

WHISTLEBLOWING POLICY

1. Preamble

- 1.1 Officers are often the first to realise that there may be something seriously wrong within the Combined Authority. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Combined Authority. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be just a suspicion of malpractice.
- 1.2 The Combined Authority is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect officers, and others that we deal with, who have serious concerns about any aspect of the Combined Authority's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3 This policy is intended to encourage and enable officers to raise serious concerns within the Combined Authority rather than overlooking a problem or 'blowing the whistle' outside. This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage.
- 1.4 The policy applies to all members, officers and officers of the Combined Authority and its committees, and contractors working for the Combined Authority. It also covers suppliers with the Combined Authority.

2. Aims and Scope of this Policy

- 2.1 This policy aims to:-
 - (i) encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
 - (ii) provide avenues for you to raise those concerns and receive feedback on any action taken;
 - (iii) ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied; and
 - (iv) reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief in the substance of your disclosure and have acted in good faith.
- 2.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The Whistle-blowing Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:-



- (i) conduct which is an offence or a breach of law;
- (ii) disclosures related to miscarriages of justice;
- (iii) health and safety risks, including risks to the public as well as other officers;
- (iv) damage to the environment;
- (v) a misuse of Combined Authority or other public money;
- (vi) possible fraud and corruption and other unethical conduct.

2.3 Thus, any serious concerns that you have about any aspect of service provision or the conduct of officers or Members of the Combined Authority or others acting on behalf of the Combined Authority can be reported under this Whistle-blowing Policy. This may be about something that:-

- (i) makes you feel uncomfortable in terms of known standards, your experience, or the standards to which you believe the Combined Authority subscribes; or
- (ii) is against the Combined Authority's Constitution or policies; or
- (iii) falls below established standards of practice; or
- (iv) amounts to improper conduct.

2.4 This policy does not replace the Combined Authority's Anti-Fraud and Corruption Policy, but rather complements it.

3. Safeguards Against Harassment or Victimisation

3.1 The Combined Authority is committed to good practice and high standards and wants to be supportive of officers.

3.2 The Combined Authority recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, or you in good faith believe it to be true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

3.3 The Combined Authority will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.

3.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

4. Confidentiality



- 4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

5. Anonymous Allegations

- 5.1 This policy encourages you to put your name to your allegation whenever possible.
- 5.2 Concerns expressed anonymously are much less powerful, but will be considered at the discretion of the Combined Authority.
- 5.3 In exercising this discretion the factors to be taken into account would include the seriousness of the issue raised, the credibility of the concern, and the likelihood of confirming the allegation from attributable sources.

6. Untrue Allegations

- 6.1 If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, you may be subject to disciplinary action.



7. How to Raise a Concern

- 7.1 As a first step, you should normally raise concerns with your immediate line manager or their manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved, you should approach the Monitoring Officer or Internal Audit.
- 7.2 Concerns may be raised orally or in writing. Officers who wish to make a written report about their concerns are requested to provide the following information:-
 - (i) The background to and history of the concern (giving relevant dates); and
 - (ii) The reason why you are particularly concerned about the situation.
- 7.3 This can be reported via the WMCA website 'Contact Us' page (<https://www.wmca.org.uk/contact-us/>). For anonymity you are able to leave the name fields blank. Ensure that Whistleblowing and Fraud has been selected as the subject. Alternatively an email can be sent to internalaudit@wmca.org.uk.
- 7.4 The earlier you express a concern, the easier it is to take action.
- 7.5 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.
- 7.6 Advice/guidance on how to pursue matters of concern may be obtained from the Monitoring Officer.
- 7.7 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.
- 7.8 You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

8. How the Combined Authority will Respond

- 8.1 Within ten working days of a concern being raised, the Monitoring Officer or Head of Internal Audit will write to you acknowledging that the concern has been received indicating how we propose to deal with the matter, giving an estimate of how long it will take to provide a final response, telling you whether any initial enquiries have been made, supplying you with information on staff support mechanisms and telling you whether further investigations will take place, and if not, why not. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.



- 8.2 Where appropriate, the matters raised may be investigated by management, internal audit, or through the disciplinary process, be referred to the police, be referred to the external auditor or form the subject of an independent inquiry.
- 8.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the Combined Authority has in mind, is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, harassment or discrimination issues) will normally be referred for consideration under those procedures.
- 8.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 8.5 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, the Combined Authority will seek further information from you.
- 8.6 Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative, or a friend.
- 8.7 The Combined Authority 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 Combined Authority will arrange for you to receive advice about the procedure.
- 8.8 The Combined Authority accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

9. The Responsible Officer

- 9.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this policy. The Monitoring Officer will maintain a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Combined Authority.

10. How the Matter can be Taken Further

- 10.1 This policy is intended to provide you with an avenue within the Combined Authority to raise concerns. The Combined Authority hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the Combined Authority, the following are possible contact points:-

- (i) the external auditor;
- (ii) your trade union;



- (iii) your local Citizens Advice Bureau;
- (iv) relevant professional bodies or regulatory organisations;
- (v) a relevant voluntary organisation;
- (vi) the Police;
- (vii) Public Concern at Work (telephone: 020 7404 6609 or email whistle@pcaw.org.uk).

10.2 If you do take the matter outside the Combined Authority, you should ensure that you do not disclose confidential information.