

Whistleblowing Policy

Information on how to raise a concern about a suspected wrongdoing at work

Introduction

For employees, secondees or contractors representing us the whistleblowing policy gives you a way to raise whistleblowing concerns quickly with the assurance of confidentiality.

The policy explains what is and what is not a whistleblowing concern. It also explains how to raise your concern and how it will be dealt with.

What is whistleblowing?

Whistleblowing describes the situation when you raise a concern about a suspected wrongdoing at work that has occurred, is occurring, or is likely to occur in future. It includes an attempt to cover up wrongdoing, illegal and unacceptable behaviour and misconduct.

The CCC expects employees and contractors to comply with its full suite of Corporate Policies which require each of us to uphold high standards of conduct and to ensure all other policies and instructions are followed.

If you believe that there is serious individual or organisational malpractice in the CCC, you are expected to raise concerns under this procedure. Disclosures should be made in the public interest. This means that the wrongdoing must affect others, e.g., the general public. Whistleblowing is covered by the Public Interest Disclosure Act 1998.

When should you use this policy?

Use this procedure as soon as you are concerned about wrongdoing at work by the CCC or by anyone acting on behalf of the CCC. The concern may be about acts or omissions that have led, or could lead, to wrongdoing within the CCC. It will address issues affecting your colleagues or the public in general. You do not need proof before raising a concern.

Examples of whistleblowing concerns

Examples include information that you reasonably believe shows that one or more of these issues are occurring, have occurred or are likely to occur:

- a criminal offence
- a failure to comply with a legal or regulatory obligation
- fraud or financial irregularities
- corruption, bribery, blackmail
- a miscarriage of justice
- a risk to the health safety and wellbeing of an individual or a group of people
- danger or damage to the environment

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- improper use of authority
- misuse of CCC time, equipment, or funds
- manipulation of data
- unacceptable language or behaviour shown towards you or other people that demonstrates prejudice, intolerance or discrimination based on the "protected characteristics" described in the Equality Act 2010 (including, for example, racist, sexist, homophobic or transphobic language, ageism, disability discrimination or religious intolerance)¹
- a deliberate attempt to conceal any of the above.

The above lists examples only. Other situations may arise.

Concerns which should be dealt with outside the whistleblowing process

Whistleblowing does not apply to concerns about:

- a personal matter (unless it falls into the list above)
- if you disagree with a CCC decision (unless they fall into one or more of the above categories)
- individual terms and conditions of employment
- performance management; or
- a dispute with the CCC or a colleague (which includes a complaint of bullying or harassment) unless you feel there is good reason to raise concerns anonymously - in which case you should use this procedure. If you have a concern about any of these issues talk to your line manager first, or another appropriate manager. If together you cannot resolve the concern, the manager will help you to decide which procedure to use.

¹ If you report behaviour that falls into this category, the CCC may choose to investigate and manage it under the Grievance policy and procedure whilst continuing to apply the principles and protections set out within this policy.

Whistleblowing policy principles

- To encourage you to raise a concern as soon as you have it.
- To give you the option to discuss your concern informally.
- To provide you with a way to raise your concern internally or to Safecall, an outsourced whistleblowing service provider.
- To give you support in helping us reach effective and quick resolutions.
- To give you assurance of protection from detriment and dismissal for raising a genuine concern (even if a subsequent review does not uphold the concern).
- To assure you that your concern will be managed confidentially (unless you waive confidentiality) and only those individuals who need to support resolution will be involved.
- To use the information the process provides to help improve our ways of working and to manage risk.
- To help us to reduce the chance of legal claims and anonymous or malicious leaks to the media.
- We will invoke disciplinary action against anyone who victimises a whistleblower and against anyone who knowingly provides false information or who raises a concern inappropriately. This may result in dismissal.

Confidentiality

We encourage you to raise a concern openly where you can. Doing this allows the CCC to investigate the issue more effectively and to keep you updated on the investigation. However, if you would prefer that your concern is dealt with in confidence, please let us know at the same time that you raise the concern.

If you raise your concern confidentially, we will make every effort to keep your identity private and restrict information to a 'need to know' basis. If it is necessary for anyone involved in a subsequent investigation to know your identity, we will discuss it with you first.

If you choose to raise concerns confidentially, and this somehow affects the scope of an investigation, we will take efforts to investigate the concerns or verify information using other sources where available without revealing your identity.

Whilst all practical steps will be taken to protect your identity, there may be circumstances when confidentiality cannot be maintained. If this is likely to arise, we will first discuss this with you.

There are circumstances when we cannot guarantee your anonymity or confidentiality, and these include:

- where there are grounds to believe you have not acted in good faith
- where it is decided, or necessary, to obtain legal advice
- where your identity in relation to your concern is already in the public domain

- where it is necessary as part of a formal investigation or court proceedings.

Should such a circumstance arise we will discuss disclosure with you first.

Anonymous concerns

We encourage people to rely on the assurances provided in the above section on 'Confidentiality' as anonymous concerns are likely to be more difficult or impossible to investigate if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible.

If a concern has been raised anonymously through email, letter, or telephone call, we will treat it as credible until such time that we are unable to verify the allegation. We will investigate the matter based on the information provided and will make use of other sources of information.

External reporting

Whistleblowing legislation allows you to raise concerns externally with other people provided that certain statutory conditions are met:

1. You must reasonably believe that the information disclosed, and any allegation contained in it, are substantially true;
2. You must not make the disclosure for the purposes of personal gain;
3. You must: (i) have previously disclosed substantially the same information to the CCC or a 'prescribed person' (although note, this is not required where the concerns fall into an "extremely serious" category); (ii) reasonably believe, at the time of the disclosure, that you will be subjected to a detriment by the CCC if you make disclosure internally or a prescribed person; or (iii) reasonably believe (where there is no prescribed person) that material evidence will be concealed or destroyed if disclosure is made to the CCC.
4. In all the circumstances it is reasonable for you to make the external disclosure. If you are uncertain, you should seek independent advice from a trade union, solicitor or from 'Safecall' (see below).

Records

All paper and electronic records will be held in accordance with the Code of Practice for securing and managing sensitive data and our records management guidance. Records will be kept on file centrally for seven years from closing the case, at which point the Responsible Officer will review whether or not the records are still relevant.

How to raise a concern

Each option below includes escalation to members of staff who are fully trained in whistleblowing reporting and procedures.

Option 1 – Line Manager

Any reports should be made to your line manager in the first instance for further investigation. This may be done either verbally or in writing. Your concern may be escalated to appropriate parties, on the condition that your concern does not implicate such parties. A decision will then be taken as to who is best placed to investigate and resolve the matter.

Option 2 – Appropriate Parties

If the option of reporting to your line manager is not feasible, is inappropriate or you feel uncomfortable in doing so for any reason (including if you have concerns about their involvement), or the response received is unsatisfactory, you can report the concern directly to the Chief Operating Officer for further investigation. A decision will then be taken as to who is best placed to investigate and resolve the matter.

Option 3 – Safecall

If you do not wish to use options 1 or 2 above for any reason, you can report your concern using Safecall.

You can make a report by freephone:

UK 0800 915 1571 or www.safecall.co.uk/report.

This service is available 24 hours a day and seven days a week.

Reports may also be made anonymously to Safecall, in which case the CCC will not find out the identity of the person who raised the concern.

Safecall will inform a nominated appropriate party at the CCC that a report has been received. If the allegations relate to a nominated appropriate party, Safecall will notify a reserve. To the extent that reports relate to all nominated appropriate parties Safecall will inform the Chairman of the CCC. A decision will then be taken as to who is best placed to investigate and resolve the matter. Safecall will only reveal the identity of a reporter if they give their consent.