Service Policy Instruction



Whistleblowing Policy

Status	Live
Document Version	Version 4.05
Author	Monitoring Officer
Sponsor	Monitoring Officer
Directorate/ Department	Legal & Committee Services
Date Approved by SLB	
Review frequency	3 Years
Next Review	03.03.2028

Version History								
Version	Date	Description						
3.02	12/10/2017	Minor amendments						
4.01	12/12/2018	Updates due to statutory changes						
4.01	04/03/2019	Policy is now Live						
4.03	17/08/2022	Minor updates						
4.04	25/04/2023	Minor updates						
4.05	03/03/2025	Minor Updates						

Executive Summary

Hereford & Worcester Fire Authority (the Authority) is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we expect employees and others working at or for the Authority who have serious concerns about any aspect of the Service's work to come forward and voice those concerns.

This policy ensures that you will not be treated unfairly by the Authority or lose your job with the Authority because you 'blew the whistle' and it applies to anyone working for or on behalf of the Authority. This policy explains how to raise a concern and how the Authority will handle the matter. It also sets out a list of contacts where further advice can be obtained.

The Authority will make every effort to protect your identity if you so wish and we will not disclose it without your consent. If the situation arises where it is not possible to pursue your concern without revealing your identity (for example, the need to give evidence in court or at a disciplinary hearing), we will discuss with you how and if we can proceed.

The law protects workers who raise legitimate concerns made in the public interest from suffering any detriment. Any victimisation or harassment of a worker raising such a concern will be considered a disciplinary matter and dealt with accordingly.

Safeguarding Policy Statement:

Safeguarding is everyone's responsibility, and Hereford & Worcester Fire and Rescue Service (HWFRS) are committed to safeguarding children, young people and adults from abuse and neglect. The Service strives to promote the safety, dignity and wellbeing of staff and people in the community.

Safeguarding practices within HWFRS align to the Safeguarding Fire Standard which aims to ensure that Service support and promote the safeguarding of those within the community, employees and volunteers. Safeguarding - Fire Standards Board

All HWFRS staff will adhere to the Service's Adult Safeguarding Policy and Children and Young People Safeguarding Policy and associated Guidance's.

SPIs (sharepoint.com)

Alternative Formats

If you require this document in another format please contact the Human Resources and Development Department.

Risk Critical Information (if applicable)

N/A

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Whistleblowing Policy

1. Introduction

- 1.1 It is often people working within organisations, who are the first to realise that there may be something seriously wrong in their place of work. They may be wary of expressing concerns because they feel that to do so would be disloyal to their colleagues. They may also fear acts of harassment or victimisation. In these circumstances it may feel easier to ignore the concern rather than report what may just be a suspicion of malpractice. The Authority is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we expect employees and others working at or for the Authority who have serious concerns about any aspect of the Service's work to come forward and voice those concerns.
- **1.2** This Policy is based on a series of comprehensive and inter-related procedures:
 - Core Code of Ethics for Fire & Rescue Services
 - Members Code of Conduct
 - Contract Standing Orders
 - Financial Regulations
 - Disciplinary Procedure
 - Safeguarding Policy

2. Aims of the Policy

- 2.1 Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal, suspected wrongdoing or unethical conduct (including anything that gives rise to concerns over the safeguarding of children, young people or vulnerable adults) and dangers affecting any of our activities. Workers should report anything of that nature that they become aware of.
- 2.2 Under the Authority's Financial Regulations, all staff are required to observe the Anti-Fraud, Bribery and Corruption Policy as summarised in paragraph 5.2 below. Any staff involved in entering into contracts should ensure that the values and behaviours described in the Anti-Fraud, Bribery and Corruption Policy are applied and that suppliers are selected in an honest and transparent fashion.
- 2.3 All employees have a responsibility to report unlawful or unacceptable behaviour, as set out in the Core Code of Ethics. This policy is designed to encourage and enable you to raise concerns about such behaviour. It does this by providing you with an opportunity to raise concerns that you reasonably believe point to illegal or unethical conduct without fear of victimisation, subsequent discrimination or disadvantage.
- **2.4** The law protects workers who:
 - (i) raise legitimate concerns (even if these subsequently prove to be incorrect) about:

- a criminal activity;
- a breach of a legal obligation;
- a miscarriage of justice;
- an act creating risk to health and safety;
- · an act causing damage to the environment; or
- concealment of any of the above

that is being, has been, or is likely to be committed by employees, Officers, Members of the Fire Authority or others acting on behalf of the Fire Authority;

- (ii) reasonably believe the disclosure to be in the public interest; and
- (iii) make the disclosure:
 - to their line manager or other officer mentioned in this policy;
 - to an appropriate external regulator if you feel unable to raise it internally (see section 7 below); or
 - only if there is evidence to support a genuine belief that the matter cannot or will not be dealt with internally or by a prescribed external regulator, and provided it meets the criteria in sections 7.5 and 7.6 below, to a non-regulatory body such as the Police or the media.
- 2.5 Victimisation or harassment of a worker raising such a concern will be considered a disciplinary matter and dealt with accordingly. This means that the continued employment and opportunities for future career progression or training will not be prejudiced because a worker has raised a legitimate concern. If you believe you are suffering detriment or discrimination for having raised your concern you should report this to Human Resources or to the Responsible Officer who is dealing with your concerns (see paragraph 6.1).

3. Who is covered by the Policy?

- **3.1** The policy applies to you if you work for or with the Authority e.g. an employee, contractor, casual worker, secondee, volunteer or young firefighter.
- 3.2 This policy is designed to be used for concerns raised in the public interest and not for issues that concern personal interests. If you have concerns over your own personal circumstances you must use the Service Policy 'Grievance Policy and Procedure' (Service personnel only), a copy of which is available from the Human Resources Department at Headquarters.

4. Who is Responsible for the Policy?

4.1 The Chief Fire Officer and the Monitoring Officer (General Counsel of Legal Services) have overall responsibility for the maintenance and operation of this policy. Their role is to ensure that all matters raised are investigated properly and to maintain a record of concerns raised, together with outcomes; they will report as necessary to the Fire Authority without jeopardising confidentiality.

4.2 The Authority's Audit & Standards Committee is responsible for the independent oversight and review of whistleblowing processes and the effectiveness of their application throughout the Authority.

5. When should I use the Whistle-blowing Policy?

- 5.1 Whistle-blowing is when a worker reports passes on information about a wrong doing or concern about an incident that happened in the past, is happening now, or they believe will happen in the near future. The with the whistle-blower is protected by law from any victimisation, harassment or any other detriment negativity as a result of their disclosure. The whistle-blowing policy is designed to encourage and enable staff or anyone who is working on behalf of the Service e.g. volunteers to raise concerns in relation to unlawful behaviour or serious malpractice at work, without the fear of repercussions for 'speaking up' and raising these concerns., such as victimisation, or subsequent discrimination or disadvantage.
- 5.2 If you have serious concerns about any area of the Service, you are expected to come forward and voice your concerns. Staff are usually the first to realise that something may be seriously wrong and workers should be watchful for illegal or unethical conduct (including safeguarding concerns).
- 5.3 Whistle-blowing disclosures must be in relation to concerns that are in the public interest and in connection to:- a criminal offence, breach of a legal obligation, a miscarriage of justice, creating a health and safety risk which would put someone's health and safety in danger, risk or actual damage to the environment or if you believe that someone is covering up any wrongdoing.
- **5.4** The whistle-blowing policy is not for reporting personal concerns or complaints. If you wish to raise any concerns over your own personal circumstances, the grievance policy should be used. for personal grievances.
- **5.5** If you are unsure whether to raise a concern under a grievance or whistleblowing, please speak to HRD

6. How to Raise a Concern

Step 1

- 6.1 If you have a concern about illegal or unethical conduct, the Authority hopes that you will be able to raise the matter with your immediate Manager or his/her Line Manager. If you are not directly employed by the Authority and do not have a Line Manager within the Authority you should raise the matter directly with the Monitoring Officer.
- 6.2 If you suspect fraud, bribery or corruption, please also refer to Service Policy/Instructions 1.B.10 'Anti-Fraud, Bribery and Corruption Policy' which requires staff and managers who suspect fraud, bribery or corruption, or who have such suspicions to report them immediately to the Head of Finance (or to the Treasurer or other officer listed in the Policy—if this would not be appropriate), who will notify the

- Treasurer. A copy of the SPI is available from the Legal Services Department at Headquarters or the Human Resources Department.
- 6.3 It is best to raise any concern as early as you can. Concerns may be raised verbally and/or in writing and must convey the facts. The following headings may help you organise your thoughts but do not need to be followed exactly:
 - why you are concerned and background information about the matter;
 - any other procedures which you have already used and what happened;
 - the people involved and where they work;
 - · dates or periods of time; and
 - the names and jobs of any other people who will support your concern.
- **6.4** If you wish to make a written report you should mark it private and confidential.
- 6.5 However, if you feel unable to raise the matter with your Line Manager due to the seriousness and sensitivity of the issues involved or if you believe that your Line Manager may be involved you should either:
 - raise your concerns using the confidential reporting line if you are a member of staff. You can do this semi-anomalously if you prefer; and/or
 - approach the Monitoring Officer for guidance.

6.6 If you are personally involved in the matter raised, please inform the Authority at the outset. You may invite your Trade Union representative or a work colleague to be present during any meetings or interviews (which may be arranged away from your normal workplace if you so wish) in connection with the concerns you have raised.

Step 2

6.7 If you have followed these channels and you still have concerns or you feel you are unable to discuss the matter with any of the nominated Officers listed above, please contact the Monitoring Officer (General Counsel of Legal Services).

Step 3

6.8 In most cases there will be an appropriate senior officer e.g. the Chief Fire Officer, Monitoring Officer or Treasurer with whom you should be able to raise your concern. However, if you feel you are unable to discuss the matter with Senior Officers or you have already followed steps 1 and/or 2 and still have concerns, please contact the Chairman of the Authority's Audit & Standards Committee. Committee & Members' Services can provide you with contact details for the current Committee Chairman.

7. How will we handle the Matter?

- 7.1 We will write to you within 7 working days to acknowledge that your concern has been received and to inform you of any relevant support mechanisms. The Authority will respond promptly to your concerns by assessing what action ought to be taken. This may involve an internal investigation or a more formal inquiry. We will tell you who is handling the matter (the Responsible Officer), how you can contact them, how long the investigation is likely to take and whether any more assistance from you will be required.
- 7.2 Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is required this may be taken before any investigation is conducted.
- **7.3** Thereafter, the Responsible Officer will keep you informed of progress and the outcome of any investigations or decisions on the matter, where appropriate.
- 7.4 The Authority will support you and will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Authority will arrange for you to receive advice about the procedure.

8. Raising a Concern Externally

- **8.1** Whilst it is hoped that this policy gives you the confidence to raise your concern with the Authority, if you feel you are unable to do this we would prefer that you raised your concern with an external regulator rather than not at all.
- **8.2** You can refer your concern to an external regulator and still be protected by the law if you reasonably believe that:
 - the information you are disclosing is substantially true; and
 - your concern falls within the remit of one of the prescribed external regulators as listed by the Department for Business & Trade.
- 8.3 If you report an issue to an external regulator you must ensure that you have chosen the correct body or person for the issue concerned. The Department for Business & Trade has published guidance on the list of prescribed persons and bodies to whom concerns can be raised in certain circumstances (Whitstleblowing: list of prescribed people and bodies available at www.gov.uk).
- **8.4** Finally, if you genuinely believe that the matter cannot or will not be dealt with internally or by a prescribed external regulator and you have evidence to back up your concern, you may consider it appropriate to contact a non-regulatory external body, for example the Police, your legal adviser or your MP.
- **8.5** To be protected under the law you will need to meet the following conditions:
 - you reasonably believe that the information disclosed and any allegation contained within it are substantially true;
 - your concern is not raised for personal gain; and
 - it is reasonable to disclose the information.
- **8.6** To retain protection under the law you must:
 - a) reasonably believe at the time of the disclosure that you will be subject to detriment if you make your concern known to the Authority or the prescribed external regulator; or
 - b) where there is no relevant prescribed external regulator and you reasonably believe that evidence will be concealed or destroyed if you put forward your concerns to the Authority; or
 - c) have previously made the same disclosure of information to the Authority or the prescribed external regulator to no avail.
- **8.7** You are strongly advised to seek independent advice before you raise any issue outside the Authority. A list of contacts is given in the section to follow entitled 'Further Advice and Contacts'.

9. Confidentiality

- **9.1** The Authority will make every effort to protect your identity and we will not disclose it without your consent. If the situation arises where it is not possible to pursue your concern without revealing your identity (for example, the need to give evidence in court or at a disciplinary hearing), we will discuss with you how and if we can proceed.
- **9.2** An anonymous concern will be assessed as best it can to establish whether there is substance to the concern and whether it can be addressed. The Authority will be unable to reassure or protect a worker who discloses information anonymously.

10. Untrue Allegations

10.1 If you make an allegation in good faith but it is not substantiated by the evidence produced during the investigation, no action will be taken against you. If, however, you are an employee or statutory office holder and you make an allegation maliciously or for personal gain, this may result in disciplinary action being taken against you. If you are a contractor or you are employed by another organisation but working on behalf of the Authority and you make an allegation maliciously or for personal gain, this may result in you being removed from the approved list of contractors or the Authority may discontinue using your services.

11. Further Advice and Contacts

11.1 You may of course seek advice from any of the following:

Nigel Snape Hereford & Worcester Fire Authority	Confidential Reporting Line Tel 0800 915 1571 https://www.safecall.co.uk/hwfrs
Worcestershire Internal Audit Shared Service Worcestershire Internal Audit Shared Service Worcester City Council	External Auditor Bishop Fleming 10 Temple Back Bristol BS16FL Tel: 0117 910 0250

11.2 If you want independent advice at any time you may contact your Trade Union or the independent charity, "Protect" (formerly known as Public Concern at Work) on 020 3117 2520 or their website at protect-advice.org.uk/advice-line/. Their lawyers will give you free confidential advice at any time on how to raise a concern about serious malpractice at work.



No: 110

People Impact Assessment (PIA)

Policy / Project / Function:	Whistleb	lowing Policy	wing Policy Date of Assessment: 06/0				06/03	3/2025
Analysis Rating: please tick 1 box ✓ (The analysis rating is identified after the analysis has been completed - See Completion Notes).	RED	AMBER		GREEN	✓	mea achie legiti aim/e	eving a mate can be ctively	Action Plan included?
Please list methods used to analyse on people (e.g. consultations forums meetings, data collection)	5,	Code of Conduct Core Code of Ethics Contract Standing C						
Please list any other policies that are to or referred to as part of this analy		Disciplinary Procedure Safeguarding Policy Grievance Policy						
Please list the groups of people pote affected by this proposal. (e.g. appliemployees, customers, service user members of the public)	cants,	Employees, contractors, workers, volunteers						
What are the aims and intended effe	ects of this	proposal (project, po	licy, fun	ction, service)	?			
To ensure that any wrong doing see repercussions owing to disclosing the standards of openness, probity and	nis informa	tion. This is to ensure						
Is any Equality Data available relatir Please Tick ✓ (See Completion note	ng to the ues)	se or implementation	of this p	proposal (polic	y, proje	ct, or	function, servic	ce?
YES:		NO	:					
List any Consultations e.g. with employees, service users, Rep Bodies or members of the public that has taken place in the development or implementation of this proposal (project, policy, function)?							in the	
All policies undergo a comprehensive consultation process								

People Impact Assessment (PIA)

Protected Characteristic:	Neutral Impact:	Positive Impact:	Negative Impact:	who share characteristics protected by <i>The Equality Act 2010</i> ? Please Tick ✓(See Completion notes) Evidence of impact and if applicable, justification if determining proportionate means of achieving legitimate aims exists
Sex (Men and Women)	V			The policy has neither a negative nor positive effect on this equality group.
Race (All Racial Groups)	√			The policy has neither a negative nor positive effect on this equality group.
Disability (Mental, Physical, and Carers of Disabled people)	V			The policy has neither a negative nor positive effect on this equality group.
Religion or Belief	1			The policy has neither a negative nor positive effect on this equality group.
Sexual Orientation (Lesbian, Gay, Bisexual and Straight)	1			The policy has neither a negative nor positive effect on this equality group.
Pregnancy and Maternity	1			The policy has neither a negative nor positive effect on this equality group.
Marital Status (Married and Civil Partnerships)	√			The policy has neither a negative nor positive effect on this equality group.
Gender Reassignment (Includes non-binary)	√			The policy has neither a negative nor positive effect on this equality group.
Age (People of all ages)	√			The policy has neither a negative nor positive effect on this equality group.

What impact will the implementation of this proposal have on people who are impacted by and / or local factors that sit outside the Equality Act 2010 (non-legislative). Examples include social economic factors (i.e. poverty and or isolation), caring responsibility, unemployment, homelessness, urbanisation, rurality, health inequalities, any other disadvantage. ✓ (See Completion notes)

Identified impact non-legislative factor.	Neutral Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification if determining proportionate means of achieving legitimate aims exists

Initial People Impact Analysis was completed by: (Name and Department): Lorraine Adams – Legal Services

WHEN PIA REVIEWED - Reviewed by: L Adams Review Date: 06/03/25

Please see 'Notes for PIA Authors' below

Action Plan Owner:	Sign off date:							
As a result of performing this analysis, what actions are proposed to remove or reduce any negative impact of adverse outcomes identified on people (employees, applicants customers,								
members of the public etc) v	ho share characteristics protected by The Equality Act 2010 or are non-legislative characteri	stics?						
	Action Planning							
Identified Impact Protected Characteristic or local non-legislative factor	Recommended Actions	Responsible Lead	Completion Date	Review Date				
Overall	To ensure the policy is clear and up to date with the latest legislation	Nigel Snape	In line with policy review	In line with policy review				

Notes for PIA Authors:

- > People Impact Assessments should be reviewed whenever a policy/project/function is reviewed.
- If there are (1) only minor alterations to a policy/project/function, (2) the existing PIA has already been quality assured, and (3) the author feels the minor changes don't affect the findings detailed in the PIA, there is no need for it to be quality assured once again. The PIA should have a new date on Page 1 showing when it was last reviewed.

Completion Notes:

Analysis Ratings:

The analysis rating is located at the top of the document so that if you have several impact assessments you will be able to determine priority impact status. To assure the assessment determines the rating, the rating should not be determined before the assessment has been completed.

Red: As a result of performing this assessment, it is evident a risk of discrimination exists (direct, indirect, unintentional, or otherwise) to one or more of the nine groups of people who share Protected Characteristics (and / or local non-legislative factors). In this instance, it is recommended that the use of the activity or policy be suspended until further work or analysis is performed.

If it is considered this risk of discrimination (is objectively justified, and/or the use of this proposal (policy, activity, function) is a proportionate means of achieving a legitimate aim; this should be indicated and further professional advice taken.

Amber: As a result of performing this assessment, it is evident a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the *Action Planning section* of this document.

Green: As a result of performing this assessment, no **adverse effects** on people who share Protected Characteristics and/or local non-legislative factors are identified - no further actions are recommended at this stage. (However, there may still be actions listed in the *Action Planning* section, reinforcing positive outcomes).

Equality Data:

Equality data is internal or external information that may indicate how the activity or policy being analysed can affect different groups of people who share the nine Protected Characteristics and / or local non-legislative factors. Examples of Equality Data include: (this list is not definitive)

- 1: Application success rates by Equality Groups
- 2: Complaints by Equality Groups
- 3: Service usage and withdrawal of services by Equality Groups
- 4: Grievances or decisions upheld and dismissed by Equality Groups

Legal Status:

This document is designed to assist organisations in *"Identifying and eliminating unlawful Discrimination, Harassment and Victimisation"* as required by The Equality Act Public Sector Duty 2011.

Doing this analysis may also identify opportunities to *foster good relations* and *advance opportunity* between those who share Protected Characteristics and / or local non-legislative factors and those that do not.

An EqIA is not legally binding and should not be used as a substitute for legal or other professional advice.

Objective and/or Proportionate

Certain discrimination may be capable of being defensible if the determining reason is:

- (i) objectively justified
- (ii) a proportionate means of achieving a legitimate aim of the organisation

For *objective justification*, the determining reason must be a real, objective consideration, and not in itself discriminatory. To be *'proportionate'* there must be no alternative measures available that would meet the aim without too much difficulty that would avoid such a discriminatory effect. Where (i) and/or (ii) is identified it is recommended that professional (legal) advice is sought prior to completing an People Impact Assessment.



Appendix 2

Organisational Impact Assessment

1. Preliminary Questions:								
Policy, Project or Activity:	Policy	Author:	Nigel Snape					
Department:	Legal Services	Whistleblowing						
New /existing?	Existing Date: 06/03/2025							
2. Information on the Policy, P	roject or Activity:							
How does the Policy, Project or Activity fit in with our core purpose and strategies? Supports the Core Code of Ethics and Core Code of Conduct by ensuing that any wrongdoing that is seen is reported. This ensures HWFRS acts in transparent manner. The employee will be protected from any form of harassment or victimisation if they report such an act.								
3. Are there any implications for		P						
Operational	No							
Legal	Aligns with appropriate legislati	ve duties						
Human Resources	Yes – as a supporting function							
Training and Development	No							
ICT	No							
FRA	No							
Resource	No							
Service Delivery	No							
Consultation with Rep Bodies	Bo – minor amendment							
Corporate Communications	No							
Health and Safety	No							
Sustainability	No							
Partnership Working	No							
Other Implications/ Considerations?	N/A							

4. What are the risks in carrying out / delivering the activity described?

Consider: financial, reputational, environmental, health and safety, information management etc. N.B. Please make your SLB member aware of any significant risks for elevation to their Risk Register.

No.	Risk	Risk			Potential control measures	Residual Risk		sk	Outstanding exposures
		Likelihood	Impact	Risk Score		Likelihood	Impact	Risk Score	
1	Policy not fit for purpose and does not support employee who makes the disclosure	2	1	2	Providing appropriate guidance and training to managers on actions to take if the whistleblowing policy is applied by staff member	3	1	3	Nopne

Please use the matrix below to assess likelihood and impact:

	Severe (5)	5	10	15	20	25			
	Major (4)	4	8	12	16	20			
L	Moderate (3)	3	6	9	12	15			
IMPACT	Minor (2)	2	4	6	8	10			
_	Minimal (1)	1	2	3	4	5			
		Low (1)	Low/ Medium (2)	Medium (3)	Medium/ High (4)	High (5)			
	LIKELIHOOD								

5. Data Protection

A Data Protection Impact Assessment (DPIA) will assist in identifying and managing any project privacy implications and risks; for example, when making significant changes to existing practice, when developing a new project or when changing suppliers or processors.

The Screening Questions below are intended to help identify whether a DPIA is required. Answering 'Yes' to any of these questions indicates that a DPIA is necessary.

Screening Questions	Yes/No
Will the policy, project or activity involve the collection of new information about individuals?	No
Will the policy, project or activity compel individuals to provide information about them?	No
Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?	No
Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?	No
Does the policy, project or activity involve you using new technology that might be perceived as being privacy intrusive? For example, recording images, biometrics or facial recognition.	No
Will the policy, project or activity result in your making decisions or taking action against individuals in ways that can have a significant impact on them?	Yes
Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For example, health records, criminal records or other information that people would consider to be private.	Yes
Will the policy, project or activity require you to contact individuals in ways that they may find intrusive?	No

You will find a DPIA template and guidance notes on the Information Governance SharePoint page. Follow the link and click on 'DPIA Instruction' - Information Governance.

If you require any assistance in completing the data protection impact assessment or need further guidance, contact the Information Governance Officer in Legal Services on informationrequests@hwfire.org.uk