

GMCA – Standards Committee

Date: 17 March 2020

Subject: Whistleblowing, Anti-fraud and Anti-Bribery Policies

Report of: Sarah Horseman, Head of Audit and Assurance

PURPOSE OF REPORT

The Standards Committee is responsible for overseeing the GMCA’s whistleblowing policy. The current Whistleblowing Policy was last updated in February 2018 and is available on the GMCA website. This report provides the Committee with an updated version of the currently policy which is currently under review.

Updates to the current versions of suite of Counter Fraud policies (which consists of the Whistleblowing, Anti-Money Laundering and Anti-Bribery Policies) were presented to the GMCA Audit Committee in October 2019. The Audit Committee requested the Anti-Money Laundering and Anti-Bribery Policies be reviewed and updated to make them clearer how they practically apply to GMCA staff.

The Head of Audit and Assurance has recently undertaken an investigation into anonymous allegations received in relation to GMFRS. An action coming out of that investigation was for Internal Audit to update the Policy to reiterate the different ways concerns can be raised i.e. through line management, Internal Audit, Health and Safety. GMCA is also looking into using an independent third party where whistleblowing reports can be made in confidence.

Approval of the suite of policies was delegated to the Treasurer by the Audit Committee. Time is being built into the 2020/21 Internal Audit Plan to undertake that refresh and to approve and publish the policies.

RECOMMENDATIONS:

- 1. The Committee review the draft of the updated Whistleblowing Policy and provide any comments for inclusion in the imminent update.**

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Risk Management – N/A

Legal Considerations – See references to applicable laws and regulations within the policies

Financial Consequences – N/A

Financial Consequences – N/A

Number of attachments included in the report: N/A

BACKGROUND PAPERS: N/A

TRACKING/PROCESS		
Does this report relate to a major strategic decision, as set out in the GMCA Constitution		No
EXEMPTION FROM CALL IN		
Are there any aspects in this report which means it should be considered to be exempt from call in by the relevant Scrutiny Committee on the grounds of urgency?		No
TfGMC	Overview & Scrutiny Committee	
[N/A	N/A	



DRAFT WHISTLEBLOWING POLICY
Policy and Guidance for Whistleblowers

Date: 9 October 2019

Document Control

Title	Greater Manchester Combined Authority – Whistleblowing Policy
Document Type	Anti-Fraud and Corruption Policy
Author	Sarah Horseman, GMCA Head Audit and Assurance
Owner	GMCA Head of Audit and Assurance
Management Approval	GMCA Treasurer
Committee Approval	Audit Committee
Protective marking	None
Date of Approval	9 October 2019
Review due	Two years from date of approval or earlier if there are relevant legislative or organisational changes which impact on this policy.

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Introduction

Greater Manchester Combined Authority (GMCA) is committed to the highest possible standards of honesty, openness and accountability and will not tolerate malpractice or wrongdoing.

Whistleblowing is generally the term used when someone who is employed in an organisation reports a concern about suspected wrongdoing, malpractice, illegality or risk in the workplace.

The GMCA's Whistleblowing Policy is a vital element of our governance arrangements and is designed to allow those employed by the GMCA to come forward and raise both disclosures and serious allegations of wrongdoing involving the actions of GMCA employees, its Members, contractors or any aspect of the GMCA's activities.

As such the GMCA is committed to a policy which seeks to protect those individuals who make certain disclosures with regard to any instance of malpractice or wrongdoing and to investigate them in the public interest.

This policy seeks to set out how the GMCA will handle and respond to serious allegations of perceived wrongdoing raised by employees and workers of the GMCA.

Aims and Scope

Our Whistleblowing Policy seeks to cover all disclosures and allegations made by employees of the GMCA, including temporary and agency staff.

It also extends to any other individuals who work for the GMCA who want to raise an allegation of perceived wrongdoing, including consultants, contractors and sub-contractors who are engaged in work for the GMCA.

The policy seeks to:

- provide for a culture of zero tolerance toward fraud and corruption and deter wrongdoing;
- encourage employees and workers with serious concerns about any aspect of the GMCA's work to feel confident to come forward and voice those concerns;
- raise concerns at an early stage and in the right way ensuring that critical information gets to the people who need to know and who are able to take action;
- provide safeguards to reassure those who raise concerns in the public interest and not maliciously or for personal gain, that they can do so without fear of reprisals or victimisation or disciplinary action, regardless of whether these are subsequently proven;
- set out how the GMCA will respond to allegations made and enable them to get feedback on any action taken;
- ensure that employees and workers know what to do if they are not satisfied with actions taken.

The Whistleblowing Policy is not to be used where other more appropriate internal reporting procedures are available. There are existing GMCA procedures which enable employees to lodge

a grievance relating to their conditions of employment, raise matters of harassment or to make a general complaint, which by contrast, generally have no additional public interest dimension.

This Whistleblowing Policy covers concerns that fall outside the scope of those existing internal procedures. Equally, the GMCA will investigate any allegations made through the above procedures, which raise serious concerns over wrongdoing, under the whistleblowing process.

Any individuals who are raising concerns relating to money laundering offences or Proceeds of Crime Act 2002 are required to report these concerns directly to the Money Laundering Reporting Officer (MLRO) in line with the Anti-Money Laundering Policy.

What is Whistleblowing?

Whistleblowing is the confidential disclosure by an employee or worker of any concerns relating to a perceived wrongdoing involving any aspect of the GMCA's work or those who work for the GMCA (see Appendix 1). The whistleblowing process assists individuals, who believe they have discovered malpractice, impropriety or wrongdoing, to raise a concern, in order that this can be addressed.

The **Public Interest Disclosure Act 1998 (PIDA)** is known as the whistleblowing law and is designed to encourage and enable employees and workers to "speak out" and to report suspected wrongdoing at work. This is commonly known as "blowing the whistle".

PIDA legislation legally protects employees and workers from any detriment from their employer or colleagues that arises as a result of making a "protected disclosure" (a qualifying disclosure) in the public interest. This includes protection from harassment, victimisation or dismissal by their employer.

A qualifying disclosure means any disclosure of information made to the GMCA or other prescribed person, which in the reasonable belief of the individual making the disclosure, is made in the public interest and tends to show one or more of the following:

- (a) a criminal offence has been committed, is being committed or is likely to be committed;
- (b) a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject;
- (c) a miscarriage of justice has occurred, is occurring or is likely to occur;
- (d) the health or safety of any individual has been, is being or is likely to be endangered;
- (e) the environment has been, is being or is likely to be damaged; or
- (f) information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

A disclosure of information is not a qualifying disclosure if the person making the disclosure commits an offence by making it.

A prescribed person is someone identified in regulations who is independent of the employee's organisation, but usually has an authoritative relationship with the organisation, such as a regulatory or legislative body.

Whilst protection under the PIDA covers employees and most workers it is not extended to partners, non-executive directors, volunteers or the self-employed. However, the principles outlined in this policy, as far as they can be, will be applied to whistleblowing allegations received from sources other

than employees and workers of the GMCA. As with internally reported cases, particular consideration needs to be given to matters of confidentiality.

Making a Disclosure or Raising a Concern

Making an Internal Disclosure

Where possible employees or workers should raise concerns in writing, however raising a concern verbally also counts as whistleblowing. Wherever possible, the information provided should include the background and history of the concern, provide names, dates and places where possible, and the reason why the individual is particularly concerned about the situation.

The earlier an employee or worker expresses a concern, the easier it will be to take action. Individuals should raise a concern as soon as there is a reasonable suspicion; they are not expected to investigate the concern themselves to prove the suspicions are well-founded. Providing genuine concerns are being raised it does not matter if the employee or worker is mistaken.

It is the hope and intention of the GMCA that any employee or worker with a concern about any aspect of the GMCA's operations or its conduct, feels able to first raise those concerns internally with line management or with one or more of the officers listed below. This includes where an employee wants to make a protected disclosure about their manager.

- Head of Audit and Assurance.
- The GMCA Monitoring Officer.
- The GMCA Treasurer.
- The Chief Executive.

Details of all concerns received by managers should be reported to the Internal Audit Team to be logged; allowing a central record of whistleblowing cases to be maintained.

Where allegations are made against Internal Audit, in order to ensure impartiality and integrity of the investigation, these allegations will be immediately referred to the GMCA Monitoring Officer who will make appropriate arrangements for an independent investigation to take place. Where allegations are made which may relate to both Internal Audit and the GMCA Monitoring Officer, those allegations will immediately be referred to the Chief Executive, who will make arrangements for an independent investigation to take place.

To ensure transparency where any allegations are made in respect of Internal Audit, it may be appropriate that the Chair of Audit Committee, and External Audit are made aware, on a confidential basis, that such allegations have been made and the arrangements that have been put in place to investigate them.

Allegations regarding either Chief Officers or Members are to be forwarded to the GMCA Monitoring Officer for consideration.

Making an External Disclosure to the Regulator

Under whistleblowing law, if an employee or worker does not feel comfortable making a disclosure internally within the GMCA, or if they are not satisfied with the response they have received, they have the right to take their concerns outside of the GMCA to certain 'prescribed regulators'.

Below is a list of 'prescribed regulators' to whom an employee or worker may make a protected disclosure.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/183340/11-641-blowing-the-whistle-to-a-prescribed-person.pdf

Before making a disclosure, an employee or worker may first wish to discuss the concern on a confidential basis with a manager, trade union representative, solicitor or professional body and seek advice on how to proceed. These discussions may help assess how justified their concern is, and if they then wish to proceed, the most appropriate and effective way to report it. This is important because the report should be made so as to allow the most effective investigation, whilst affording the whistleblower protection under the PIDA.

Additional information about PIDA law can be obtained from the whistleblowing charity [Protect \(formally Public Concern At Work \(PCaW\)\)](#). For information visit www.protect-advice.org.uk or [telephone their independent confidential advice line 0800 1124423](tel:08001124423).

Employees and workers are protected when they make a disclosure. In making a protected disclosure to a regulator the employee or worker must:

- reasonably believe that the disclosure they are making is in the public interest;
- reasonably believe that the information detailed and any allegation in it are substantially true; and
- the matter disclosed must fall within the matters prescribed for that regulator.

Concerns Raised by Members of the Public

If you are not a GMCA employee or worker you can still contact the GMCA to report any concerns or disclosures over wrongdoing and these will be treated in the same way. Unlike disclosures made by employees, protection under PIDA law does not extend to disclosures made by members of the public.

How To Report A Whistleblowing Concern

Whistleblowing concerns can be reported to Internal Audit as follows:

- E-mail at: internal.audit@greatermanchester-ca.gov.uk
- Telephone: 0161 778 7026
- Concerns can also be reported in writing to:

Head of Audit and Assurance

Confidential

Greater Manchester Combined Authority,
1st Floor, Churchgate House

56 Oxford Street
Manchester, M1 6EU

Concerns can also be raised with the GMCA Treasurer via the following:

- E-mail at: **Steve.Wilson@greatermanchester-ca.gov.uk**
- Telephone: **0161 778 7004**

GMCA employees and workers can raise concerns through their manager if they feel confident to do so. The manager must then follow the obligation of confidentiality and reporting procedures as detailed in the next section.

For monitoring purposes, all whistleblowing cases referred to managers must be reported on receipt to Internal Audit. This may be done by the whistleblower, receiving manager or the senior manager investigating the allegations. Internal Audit will also offer advice and support to the appointed investigating officer.

Any person reporting a concern should provide as much information as possible, including:

- who the allegations are against;
- full details on the nature of the alleged wrongdoing;
- provide any evidence they have in support of the allegation;
- state if the person making the disclosure is a GMCA employee or worker;
- name and contact details, unless they wish to remain anonymous (if contact details are provided the investigating officer may get in touch to seek further information).

In the event that an employee or worker does not feel comfortable making a disclosure to the GMCA then a protected disclosure may be made to the appropriate prescribed organisation from those listed below:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/183340/11-641-blowing-the-whistle-to-a-prescribed-person.pdf

How The GMCA Will Respond

The GMCA will formally respond to the whistleblower acknowledging receipt of a disclosure within 5 working days of the concerns being raised.

A further acknowledgement will be sent within a further 10 working days to indicate:

- how the GMCA proposes to deal with the matter; and the policy under which it will be investigated;
- whether the GMCA considers it to be a protected disclosure;
- contact details for the officer handling the investigation;
- arrangements for confidentiality;
- an estimate of how long it will take to provide a response on the outcome;

- any initial enquiries which may have been made;
- if no action is planned, why not.

All proposed action should be notified and agreed with Internal Audit on behalf of the GMCA Treasurer and in consultation with the relevant GMCA Senior Officer.

All allegations will be handled confidentially and discreetly by those managers who are directly involved in the investigating process. The ongoing point of contact for the whistleblower will be given in the acknowledgement letter.

If necessary, further information will be sought from the whistleblower. This will depend on the nature of the matters raised, the potential difficulties involved in conducting an investigation and the clarity of the information provided.

At any meeting arranged to discuss an employee or worker's concerns the individual has the right, if they so wish, to be accompanied by their Trade Union representative or a friend who is not involved in the area to which the concern relates.

The GMCA will do what it lawfully can to minimise any difficulties that an employee or worker may experience as a result of raising a concern. For example, if an employee is required to give evidence in criminal or disciplinary proceedings, the GMCA will advise the employee about the procedures in terms of what will happen and what will be expected of them.

Anonymous allegations

The GMCA recognise that there may be circumstances where individuals are worried about being identified when they report concerns about their employer. We will treat anonymous allegations seriously. However, this policy encourages individuals to put their name to an allegation wherever possible as we believe that open or confidential whistleblowing is the best means of addressing the concerns and protecting individuals.

Concerns expressed anonymously are more difficult to investigate, and harder to substantiate, and further liaison with the whistleblower is not possible. Nevertheless, anonymous allegations will always be individually considered and action taken at the discretion of the responsible GMCA Senior Officer, Head of Audit and Assurance and/or GMCA Treasurer depending upon:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegations from attributable sources.

Outcomes

The GMCA will, subject to legal constraints, seek to advise the whistleblower on the outcomes of the investigation in order to assure them that the matter has been properly addressed. The GMCA will not usually provide the whistleblower with all the details of investigation outcomes as this could breach others' rights to confidentiality e.g. if disciplinary action has been taken against an individual. Some concerns raised may be resolved by agreed action, once the whistleblower's concerns have been explained, without the need for investigation.

Investigation reports will be required for all cases. These will usually be issued by the Investigating Officer in confidence under restricted circulation including the Senior GMCA Officer of the department involved and the GMCA Treasurer, GMCA Monitoring Officer, Chief Executive and External Auditor.

Reporting is restricted as the content of investigation reports could include personal information of others, commercially sensitive information or details of investigation processes and practices the publication of which could prejudice the effective conduct of future investigations.

Where investigations are completed by managers within a department, Internal Audit will require confirmation of the outcome from the work undertaken, details of any system risk issues and actions to be taken to mitigate future reoccurrences (see Appendix 2). Internal Audit may carry out follow up work as a result of any identified areas of risk.

Safeguards

In order to ensure that allegations are investigated in the right spirit with the right outcome, the following safeguards or principles should be applied in all cases.

Confidentiality and Anonymity

The GMCA's Whistleblowing Policy seeks to protect the identity of the employee or worker making a disclosure wherever possible.

Records of employee or worker's disclosures held by Internal Audit are stored securely; access to whistleblowing and related investigation records is restricted to specific officers assigned to examine the concerns being raised. Wherever possible the identity of an employee or worker raising a concern will not be revealed as part of an investigation. Should this not be possible the employee or worker will be notified and consent will be sought before-hand.

Circumstances which may require the disclosure of an employee or workers identify, and override their request for confidentiality, include disclosures related to any child at risk or abuse of a vulnerable adult. The Council is required to investigate these matters under separate procedures which take priority over any request for confidentiality.

The GMCA cannot guarantee to protect the identity of an employee or worker raising allegations of serious wrongdoing where a criminal offence has been committed, and legal/prosecution action results from disclosure. In some cases an employee may have to act as a witness and/or provide evidence in relation to offences which are referred to the Police.

Progress reports are submitted periodically to the Statutory Officers and Audit Committee which may include details of investigations. In such circumstances these are anonymised.

Harassment and Victimisation

The GMCA acknowledge that the decision to report a concern can be a difficult one for an employee or worker to take, not least because of the fear of reprisal from those responsible for the malpractice. It is unlawful for an employee or worker to suffer victimisation or harassment for whistleblowing.

The GMCA will not tolerate harassment or victimisation against an employee who has raised a genuine concern under the whistleblowing policy. Victimisation may include an attempt to identify the person raising the concern. Any employee who victimises a whistleblower will be subject to disciplinary action which may lead to dismissal. An individual may also be personally liable for treating a colleague detrimentally on the grounds that they have raised public interest concerns.

Senior GMCA Officers should monitor how whistleblowers are subsequently treated after raising a matter of concern. They should ensure that any harassment or victimisation is dealt with under disciplinary arrangements.

Any employee who believes they have been victimised as a result of making a disclosure or blowing the whistle should report their concerns to the GMCA Monitoring Officer.

Malicious Allegations

While encouraging employees and workers to bring forward matters of concern, the GMCA must guard against claims which are malicious. This is because of the risk of claims made to deliberately damage the reputation of other employees, workers or the GMCA as a whole and not least because the cost of investigation is high.

If an employee makes an allegation which they reasonably believe is a whistleblowing concern, but it is not confirmed by the investigation, no action will be considered or taken against them. However, if an employee makes false, malicious or vexatious allegations this will be treated as a serious disciplinary offence and disciplinary action will be taken. The PIDA only offers protection from dismissal or detriment if the employee or worker reasonably believes their disclosure was made in the public interest.

Misuse of the Policy

The policy is not designed to allow:

- individuals who have acted inappropriately to escape punishment by highlighting any malpractices they were involved in;
- employment protection in relation a redundancy situation or pre-existing disciplinary issues as a result of reporting a wrongdoing;
- an individual to raise a concern for some private or purely personal motive.

Data Protection and FOI

The Freedom of Information Act 2000 gives a general right of access to all types of recorded information held by public authorities. As such the GMCA often receives requests for information under the Freedom of Information Act.

The GMCA has a legal obligation to provide the information unless it falls under one of the exemptions of the Act.

The Freedom of Information Act contains exemptions which may be applicable to permit the withholding of information identifying the whistleblower, including:

- Section 40 Personal Data;
- Section 41 Information which, if disclosed, would give rise to an actionable breach of confidence.

Many people making a disclosure to the GMCA will wish to protect their identity and the GMCA will always seek to protect the identity of individuals during the course of progressing an investigation. If the GMCA receives a request for information identifying a whistleblower, the GMCA will contact the whistleblower to seek their views beforehand and will, wherever possible, seek to comply with those views.

The principle of maintaining confidentiality should also be applied to the identity of any individual who may be the subject of a disclosure.

- When processing personal data as part of a whistleblowing investigation, the GMCA will take all necessary precautions to protect such data and not to share it more widely than is necessary as part of the investigation. The GMCA will apply the General Data Protection Regulations and the Data Protection Act 2018 in all aspects of any whistleblowing investigation.

Monitoring of Whistleblowing Complaints

Internal Audit will maintain a central record of all whistleblowing referrals made under this policy and monitor the outcome of these cases. The collection, monitoring, review and storage of these records will at all times be carried out in accordance with the safeguarding principles set out in this policy.

As such, details of any allegation should be reported to Internal Audit by the receiving manager on receipt. Internal Audit will log and allocate each case a reference number whether or not Internal Audit are involved in the investigation work. The outcome of the investigation should be notified to Internal Audit by the Investigating Officer.

The records held by Internal Audit will be used to analyse the impact and effectiveness of the arrangements in place in statistical terms and records held in the HR section may be subject to review. The detailed case records form part of the process of reporting back to Members on the effectiveness and outcomes of the Policy and form the record of actions taken in the case of any matters raised under the Public Interest Disclosure Act. This information will be referred to for monitoring purposes and periodic assurance reports provided to the Audit Committee by the Head of Audit and Assurance as part of this process.

The GMCA Treasurer and the Chief Executive retain responsibility for monitoring the effectiveness of the GMCA's whistleblowing policy and process. The Standards Committee has an overview of the Policy.

A Whistleblowing Case Record sheet (Appendix 2) should be used by the Investigating Officer to record a summary for each case. A copy should be sent to Internal Audit and one retained with the investigation paperwork on completion.

Training and Awareness

Senior GMCA Officers are responsible for ensuring that their employees are aware of the whistleblowing policy and process and that any training needs are addressed which may arise from the application of the policy. Raising awareness of the GMCA's Whistleblowing Policy should form part of the induction training for all employees and should be addressed as refresher training for all employees.

Employees and workers have a responsibility to ensure that they are aware of and understand the GMCA's policy in relation to whistleblowing.

Frequently Asked Questions

What is the difference between whistleblowing and making a complaint or grievance?

In general terms, whistleblowing occurs when an employee raises a concern about danger or illegality that affects others and which has a public interest dimension to it. The person blowing the whistle is usually not directly or personally affected by the danger or illegality. Consequently, the whistleblower rarely has a personal interest in the outcome of any investigation into their concerns. As a result, the whistleblower should not be expected to prove their case; rather he or she raises the concern so others can address it.

A grievance or private complaint is, by contrast, a dispute about the employee's own employment position and has no additional public interest dimension. When someone complains, they are saying that they have personally been poorly treated. This poor treatment could involve a breach of their individual employment rights or bullying and the complainant is seeking redress or justice for themselves. The person making the complaint therefore has a vested interest in the outcome of the complaint, and, for this reason, is expected to be able to prove their case.

For example – bullying and discrimination issues should be dealt with under the respective policy or under grievance procedure.

Can concerns be raised confidentially or anonymously?

The GMCA encourages whistleblowers to identify themselves and raise concerns openly. Openness makes it easier for the GMCA to assess the issue, work out how to investigate the matter, and gather more information. The effectiveness of any whistleblowing investigation may be limited where an individual chooses not to be identified.

An individual raises a concern confidentially if he or she gives his or her name on the condition that it is not revealed without their consent. An individual raises a concern anonymously if he or she does not give his or her name at all. Clearly, if the GMCA does not know who provided the information, it is not possible to reassure or protect them, or to advise them on the outcomes of any associated investigation in order to assure them that the matter has been properly addressed.

Does the Public Interest Disclosure Act (PIDA) require an employer to keep a whistleblower's identity secret?

The simple answer is no. PIDA contains no specific provision on confidentiality. The protections within the Act can be deemed to encourage employees and workers to raise issues openly. The GMCA recognises the need for a confidential port of call for any worried employee or worker and will respect a request for confidentiality; however in some cases it may not be possible. For example if the matter relates to a criminal offence and has to be referred to the police. If this is the case the Investigating Officer would confirm this before a name is disclosed.

Am I protected from dismissal if I blow the whistle?

It is unlawful to dismiss an employee for the reason that they have blown the whistle: this would be an unfair dismissal and applies from day one of employment. As long as disclosures meet the legal tests, an employee should not be dismissed for raising concerns.

Workers who are not employees cannot claim unfair dismissal because of whistleblowing, but they are protected and can claim detrimental treatment.

The types of whistleblowing eligible for protection as qualifying disclosures are provided at Appendix 1.

Who is protected?

The Public Interest Disclosure Act (PIDA) only protects employees and workers who raise concerns. Those who are genuinely self-employed workers, volunteers or public appointees cannot bring claims in Employment Tribunals if they are treated badly or dismissed because they have raised whistleblowing concerns. As such, Members are not currently covered by PIDA.

However, the Council wants to hear from any worker if they have a concern about wrongdoing at work. As far as possible the individual will be treated in a similar way to a whistleblower even if they do not fall within the legal definition.

A worker will be eligible for protection if:

- they reasonably believe that there is wrongdoing that falls within one of the categories of concern they are telling the right person
- they believe that their disclosure is in the public interest.

Who is not protected?

An employee or worker will not be afforded protection if:

- they break the law when they report something, for example because they signed the Official Secrets Act;
- they were part of the wrongdoing;

- they found out about the wrongdoing when someone wanted legal advice ('legal professional privilege'), for example if they are a solicitor; and
- it is not in the public interest.

What information should a whistleblower provide?

Supporting evidence for the allegations, if available, is clearly helpful. However, the law does not require individuals to have evidence before reporting the matter, but it does say that the individual must reasonably believe the information is substantially true. Individuals should report concerns to line management or other at the earliest opportunity rather than wait to collate any evidence.

Whistleblowers are encouraged to provide their contact details to allow the GMCA to seek further information, where necessary and advise on outcomes.

Where can I get independent advice?

Before making a disclosure, an employee or worker may first wish to discuss the concern on a confidential basis with a manager, trade union representative, solicitor or professional body and seek advice on how to proceed. These discussions may help assess how justified the concern is, and if they then wish to proceed, the most appropriate and effective way to report it.

Individuals can contact the independent charity Protect (formally Public Concern at Work) for free, independent and confidential advice, for example to find out which concerns are legally protected and how best to raise concerns. The charity has provided a specific confidential advice line for Manchester staff, telephone number: 0800 1124423 or visit their website www.protect-advice.org.uk

Appendix 1

Concerns around suspected wrongdoing, malpractice, illegality or risk in the workplace may include:

- criminal offences;
- failure to comply with a legal duty;
- miscarriages of justice;
- fraud or corruption;
- abuse of authority;
- serious breaches of GMCA authority or procedure;
- unethical conduct and actions deemed unprofessional or inappropriate; this could include breaches of regulations and of the 'Nolan Principles' which are the basis of ethical standards expected of public office holders (Appendix 3);
- the health and safety of any individual has been, or is likely to be, endangered;
- the environment has been, is being or is likely to be, damaged (as a result of the GMCA's actions or inactions); and
- information about any of the above has been, is being, or is likely to be, deliberately concealed.

Appendix 2

CONFIDENTIAL
GMCA
WHISTLEBLOWING CASE RECORD

Date concerns/allegations received.	
Details of individual receiving the concern/allegation (i.e. name, job title, contact details)	
Business area involved	
How were the concerns/allegations reported – in writing /verbally	
Does the individual wish to remain anonymous?	
If not, details of officer raising concern, /allegations (i.e. name, job title, contact details)	
Was confidentiality requested and/or explained?	
A summary of the concern / allegation raised:	
Has formal acknowledgement been	

<p>provided in-line with the Whistleblowing Policy?</p> <p>(acknowledgement 5 working days and update within 10 further days)</p>	
<p>Date reported to Internal Audit</p>	
<p>Details of Investigating Officer (i.e. name, job title, contact details)</p>	
<p>Summary outcome of investigation:</p> <p>(Proved/unproven, details of any action plans and recommendations)</p>	
<p>Date notification of outcome provided to individual raising the concern/allegation</p>	
<p>Papers retained (location), responsible officer and review date:</p>	

SEVEN NOLAN PRINCIPLES

The following are the Seven Nolan Principles underpinning standards for Public Life:

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public services. The principles also have application to all those in other sectors delivering public services.

1. Selflessness: Holders of public office should act solely in terms of the public interest.
2. Integrity: Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
3. Objectivity: Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
4. Accountability: Holders of public office are accountable to the public for their decisions and actions and must admit themselves to the scrutiny necessary to ensure this.
5. Openness: Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
6. Honesty: Holders of public office should be truthful.
7. Leadership: Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Source: The Committees website is at <http://www.public-standards.gov.uk/>