who are training with an employer, but not employed
- Self-employed workers, and
- Home workers

5. Safeguards

i. Harassment or Victimisation

Glasgow Life recognises the decision to report a concern can be a difficult one to make because of the fear of retaliation.

Glasgow Life will not tolerate harassment or victimisation and will take action to protect employees when they raise a concern in the public interest. Employees who victimise colleagues who have made

a disclosure will be held responsible and may be subject to formal action. An employee who causes detriment to a whistleblowing colleague will be disciplined.

ii. **Confidentiality**

Glasgow Life will treat all such disclosures in a confidential and sensitive manner. Glasgow Life will do its best to protect the identity of individuals who raise concerns and do not want their names to be disclosed.

It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence necessary to show that an allegation is correct.

iii. **Anonymous Allegations**

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, but they may be considered at the discretion of Internal Audit.

In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

iv. **Untrue Allegations**

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, you make malicious or vexatious allegations, the allegations will not be taken further, and it will result in disciplinary action being taken against you. The judgement of whether an allegation is malicious or vexatious rests with Internal Audit.

6. How your complaint will be dealt with

- 6.1 Internal Audit will log all reports and carry out a review in each case to determine the most appropriate course of action. The action will depend on the nature of the concern. Any matters which fall within the scope of other existing procedures, for example, child protection, complaints, or discrimination issues, will be dealt with under these procedures. Some concerns may be resolved by agreed action without the need for investigation. Matters to be investigated may be:

- Dealt with internally by Internal Audit or other specialist sections such as Health and Safety, or

- Referred to the Police or other external agency.

- 6.2 Where possible, you will be advised you that your allegation has been received.
- 6.3 Internal Audit may also ask for more information where this would help in the investigation.
- 6.4 Investigations may result in recommendations for changes to procedures and systems which will be included in action plans. Follow up reviews are carried out to make sure that recommendations are implemented.
- 6.5 Investigations may lead to disciplinary action against employees. These will be conducted according to the Glasgow Life disciplinary procedures.
- 6.6 Where appropriate, after discussion with the Chief Executive or appropriate senior manager, Internal Audit will refer findings to the Police for investigation or review.
- 6.7 Depending on the results of any enquiries it may not be possible to advise you of the outcome. Examples would include if the matter were referred to the Police for further enquiries, or to protect an individual's human rights if the complaint is dealt with under the Glasgow Life's disciplinary procedures.

7. How to raise a concern

- 7.1 The Glasgow Life Whistleblowing Arrangements are managed by Internal Audit.

You can report your concerns by:

- Phoning 0141 287 3777. The Whistleblowing Hotline will be answered when possible and at other times you can leave a voicemail message.
- Filling in our online form at www.glasgow.gov.uk/whistleblowing. This option allows you to attach any documentary evidence to support your concern.
- Emailing fraud@glasgow.gov.uk. This option also allows you to attach any documentary evidence in support of your concern.

- 7.2 The earlier the concern is expressed, the easier it is for us to take action.
- 7.3 Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for concern.