**Whistleblowing and Raising a Concern Policy**

**The key things that you need to know:**

• **Policy Principles.** All Department employees must follow the Civil Service Code and the Department’s Standards of Behaviour. However, wrongdoing can occur. Employees are encouraged to raise any concerns about wrongdoing as soon as they notice it. The Director General for Human Resources is accountable, through this policy and the associated procedures and advice, for ensuring that employees can easily raise issues of concern and are treated properly and protected from detrimental treatment when they do.

• **Scope of Policy.** This policy applies to all Department employees.

• **Policy Summary.** This policy and its procedures include what is a relevant concern, how to raise it and how it will be handled.

**Policy Principles**

1. DWP is committed to ensuring high standards of conduct in all that it does. For civil servants, these standards are reinforced by the Civil Service Code and the Department’s Standards of Behaviour. However, wrongdoing can occur. It is important that employees know what to do if, in the course of their work, they come across something that they think is fundamentally wrong, illegal or endangers others within the department or the public. The Policy, Procedures and Frequently Asked Questions will guide employees through the process of raising a concern, which is sometimes referred to as ‘blowing the whistle’.

2. The following principles underpin the Whistleblowing and Raising a Concern Policy:

• employees are encouraged to raise any concerns they may have about wrongdoing as soon as they notice it

• employees raising a concern will be afforded protection as detailed in the procedure

• all genuine concerns will be handled responsibly, professionally and in a positive manner

• help and support will be available to employees where concerns are raised under the relevant Whistleblowing and Raising a Concern Procedure.

**Scope of Policy**

3. This policy applies to all Department employees

4. Although the principles are shared, separate procedures apply for civil servants and employees who work in Non Departmental Public Bodies (NDPBs) In addition, service providers, such as contractors, are not explicitly covered, but the general principles outlined above still apply.

**Policy Summary**

5. Key areas covered by this policy and its procedures include:

• what is a relevant concern

• how to raise such a concern

• how it will be handled

• confidentiality

• provision of protection and support to employees.

**Whistleblowing and Raising a Concern Procedures**

**Contents**

1. Introduction

2. What is a relevant concern?

3. Raising a concern

4. Taking concerns direct to the Civil Service Commission

5. External disclosures

6. Information needed to raise a concern

7. How the concern will be handled

8. Confidentiality

9. Protection

10. Changes to procedures or policy as a result of whistleblowing

11. Other documents accompanying this procedure

12. Where to get support

**1. Introduction**

1.1 This procedure outlines the process that civil servants should follow when reporting a perceived wrongdoing within the department, including something they believe goes against the values in the Civil Service Code (the Code) i.e. integrity, honesty, objectivity and impartiality.

1.2 A wrongdoing reported under this procedure may be covered by the law concerning protected disclosures of information. The procedure has therefore been written with reference to the Public Interest Disclosure Act 1998 (PIDA), which offers protection to those in both the private and public sectors, who ‘blow the whistle’, in certain circumstances. The Directory of Civil Service Guidance and the Civil Service Management Code provide more information.

1.3 It is important that this procedure is followed when raising any concerns, to ensure that the matter is dealt with correctly. Where a concern is properly raised under this procedure, the individual will be protected from any unfair or negative treatment. PIDA protection may also apply.

1.4 Separate procedures are available for employees who are not civil servants, for example employees of a Non Departmental Public Body (NDPB). If employees are unsure of which process to use, they should refer to Advice or seek advice from their manager or Nominated Officer. Further information on the role of Nominated Officers, and how they can be contacted, is also available via Advice.

**2. What is a relevant concern?**

2.1 If an employee is asked to do something, or is aware of the actions of another, which they consider to be wrongdoing/breach of the values of the Code, they can raise this using this procedure. Examples of some of the concerns which may be raised include:

●Falsifying expense claims (e.g. claiming for journeys not made, falsifying mileages)

●Fixing a contract for personal gain

●Misuse of official information to further private interests

●Failure to follow the Department’s procedures relating to the protection of information (including personal data)

●False statements (e.g. failure to declare unspent conviction, false description of qualifications) made by candidates in the recruitment and appointments process

●Other breaches of the Department’s rules, for example involving dishonest behaviour and misuse of the Department’s resources

●A culture or practice of harassment, including sexual harassment, discrimination and bullying. Note: Personal complaints of harassment, discrimination and bullying should be raised using the DWP Grievance policy.

2.2 Employees should not raise malicious, vexatious or knowingly untrue concerns. Those who raise concerns with a reasonable belief that raising the concern is in the public interest, will be given protection under this procedure.

2.3 This procedure should not be used to raise concerns of a personal nature, for example, complaints relating to a management decision or terms and conditions of employment. These matters should be dealt with using the relevant procedure, for example, the departmental grievance procedure. Equally, this policy would not apply to matters of individual conscience where there is no suggestion of wrongdoing by the department. If you are asked to do something which you believe is contrary to the ethics of the Civil Service, please follow the Crisis of Conscience procedures.

2.4 If unsure whether a concern should be raised using the Whistleblowing Procedure, further advice is available in the Advice. Employees may also obtain advice from their line manager or Nominated Officer.

**3. Raising a concern**

3.1 If an employee experiences something in the workplace which they consider to be in conflict with the Civil Service Code and/or perceived to be wrongdoing, it is important that the concern is raised straight away. Proof is not required as this is the department’s responsibility to consider investigating. The employee must, however, have a reasonable belief that disclosing the information is in the public interest before raising it externally.

3.2 It is important to follow the correct procedure when raising a whistleblowing concern. The following steps should be adhered to:

3.3 The concern should, in most instances, be raised with the employee’s line manager or sent to the line manager/responsible person who will know how to handle the matter, or where to go if not, using the Guidance for Managers. Managers will follow one of three courses of action:

●Informal, immediate management action to resolve the problem;

●Formal discussion with the employee raising more serious concern before considering an appropriate course of action;

●Immediate referral of the most serious matter to Counter Fraud & Investigation or another expert team.

3.4 There may be certain rare occasions, however, when this would be inappropriate because, for example, the concern:

●may implicate the manager in some way

●is about a senior manager within the line management chain or somewhere else in the department

●is particularly serious and needs to be dealt with as a matter of urgency

●it is important that the concern is raised with the person best placed to deal with the matter and with whom the employee feels most comfortable.

3.5 If it is suspected that the concern may implicate the line manager in some way, then it should be raised with another line manager, or somebody more senior in the line management chain. If you are unable to do this, the concern should be raised directly with a Nominated Officer.

3.6 If the concern relates to someone senior to the line manager or another senior person in the department, it will need to be raised at the appropriate level. If an employee feels uncomfortable doing this, the concern should be raised with a Nominated Officer.

3.7 If an employee feels unable to raise their concern with their line manager or with a Nominated Officer, the concern can be raised with Counter Fraud & Investigation directly by

●telephoning the confidential Whistleblowers’ Hotline on 0800 917 4881

●by sending an email to Counter Fraud & Investigation at Referral Intelligence Team (internally) or REFERRALINTELLIGENCETEAM.INTERNALINVESTIGATIONS@DWP.GSI.GOV.UK externally

●by writing to the Head of Counter Fraud & Investigation, Room 80, Unit S, South Exit off Forrest Walk, Halton Lea, Runcorn, WA7 2FQ (courier address Runcorn JCP)

The best way to raise a concern is to do so openly as this makes it easier for the department to investigate and provide feedback .Employees can remain anonymous when contacting Counter Fraud & Investigation. Confidentiality

3.8 If it is believed that the concern is particularly serious and urgent and an employee is worried that approaching their line manager in the first instance may delay the resolution of the matter, for example in the case of National Security, then the concern should be raised immediately with a senior manager or a Nominated Officer.

3.9 Where a concern has already been raised within the line management chain, but the employee feels that is has not been adequately addressed, they can also raise the concern with a senior manager. If you still feel your concern has not been adequately addressed, you can contact Counter Fraud & Investigation directly by

●telephoning the confidential Whistleblowers’ Hotline on 0800 917 4881

●by sending an email to Counter Fraud & Investigation at (link sends e-mail)Referral Intelligence Team (internally) or REFERRALINTELLIGENCETEAM.INTERNALINVESTIGATIONS@DWP.GSI.GOV.UK externally

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The best way to raise a concern is to do so openly as this makes it easier for the department to investigate and provide feedback however, employees can remain anonymous when contacting Counter Fraud & Investigation. Confidentiality

3.10 If it is believed that the concern is extremely serious and urgent and it cannot be raised with the line manager, a senior manager, a Nominated Officer or Counter Fraud & Investigation, then it can be raised as a last resort with the Permanent Secretary. The concern should only be raised in this way if the employee has given serious consideration to all other internal options. The employee may be asked to explain why they did not raise the concern with their manager or a more senior manager below Permanent Secretary level.

3.11 If an employee has used this procedure to raise a concern within the department and does not receive what they consider to be a reasonable response, they may raise the concern with the Civil Service Commission (the Commission).

**4. Taking concerns direct to the Civil Service Commission**

4.1 The Commission is an independent body who can hear and determine complaints raised by civil servants in relation to the Code. For example, if they have been required to act in a way that conflicts with the Code, or observes that another civil servant is acting, or has acted, in a way that conflicts with the Code. The Advice provides additional information on the Commission.

4.2 Civil servants can also raise a concern direct with the Civil Service Commission. However, where appropriate, the Commission expects civil servants to have raised concerns with their own department first. If you raise your concern with the Commission without raising it with your own department first, the Commission will ask the reason for this. Details on how to contact the Civil Service Commission is available in the Advice document.

**5. External disclosures**

5.1 It is important that concerns are raised internally (Section 3 above), or to the independent Civil Service Commission (Section 4 above), and at the earliest time possible. This will allow the department the opportunity to address and resolve any concerns quickly and by the most appropriate means. The department is confident that there are sufficient internal avenues available to deal with any concerns raised. Exceptionally, where employees have reasonable grounds to be concerned about raising their issue within DWP, or externally the Civil Service Commission, employees may raise the issue with their legal adviser or MP.

5.2 Concerns should not at any time be raised outside the prescribed routes listed in this procedure. For example, concerns must not be raised with the media, campaign groups, on social network sites under any circumstances. Please note that this list is not exhaustive. Raising a concern outside of the particular internal and external routes described above in Sections 3-5 could, if it amounts to an unauthorised disclosure, result in disciplinary action. It may also breach the Official Secrets Act.

**6. Information needed to raise a concern**

6.1 When raising a concern an employee should try to provide the following information:

●the background and reason behind the concern

●all relevant information, including dates.

6.2 This information should demonstrate that there are reasonable grounds for the concern to be acted upon. It is important that matters are not investigated by employees themselves. Remember, proof is not needed, just a reasonable, honest belief that wrongdoing, including breaches of the values in the Code, has or is likely to occur.

6.3 If applicable, personal interests must be declared from the outset.

6.4 The department appreciates that this might be a difficult time for employees, who may feel uncertain about how to progress a concern. Support is available at all stages of the process from your line manager. Details of other support are included in the Advice.

**7. How the concern will be handled**

7.1 All investigations will be conducted sensitively and as quickly as possible. While the department cannot guarantee that the outcome would be as the employee may wish, it will handle the matter fairly and in accordance with the Whistleblowing Procedure.

7.2 Once a concern has been raised with the line manager, a meeting may be arranged with them to determine how the concern should be taken forward. This may involve an internal inquiry or a formal investigation. The department should establish who will be dealing with the matter and a written confirmation should be sent to the employee, if it has been requested within five working days.

7.3 If a meeting is arranged and the employee wishes to be accompanied by a trade union representative or a colleague, managers will usually use their discretion to allow this providing the person accompanying is not involved in the area of work to which the concern relates. The meeting can be conducted over the telephone or by video conference rather than face to face.

7.4 The department will seek to update the employee on the progress of the concern as far as possible within 28 days. However, in the event of a formal investigation or the involvement of police/security, it may not be possible or appropriate to provide full details.

7.5 The department will confirm when the matter is concluded and, if appropriate, the outcome of the investigation, maintaining security and confidentiality for all parties as far as possible.

7.6 Throughout any investigation, the employee will still be expected to continue their duties/role as normal unless deemed inappropriate.

**8. Confidentiality and anonymity**

8.1 The best way to raise a concern is to do so openly as this makes it easier for the department to investigate and provide feedback. Any disclosures made under this procedure will be treated in a sensitive manner. The department recognises that the employee may want to raise a concern in confidence i.e. they may want to raise a concern on the basis that their name is not revealed without their consent and will respect any request for anonymity as far as possible, restricting it to a ‘need to know basis’. However, if the situation arises where it is not possible to resolve the concern without revealing the employee’s identity (for example in matters of criminal law), the department may need to continue with the investigation and may not be able to guarantee anonymity. The department will however advise the employee if this is the case. The same degree of confidentiality should be afforded to the employee(s) at the centre of the concern, as far as appropriate.

8.2 Employees may choose to raise concerns anonymously i.e. without providing their name at all. Employees are encouraged, where possible to put their name to concerns raised. However, your name may become known in the course of the investigation (but not the fact that you have blown the whistle). Raising a concern anonymously is preferred to silence about potential serious wrongdoing and can do so by raising the concern directly with Counter Fraud & Investigation by:

●telephoning the confidential Whistleblowers’ Hotline on 0800 917 4881

●by sending an email to Counter Fraud & Investigation at (link sends e-mail)Referral Intelligence Team (internally) or REFERRALINTELLIGENCETEAM.INTERNALINVESTIGATIONS@DWP.GSI.GOV.UK externally

●by writing to the Head of Counter Fraud & Investigation, Room 80, Unit S, South Exit off Forrest Walk, Halton Lea, Runcorn, WA7 2FQ (courier address Runcorn JCP)

8.3 When anonymous concerns are raised they will be treated as credible and investigated so far as possible unless they are obviously a hoax. Where concerns cannot be validated, the Department’s Whistleblowing Policy owner must be informed for future reference.

**9. Protection**

9.1 If an employee follows the correct procedures when raising a concern they will not be penalised. If a concern is raised in the reasonable belief that it is in the public interest and procedures have been followed correctly, the employee raising the concern will be protected and not suffer any detrimental treatment. Deterring employees from raising issues or victimising employees that have raised issues will be treated seriously and be dealt with under the Discipline Procedures.

**10. Changes to procedures or policy as a result of whistleblowing**

10.1 If changes are made to departmental policies and processes are as result of whistleblowing investigations, the Department will publicise the changes to employees taking into consideration the importance of protecting the anonymity and confidentiality of individuals.

**11. Other documents accompanying this Procedure**

11.1 This procedure is accompanied by Advice and Guidance for Managers where employees can find more information.

**12. Where to get support**

12.1 In addition to the avenues for raising concerns detailed above, employees and managers can access immediate professional, independent support on a wide range of issues, including work, emotional, personal and legal by telephoning the external Employee Assistance Programme free and at any time on 0808 169 1111 . Log on to https://login.pamassist.co.uk/(link is external) If you are a member of a Trade Union, you can ask your Trade Union Representative.

**Whistleblowing and Raising a Concern Advice**

**Contents**

Q1. What is Whistleblowing?

Q2. What can I raise under the Whistleblowing Procedure?

Q3. What is the Civil Service Code?

Q4. What is the Commission and what type of concern can I raise with them?

Q5. How can I contact the Commission?

Q6. Can I take my concern straight to the Commission?

Q7. What is not covered by the Whistleblowing Procedure?

Q8. What is the difference between whistleblowing and a personal grievance?

Q9. Is a ‘crisis of conscience’ complaint the same as blowing the whistle?

Q10. Do I need to formally raise a concern under the Whistleblowing Procedure?

Q11. I don’t have any proof of my concern yet. What should I do?

Q12. Why should I follow the Whistleblowing Procedure?

Q13. What are the benefits of Whistleblowing?

Q14. Will there be repercussions if I blow the whistle?

Q15. I am a non-civil servant seconded into the Civil Service. What procedure should I use?

Q16. I am a civil servant who has been seconded out of the Civil Service and I want to raise a concern about a departmental matter. What procedure should I use?

Q17. I am a civil servant on loan to another department and I want to raise a concern. What procedure should I use?

Q18. I am a service provider i.e. contractor, working within a Government department and I want to raise a concern. What procedure should I use?

Q19. I am an employee working for a non-Crown NDP Body and I want to raise a concern. What procedure should I use?

Q20. Where can I go for support during this process?

Q21. What is a Nominated Officer and how might I contact them?

Q22. Will my identity remain confidential?

Q23. Can I raise a concern anonymously?

Q24. Will I be able to find out the outcome of the investigation?

Q25. I am not happy with the outcome of the investigation, what now?

Q26. Can I go straight to my Permanent Secretary with a concern?

Q27. What would happen if an employee acted in bad faith or raised malicious, vexatious or knowingly untrue concerns?

Q28. What would happen if an employee is treated badly by a co-worker for raising a concern?

Q29. What is PIDA and how does it link with the department’s Whistleblowing Procedure?

Q30. What role does HR play in the whole Whistleblowing Process?

Q31. What role does internal audit play in the whole Whistleblowing Process?

Q32. What role does DWP’s audit Committee play in the whole Whistleblowing Process?

Q33. When can a confidentiality clause be used in a settlement agreement or a special severance payment arrangement?

**1. What is Whistleblowing?**

‘Blowing the whistle’ occurs when a person raises a concern about past, present or imminent wrongdoing, or an attempt to cover up wrongdoing, in an organisation or a body of people.

**2. What can I raise under the Whistleblowing Procedure?**

The Whistleblowing Procedure provides a number of options for raising a concern, one of these is with the Civil Service Commission (the Commission), who are able to hear concerns relating to the Civil Service Code (the Code). It is important that any concern you may have, whether you think it falls under the Code, or not, is raised as soon as possible and according to the Whistleblowing Procedure.

Below is a list of concerns which fall under the Civil Service Code and can therefore be raised with the Commission:

●misuse of official position, for example by using information acquired in the course of one’s official duties to further one’s private interests or those of others

●deceiving or knowingly misleading Ministers, Parliament, or others

●being influenced by improper pressure from others or the prospect of personal gain

●ignoring inconvenient facts or relevant considerations when providing advice or making decisions

●frustrating the implementation of policies once decisions are taken by declining to take, or abstaining from, actions which flow from those decisions

●act in a way that unjustifiably favours or discriminates against particular individuals or interests

●act in a way that is determined by party political considerations, or use official resources for party political purposes

●allowing one’s personal political views to determine any advice you give or your actions

You may find that your concern relates to general wrongdoing and does not fall under the Code. It is still important that you raise it according to the Whistleblowing Procedure, but the Commission may not be able to hear it. Concerns may include but are not limited to:

A threat to National Security:

●failure to follow security vetting procedures

●falsifying incident reports

Failure to comply with legal obligations:

●not protecting personal data as required by the General Data Protection Regulations (GDPR) 2018, Gender Recognition Act 2004, Health and Safety regulations or any other relevant legislation.

Danger to the environment

●improper disposal of hazardous materials

The above lists include, but are not limited to, the type of information set out in the PIDA legislation.

**3. What is the Civil Service Code?**

The Civil Service Code sets out the duties and responsibilities of civil servants. Civil servants are expected to carry out their role with dedication and a commitment to the Civil Service and its four core values: integrity, honesty, objectivity and impartiality. The Code can be accessed online on the Gov.UK(link is external) website.

The Code forms part of the terms and conditions of employment of all civil servants.

**4. What is the Commission and what type of concern can I raise with them?**

The Commission have been helping to uphold the standards of the Civil Service since their original appointment in 1854. The current Commission was established as an executive Non Departmental Public Body (NDPB) under the Constitutional Reform and Governance Act 2010. The Commissioners are appointed by the Crown following open competition. The Commission and its Commissioners are therefore independent of the Civil Service.

The Commission has powers under the Act to hear and decide on complaints raised by civil servants under the Civil Service Code specifically. It does not hear complaints on issues outside of the Civil Service Code, for example personnel management grievances.

**5. How can I contact the Commission?**

Further information on how to raise a concern with the Commission is available from:

Civil Service Commission

G/8

1 Horse Guards Road

London

SW1A 2HQ

E-mail: mailto:info@civilservicecommission.org.uk(link sends e-mail)

Tel: 020 7271 0831

**6. Can I take my concern straight to the Commission?**

You may take a concern direct to the Commission, however, where appropriate the Commission will expect that you have raised the concern within your own department first. If you raise a concern directly with the Commission without the issue being raised within the department the Commission will inform you directly about whether they are prepared to investigate the concern.

**7. What is not covered by the Whistleblowing Procedure?**

Issues around your treatment as a member of staff or personal complaints about your employment, for example: complaints about your terms and conditions; promotion or selection procedures are not covered by the Whistleblowing procedure. Any other complaints connected to your working conditions, including harassment, bullying and discrimination are also not covered by the Whistleblowing procedure. These would normally be dealt with by your line manager through day-to-day management action, or through appropriate departmental procedures. HR Investigations Homepage

**8. What is the difference between whistleblowing and a personal grievance?**

Concerns raised under the Whistleblowing Policy should address wider issues that concern your department, colleagues or public in general, rather than personal complaints that you may raise under other policies. For civil servants, they will usually relate to the Civil Service values, as outlined in the Civil Service Code.

Personal complaints, including complaints of bullying, harassment and discrimination will not be accepted under the whistleblowing policy and should be raised under the department’s appropriate policy. HR Investigations Homepage

**9. Is a ‘crisis of conscience’ complaint the same as blowing the whistle?**

A ‘crisis of conscience’ may occur when you are asked to do work which conflicts with your faith or personal beliefs. This is not the same as whistleblowing where there is suspicion of wrongdoing, or a breach of the values in the Civil Service Code, by the Department. If you have a crisis of conscience you should discuss this with your line manager in the first instance.

**10. Do I need to formally raise a concern under the Whistleblowing Procedure?**

You and your line manager should engage in regular, open discussion about your work and working environment. If something is on your mind, you may wish to informally discuss with your line manager before raising more formally under the Whistleblowing Procedure. What is important is that it is raised within the department, not how it is done.

**11. I don’t have any proof of my concern yet. What should I do?**

You do not need to wait for proof when reporting a concern. When raising a concern with your line manager or DWP’s confidential Whistleblowers’ Hotline (0800 917 4881) you only need to have a reasonable belief that wrongdoing has occurred, is occurring or is likely to occur. It is not for you to investigate or prove that your concerns are justified, as that is the responsibility of the department.

**12. Why should I follow the Whistleblowing Procedure?**

The Whistleblowing Policy and Procedures have been designed to:

●offer you protection when raising a concern that is accepted under the Policy

●ensure that your concerns are addressed and resolved at the right level and as quickly and effectively possible.

**13. What are the benefits of Whistleblowing?**

A positive whistleblowing culture has numerous advantages. For example, it can:

●encourage an open culture where employees feel confident that concerns can be raised and dealt with quickly and that they will be protected for doing so

●detect and deter wrongdoing

●provide managers with the information they need to make decisions and control risk

●save lives, the environment, property, jobs, money and both personal and organisational reputations

●reduce the chance of anonymous or malicious leaks (including to the media)

●reduce the chance of legal claims against the organisation.

**14. Will there be repercussions if I blow the whistle?**

The department’s Whistleblowing Procedure, if correctly followed, will afford you protection from any detrimental treatment or victimisation on the grounds of raising your concern.

**15. I am a non-civil servant seconded into the Civil Service. What procedure should I use?**

If you are seconded into the Civil Service, you will be treated as being subject to the Civil Service Code and Civil Service Management Code. You should therefore use the Whistleblowing Procedure for Civil Servants. You will have access to the Civil Service Commission.

**16. I am a civil servant who has been seconded out of the Civil Service and I want to raise a concern about a departmental matter. What procedure should I use?**

If you are a civil servant seconded out of the Civil Service, you retain your status as a civil servant. This means you will continue to be bound by your Civil Service terms and conditions, the Civil Service Code and the Civil Service Management Code. You should therefore use the Whistleblowing Procedure for Civil Servants. You will have access to the Civil Service Commission. (Note: this may depend on the terms of the particular secondment).

**17. I am a civil servant on loan to another department and I want to raise a concern. What procedure should I use?**

As a civil servant you are bound by the provisions applicable to all civil servants, including the Civil Service Code and the Civil Service Management Code. You should therefore, depending on the terms of your loan, either use the Whistleblowing Procedure of your parent department or the department you are seconded to. You will have access to the Civil Service Commission.

**18. I am a service provider i.e. contractor, working within a Government** **department and I want to raise a concern. What procedure should I use?**

As you are not a civil servant you are not subject to the Civil Service Management Code, nor the Civil Service Code. However, service providers will normally be dealt with under the procedures of their host department and so the principles of the Whistleblowing Procedure for Employees will still apply and you should follow this to raise a concern. As a non-civil servant, you will not be able to raise a concern with the Civil Service Commission.

**19. I am an employee working for a non-Crown non-departmental public body NDP Body and I want to raise a concern. What procedure should I use?**

As you are not a civil servant, you are not subject to the Civil Service Management Code, nor the Civil Service Code. Please refer to the Whistleblowing Procedure for Employees of a NDPB, for the procedure you will need to follow.

**20. Where can I go for support during this process?**

We recognise that you may experience anxiety when raising or considering whether to raise a concern. There are various channels of support available to you throughout the process:

●your line manager and an HR Expert can advise you on available support

●you can use the employee assistance programme provided by the department

●trade union members can seek advice from their representatives

●staff networks may be able to offer additional support.

Please note however that these sources of support, other than line managers, are not themselves bodies to whom you can raise your concern. They can only provide help and advice and you should not divulge details of the matter itself to them.

**21. What is a Nominated Officer and how might I contact them?**

A Nominated Officer’s role is to provide independent support and advice on Whistleblowing concerns. They are independent from the line management chain and familiar with the principles of the Department’s Standards of Behaviour policy and the Civil Service Code.

If you have a concern and are unsure what to do, you may speak to one of the Nominated Officers who can provide you with independent advice. You can contact one of the Nominated Officers by emailing your concern to the CSHR Casework whistleblowing email in-box WHISTLE.BLOWING@DWP.GSI.GOV.UK. Your email should be marked “Whistle Blowing” and should contain a contact telephone number. A Nominated Officer will then contact you.

**22. Will my identity remain confidential?**

The best way to raise a concern is to do so openly, as this makes it easier for the department to investigate and provide feedback. You can however request that the department keeps your identity confidential and they will respect this request as far as possible. If requested, your identity will be restricted to a ‘need to know basis’. However, a situation may arise where it is not possible to resolve the concern and guarantee confidentiality (for example, in matters of criminal law). If this is the case, the department will advise you of this before proceeding.

**23. Can I raise a concern anonymously?**

If you raise your concern openly, this makes it easier for the department to investigate your concern and provide feedback. You may choose to raise concerns anonymously, i.e. without providing your name at all. However, your name may become known in the course of the investigation (but not the fact that you have blown the whistle) Employees are therefore encouraged, where possible, to put their names to concerns raised, but raising a concern anonymously is preferred to silence about potential serious wrongdoing.

**24. Will I be able to find out the outcome of the investigation?**

Whilst the department will try to keep you informed of progress and where possible provide you with an update within 28 days. You will be advised when the matter has been concluded. However, it cannot be guaranteed that you will be given all the details of the investigation and the final outcome will be disclosed. Security and confidentiality must be maintained for all parties.

**25. I am not happy with the outcome of the investigation, what now?**

If you have raised the concern with your line manager, someone else in your management chain or a Nominated Officer in accordance with the Whistleblowing Procedure, and you do not think that you have received a satisfactory outcome, you may raise your concern with a senior manager. If you still feel your concern has not been adequately addressed, you can contact Counter Fraud & Investigation directly by

●telephoning the confidential Whistleblowers’ Hotline on 0800 917 4881

●by sending an email to Counter Fraud & Investigation at Referral Intelligence Team (internally) or REFERRALINTELLIGENCETEAM.INTERNALINVESTIGATIONS@DWP.GSI.GOV.UK(link sends e-mail) externally

● by writing to the Head of Counter Fraud & Investigation, Room 80, Unit S, South Exit off Forrest Walk, Halton Lea, Runcorn, WA7 2FQ (courier address Runcorn JCP)

The best way to raise a concern is to do so openly as this makes it easier for the department to investigate and provide feedback however, employees can remain anonymous when contacting Counter Fraud & Investigation.

**26. Can I go straight to my Permanent Secretary with a concern?**

You may raise a concern directly with the Permanent Secretary if it is especially urgent and you feel that raising it using the usual channels would not result in an immediate and appropriate action. The concern should only be raised in this way if the employee has given serious consideration to all other internal options. The employee may be asked to explain why they did not raise the concern with their manager or a more senior manager below the Permanent Secretary level.

**27. What would happen if an employee concerns maliciously, vexatiously or knowing them to be untrue?**

Any employee who raises a concern which they reasonably believe to be demonstrably true and in the public interest will be protected. If an employee raises concerns maliciously or vexatiously other than in the public interest, or raises knowingly untrue concerns in order to harm colleagues or their department, they will face disciplinary action which could result in dismissal.

**28. What would happen if an employee is treated badly by a co-worker for raising a concern?**

It is the responsibility of the employer to stop any bad treatment and take reasonable steps to prevent any further issues arising. If an employee feels they are being treated badly because they have raised a concern, they should report this to their line manager or someone else in their line management chain, or they should seek advice from a Nominated Officer.

**29. What is PIDA and how does it link with the department’s Whistleblowing Procedure?**

The Public Interest Disclosure Act 1998 (PIDA) is more commonly known as ‘whistleblowing legislation’ and inserts the relevant provisions into sections 43A-L and 103A of the Employment Rights Act 1996. However, the Department’s whistleblowing procedure primarily focuses on breaches of the Civil Service Code, although PIDA legislation may also be relevant.

Whilst not permitted under the Whistleblowing Policy, disclosures to certain regulatory bodies, known as ‘prescribed persons’ can be permitted by PIDA in certain circumstances. https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/360648/bis-14-1077-blowing-the-whistle-to-a-prescribed-person-the-prescribed-persons-list-v4.pdf(link is external)

In order to be protected, however, an employee will need to follow the procedure set out in the Act. If you wish to raise a concern in this way, it would be advisable to seek legal advice.

**30. What role does HR play in the whole Whistleblowing Process?**

HR provides written guidance on how employees should blow the whistle and how managers should deal with whistleblowing cases. The Civil Service HR Casework team also provides telephone advice on the handling of complex cases. HR does not, however, investigate allegations highlighted by whistleblowers.

**31. What role does internal audit play in the whole Whistleblowing Process?**

Counter Fraud & Investigation provides an independent professional investigation service for DWP, investigating allegations of fraud and serious wrongdoing by staff and contractors. They will normally only investigate allegations of a more serious nature, for example those involving potentially gross misconduct or fraud.

**32. What role does DWP’s audit Committee play in the whole Whistleblowing Process?**

The Departmental Audit and Risk Assurance Committee responsibilities include advice to the Departmental Board and Accounting Officer on the comprehensiveness of assurances and integrity of:

●The strategic processes for risk, control and governance and the DWP Governance statement;

●The planned activity and results of both internal and external audit;

●The adequacy of managements response to issues identified by audit activity, including external audits management letter;

●Assurances relating to corporate governance requirements for DWP;

●To review management responses to resolving significant control challenges and to issues identified through audit activity;

●To make recommendations to management on potential new control challenges; and

●The Audit and Risk Assurance Committee will also periodically review to the Board.

**33. When can a confidentiality clause be used in a settlement agreement or a special severance payment arrangement?**

DWP does not use non-disclosure clauses or confidentiality clauses in ‘settlement agreements’ to resolve issues. Managers are not allowed to use them and must escalate to HR any exceptional requests for exemption from this general ban. Any exceptional decision involving HR must comply with the Cabinet Office rules. Gov.uk website.