



Whistleblowing Code

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1 Policy Statement

- 1.1 The London Boroughs of Richmond and Wandsworth are committed to achieving the highest possible standards of service, including honesty, openness, and accountability, and recognize that employees have a key role to play in achieving this goal.
- 1.2 All of us at one time or another have concerns about what is happening at work. Usually, these concerns are easily resolved. However, when you are troubled about something that involves a danger to the public or colleagues, misconduct or malpractice or wrongdoing which affects others, it can be difficult to know what to do.
- 1.3 You may be worried about raising such an issue, feeling it is none of your business or that it is only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the Councils. You may have said something but found that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what, if anything, to do next.
- 1.4 The London Boroughs of Richmond and Wandsworth have introduced this policy to enable everyone to blow the whistle safely so that such issues are raised at an early stage and in the right way. We know from experience that to be successful we must all try to deal with issues on their merits. The Councils welcome your genuine concerns and is committed to dealing responsibly, openly, and professionally with them. Without your help, we cannot deliver a safe service and protect the interests of the public, staff, and the Councils. If you are worried, we would rather raise it when it is just a concern than to wait for proof.
- 1.5 The Whistleblowing Code is for use if you have a concern about danger or illegality that has a public interest aspect to it, usually because it threatens others (e.g., customers, stakeholders, or the public). A grievance or private complaint is, by contrast, a dispute about your own employment position and has no additional public interest dimensions. If you are aggrieved about issues relating to your employment, such as your working environment or terms and conditions of employment, please consult the Councils' Grievance policy.

2 Purpose of the policy

- 2.1 The purpose is as follows:
 - To encourage you to feel confident in raising concerns.
 - To enable you to confidentially raise concerns within the Councils' environment.
 - To ensure you receive a response to your concerns and if not satisfied you are aware of how to pursue them.

- To reassure you that you will be protected from reprisals or victimisation where you reasonably believe the disclosure to be made in the public interest.

This Whistleblowing code is primarily for concerns where the interests of others or of the Councils are at risk.

3 Who is covered by this procedure?

- 3.1 Employees of the Councils as well as schools, agency staff, trainees, apprentices, volunteers, consultants and interim managers, or any self-employed staff employed on business for the Councils.
- 3.2 The policy applies to contractors working for the Councils and partner agencies. It also covers any suppliers and those providing services under a contract or in partnership with the Councils in their own premises.

4 Definitions

- 4.1 The Councils have a range of policies and procedures, which deal with standards of behaviour at work, for example, discipline, grievance, discrimination, harassment and bullying, and recruitment and selection. Staff are encouraged to use these procedures when appropriate.
- 4.2 This policy is a means to deal with serious or sensitive concerns about matters such as the following:
- Fraud or financial irregularity
 - Corruption, bribery, or blackmail
 - Failure to comply with legal or regulatory duty or obligation.
 - Malpractice or abuse of a client including improper discrimination or relationships with clients
 - Disclosures related to injustices, including sexual harassment*
 - Dangerous procedures risking Health and Safety, including risk to the public as well as other employees.
 - Damage to the environment.
 - Other unethical conduct, including deliberate concealment of information relating to the above
 - Action which is contrary to the Code of Conduct for employees or members.
 - The inappropriate use of the Councils' standing orders and financial procedures.
 - Conduct which is a criminal offence or a breach of law.

* Disclosures relating to sexual harassment are protected disclosures under the Employment Rights Act 2025. Workers who raise such concerns, whether for themselves or on behalf of others, are legally protected from detriment, disciplinary action, or dismissal.

4.3 The policy does NOT apply to the following:

- Relationships between employees, their managers and the Councils for which grievance and other dispute procedures are more appropriate.
- Concerns or complaints by members of the public to which the Corporate Complaints Procedure would apply.
- Concerns or complaints about the behaviour of Members of the Councils (Councillors) to which the Member Code of Conduct would apply.

5 What protections do you have?

- 5.1 The Public Interest Disclosure Act provides workers with protection from dismissal or other damage because of making a disclosure of information in public interest about wrongdoing at work. Such disclosures are protected if they are made according to the Act's provisions. Disclosures may be made to the employer, prescribed regulatory bodies or on a wider basis to the Police. The Act's protection is strongest where workers raise matters with their employers. The protections in this policy are provided under the Employment Rights Act 1996 as amended by the Employment Rights Act 2025. These protections apply to all workers covered by this policy, not only employees, including protection from detriment, dismissal, or any form of retaliation.
- 5.2 The Councils are committed to adhering to this Act and to provisions contained within this Policy. If you raise genuine concern in accordance with this Policy, you will not be at risk of losing your job or suffering any form of retribution as a result. The Councils will not tolerate any reprisal against an employee because he or she has raised a concern under the Code and will treat any such reprisal as a disciplinary matter.
- 5.3 Provided you are acting honestly; it does not matter if you are mistaken or if there is an innocent explanation for your concerns. You will not be asked to provide proof. Of course, this assurance is not extended to someone who maliciously raises a matter they know is untrue. Disciplinary action will be taken against employees who knowingly make false allegations.
- 5.4 Sharing confidential information about third parties may not be protected by whistleblowing laws and could result in disciplinary action. If unsure, seek guidance from your manager HR, or union.

Raising unfounded malicious concerns

- 5.5 You are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. However, when it appears that there are clear grounds for suggesting that you may have acted frivolously, maliciously, or vexatiously, this will be taken seriously and may constitute a disciplinary offence.

Harassment or Victimisation

- 5.6 The Councils are committed to good practice and high standards and is supportive of employees.
- 5.7 The Councils recognise that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you provide a service.
- 5.8 The Councils will not tolerate any harassment or victimisation (including informal pressure) and will take appropriate action to protect you when you raise a concern.

6 What actions should you take?

- 6.1 The London Boroughs of Richmond and Wandsworth encourage you to raise the matter internally in the first instance. This allows staff and those in positions of responsibility and authority the opportunity to right the wrong and explain the behaviour or activity. This could be your line manager, Head of Service, Assistant Director or Director and will depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in malpractice.
- 6.2 If you are not in a formal line management relationship because of your employment relationship, e.g., agency staff or contractors, you should consider discussing your concerns with a relevant colleague or manager within the service.
- 6.3 However, if due to the sensitivity or seriousness of your concern or you believe that you cannot raise it within your supervision/line management structure, your concern should be submitted to Monitoring Officer. You can also raise your concerns with Human Resources via (HR.Consultancy@richmondandwandsworth.gov.uk) internal audit or internal fraud team (SWLFP@richmondandwandsworth.gov.uk)
- 6.4 Where you make a disclosure, we encourage you to give details of your identity. Anonymous disclosures are more difficult to investigate and difficult to provide support to you.
- 6.5 Concerns made in writing should set out the background and history of the concern, giving names, dates, and places where possible and the reason there are concerns about the situation. The earlier the concern is expressed, the easier it is for someone to act.

- 6.6 If you need advice and guidance on how matters of concern may be pursued, this can be obtained from Human Resources, or the Fraud Investigation team .

7 How will the Councils respond?

- 7.1 The individual who receives the information or allegation will assemble the information made available to them. The details of the allegation are then passed on to the Monitoring Officer in order that it can be assessed and if appropriate included on the central Whistleblowing register.
- 7.2 All allegations will be assessed by the Monitoring Officer with support from Human Resources, Head of Audit, Head of Fraud and Head of Health & Safety, as required. This assessment, triage process, as necessary to determine the applicability of allegation(s) raised and the most appropriate route to follow where further investigation is required. In certain circumstances the triage outcome may decide that it is more appropriate to follow the disciplinary or grievance process. If you have made your identity known you will receive confirmation on whether an investigation or alternative review process will be commenced.
- 7.3 If appropriate, an investigating officer is then appointed by the relevant service, dependent on the nature of the allegation. The investigating officer(s) will conduct a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice, or assistance. This could involve for example members of staff, the Internal Audit service, external audit, legal or HR advisors, or the police. Concerns or allegations, which fall within the scope of specific procedures (e.g., child protection, Health and Safety or discrimination issues), will normally be referred for consideration under those procedures. It may be decided to employ an outside firm to undertake the investigation, or it may be passed on to external audit to investigate, depending on the nature of the allegation. Fraud allegations will be passed to the Southwest London Fraud Partnership (SWLFP) to conduct the investigation.
- 7.4 Where known, you will be informed within 4 weeks of receipt of Whistleblowing, how and by whom the concerns will be managed, and an estimate of how long the investigation will take and where no further action is proposed, and the reasons for this decision.
- 7.5 Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s) will consider best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third-party referral such as the police.

- 7.6 The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further information will be sought from you as part of the investigation process. If you are an employee of Councils, and the investigating officer has invited you to attend a meeting, you will have the right to be accompanied. This should be representative of a recognised trade union, or a work colleague who is not involved in work to which the concern relates.
- 7.7 The Councils will take steps to minimise any difficulties that you may experience because of a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Councils will advise on the procedure.
- 7.8 We will keep a confidential record of your concern. This will be held in accordance with relevant data protection legislation.
- 7.9 Whenever possible, we will give you feedback on the outcome of any investigation. Please note, however, that we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person.

8 Confidentiality

- 8.1 Wherever possible the London Boroughs of Richmond and Wandsworth seek to respect the confidentiality and anonymity of the Whistleblower and will as far as possible protect you from reprisals. The Councils will do its best to protect your identity when you raise a concern and do not want your name disclosed. However, it must be appreciated that the investigation process may reveal the source of the information and a statement by you may be required as part of the evidence in criminal proceedings or Employment Tribunals.
- 8.2 The Councils will endeavour to ensure your identity will not be disclosed to third parties without a court order.
- 8.3 Where the procedure allows a matter to be taken outside the Councils, you should not disclose confidential information unless the information relates to the matter under investigation and until the internal procedures have been exhausted. No confidential information shall be disclosed externally in a frivolous or vexatious manner.
- 8.4 No confidentiality clause or agreement can lawfully prevent a worker from making a protected disclosure under the Employment Rights Act 2025.

9 Support for Employees

- 9.1 It is recognised that raising concerns can be difficult and stressful. Advice and Support is available via an employee's line manager, Human Resources or Trade Union representative. It must be recognised that employees who are subject to investigation following concerns being raised will also be entitled to support from the same sources, although not from the same individuals.
- 9.2 The Councils provide an Employee Assistance Programme (EAP) for members of staff which can provide support including regarding employment issues, consumer rights. This service is free to employees and is available 24 hours a day, 7 days a week, 365 days a year. [Contact details can be accessed here](#)
- 9.3 The Councils will take steps to minimise any difficulties which you may experience because of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Councils will arrange for you to receive advice about the procedure.
- 9.4 Help will be provided to you to minimise any difficulties which you may experience. This may include advice on giving evidence if needed. Meetings may, if necessary, be arranged off-site with you and with you being represented, if you wish.
- 9.5 If you believe that you have suffered a detriment for having raised a concern, you should report this.
- 9.6 If you are not satisfied with the action taken by the Councils and feel it is right to question the matter further may consider the following possible contact points:
- External Auditor
 - the employee's Trade Union
 - the Citizens Advice Bureau and / or law centre / firm
 - relevant professional bodies or regulatory organisations
 - the Local and Social Care Government Ombudsman
 - the Information Commissioner
 - A relevant voluntary organisation
 - the Police and/ or Health and Safety Executive

10 How the matter can be taken further.

- 10.1 If you have raised your concern, but feel this has not been resolved or you feel the matter is so serious or sensitive that you cannot discuss it with your line managers please contact one of the following: -
- Chief Executive
 - Head of Internal Audit
 - Monitoring Officer

- Assistant Director of HR
- Chair of the Audit Committee (via Democratic Services)

If your concerns involve potential fraud or criminal activities the Councils Fraud hotline 020 8871 8383 or email swlfp@richmondandswandsworth.gov.uk

10.2 You may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above-named individuals. All matters will be treated with strict confidence and anonymity will be respected wherever possible.

11 Referral outside the Councils

11.1 In exceptional circumstances you may consider the matter too serious or sensitive to raise within the internal environment of the Councils. In this instance, depending on the nature of the concern, the matter could be directed to the police or local MP (contact through directory enquiries or local telephone directory).

11.2 The Comptroller and Auditor General (C&AG) is a prescribed person, to whom external persons can make disclosures relating to “the proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services”. Their Whistleblowing hotline **020 7798 7999**

11.3 The C&AG is not required to investigate every disclosure received; their decision whether to investigate is based upon various criteria designed to ensure the most effective use of the resources at their disposal in safeguarding the public interest.

The Comptroller and Auditor General
National Audit Office
157-197 Buckingham Palace Road
London SW1W 9SP

11.5 The Local Government Ombudsman can also be contacted, they will not, however, take any action until the allegation has been dealt with internally first. They can be contacted at: <http://www.lgo.org.uk/> or 0300 061 0614

11.6 Further information may be obtained from the following:

Organization	Website
Citizens Advice Bureau	https://www.citizensadvice.org.uk/about-us/contact-us/
The Information Commissioner	http://www.ico.gov.uk/
Health and Safety Executive	http://www.hse.gov.uk/
Care Quality Commission	http://www.cqc.org.uk/contact-us/report-concern/report-concern-if-you-are-member-public
OFSTED	OFSTED

Councils' external auditor	http://www.Grantthornton.com/UK/
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12 Communication, Recording, Monitoring and Review of Whistleblowing

12.1 This policy will be communicated as appropriate and will be subject to regular monitoring and review.

12.2 The Monitoring Officer will maintain a Corporate Register containing all concerns that are brought to their attention. This register will include details of who raised the concerns (if available), the department the concerns relate to, a summary of the concern/s, conclusion of the investigation, any action taken and any other relevant information. The Monitoring Officer will report on the number of whistleblowing cases received and a summary of the outcomes to the Audit Committee on an annual basis.

13 Summary

13.1 DO

- Make an immediate note of your concerns.
 - a) Note all relevant details, such as what was said on the telephone or other conversations, the date, time, and the names of the parties involved.
 - b) Note any documentary evidence that may exist to support your claim but do not interfere with this evidence.
- Report on your concerns
 - a) to your line manager or
 - b) to those listed above in 10.1
- Deal with the matter quickly. Any delay could allow the problem to continue and escalate and evidence to disappear.
- Think about risks and outcomes before you act!
- Follow the guidance provided and contact the appropriate officer.

13.2 DON'T

- Do nothing and let it go unreported.
- Be afraid of raising concerns.
- Approach and accuse individuals directly.
- Try and investigate the matter yourself.
- Convey your suspicions to anyone except those of the proper authority as set out in this policy.
- Use the whistleblowing procedure to pursue personal grievance.

Control Table

Version	Description	Who by	Release date
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IF IN DOUBT – RAISE IT!

1.2	Update of Whistleblowing Code	Head of Human Resources and Organisational Development	October 2021
1.3	<p>Amendments to comply with the Employment Rights Act 2025:</p> <p>Section 4.3 details the new protected disclosure relating to sexual harassment</p> <p>Section 5.1 details employee protection changes</p> <p>New Section 8.4 details unlawful confidentiality clauses or agreements</p>	Head of Business Partnering	April 2026

Any queries about this policy should in the first instance be brought to the attention of the document owner.

Appendix 1

UPDATED WHISTLEBLOWING CODE SECTION (ERA 2025-COMPLIANT)

Protection for Employees Making a Disclosure

Legal Protection for Whistleblowers

In addition to the protections provided under the Public Interest Disclosure Act, the Employment Rights Act 2025 (ERA 2025) strengthens the protections available to workers who raise concerns about wrongdoing at work. The Councils are committed to upholding these protections fully.

Workers must not suffer **any detriment, disciplinary action, or dismissal** because they have made a protected disclosure. This includes disclosures involving sexual harassment and failures to prevent harassment.

If you raise a genuine concern under this Code, you will not be at risk of losing your job or suffering any form of retribution as a result. The Councils will not tolerate any reprisal against an employee who raises a concern and will treat any such behaviour as a serious disciplinary matter.

Sexual Harassment Disclosures (Protected Under ERA 2025)

A disclosure relating to **sexual harassment** is explicitly recognised as a protected disclosure. Workers who report sexual harassment — whether directly experienced or witnessed — are legally protected from unfair dismissal and detriment.

Managers must treat such disclosures as protected disclosures and ensure that employees are supported, listened to, and shielded from any form of retaliation.

Harassment Prevention Duty (Including Third-Party Harassment)

Under the ERA 2025, the Councils have a statutory duty to take **all reasonable steps** to prevent harassment of employees. This includes harassment committed by **third parties**, such as members of the public, contractors, service users, clients, or partners. Employers may be held liable if reasonable steps have not been taken to prevent such behaviour.

Where an employee raises a concern that the Councils have failed to meet this duty, this will be treated as a protected disclosure under this Code.

Managers must ensure:

- all reports of harassment are investigated promptly.
- reasonable steps to prevent recurrence are documented.
- lessons learned are captured and shared.

Confidentiality Clauses and Whistleblowing Disclosures

The ERA 2025 renders **void** any confidentiality clause — whether in a contract, HR policy, settlement agreement, or other document — that attempts to prevent workers from making protected disclosures, including those relating to harassment.

The Councils therefore confirm that:

- no confidentiality clause overrides your right to make a protected disclosure.
- you may raise concerns internally or externally to prescribed bodies.
- you will not face disciplinary action for breaching a confidentiality clause where the disclosure is protected.

Support and non-Retaliation.

Employees making disclosures about harassment, including third-party harassment, will receive appropriate support. The Councils will not tolerate retaliation, including:

- disciplinary action brought without basis
- victimisation
- exclusion or negative treatment
- threats or intimidation
- unfavourable treatment relating to duties, shift allocations or career opportunities.

Any retaliatory behaviour will be treated as a disciplinary offence under the Councils' procedures.

How We Will Respond to Harassment-Related Disclosures

When a whistleblowing concern relates to sexual harassment or harassment prevention failures, the Councils will:

1. **Acknowledge the disclosure promptly.**
2. **Undertake a proportionate investigation**, ensuring confidentiality wherever possible.
3. **Record and evidence all reasonable steps** taken to comply with the statutory prevention duty (as required under the ERA 2025)
4. **Take corrective action** where failures are identified.
5. **Provide feedback** to the individual raising the concern, unless legally restricted