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Introduction We are committed to the highest standards of openness, probity and accountability. In line with that commitment, is a recognition that an important aspect of accountability and transparency is providing a mechanism to enable people who believe they have concerns, to voice them without fear of reprisal.

Audience This policy applies to employees, contractors and agency workers and Commissioners. This procedure does not form part of an employee's contract of employment. Consequently, the Electoral Commission – following consultation where appropriate – will make amendments to the policy and procedure when considered necessary. This could be due to an economic, technical (usually statutory) or organisational reason.

Purpose The purpose of the policy and procedure is to: provide staff with a mechanism to raise concerns at an early stage in the correct manner ensure concerns can be raised confidently without fear of victimisation, recrimination, discrimination or disadvantage encourage confidence to raise concerns about practices or procedures provide a procedure to raise concerns and receive feedback on any action taken

What is whistleblowing? Whistleblowing is the raising of a concern, either within the workplace or externally, about a danger, risk, malpractice or wrongdoing which affects others. In line with the Enterprise and Regulatory Reform Act 2013 a whistleblower must reasonably believe that any disclosure of information is in the public interest and tends to show one or more of the following: a criminal offence has been, is being or is likely to be committed a person has failed, is failing or is likely to fail to comply with any of their legal obligations, including a legal obligation that arises from a contract of employment (*Parkins v Sodexho Ltd* (EAT/1239/00)) a miscarriage of justice has occurred, is occurring or is likely to occur the health or safety of any individual has been, is being or is likely to be endangered the environment has been, is being or is likely to be damaged that information tending to show any of the above matters has been, is being or is likely to be deliberately concealed

General principles Those who in the public interest raise genuine beliefs under this policy will not under any circumstances be subjected to any form of detriment or disadvantage as a result of having raised their concerns. This policy will only apply to whistleblowers where they reasonably believe that the information disclosed and any allegation contained in it are substantially true. If any disclosure is made in bad faith, or concerns information which employees do not substantially believe is true, or indeed if the disclosure is made for personal gain, then such a disclosure will be dealt with under the Commission's disciplinary policy and procedure. The whistleblowing policy is primarily for concerns where the interests of others or the organisation are at risk. Staff who are aggrieved about their personal position must consider the most appropriate policy for raising their concern; a list of other relevant policies is shown in section 15 of this document. If you feel the whistleblowing policy is the most appropriate, it is possible that the initial investigation will recommend your concern be managed using another policy. Reasonable adjustments will be made to support those with a disability to participate fully in any part of this policy and procedure.

Who you should contact In the first instance raise your concern with your manager. If you feel unable to raise the matter with your manager please raise your

concern with: • your Director or • the Head of HR If you have decided to raise a concern with one of the above people, please say if you want to raise the matter in confidence. If none of the above are appropriate you can raise your concern with the Chief Executive or Chair. If they are involved in the issue then you can contact the Chair of the Audit and Risk Committee, our Internal Auditors or the Comptroller and Auditor General of the National Audit Office. Contact details can be found at the end of this policy. If you do not feel comfortable raising your concerns with any of the persons listed above, you may wish to contact one of the organisations that the Government has designated as a body to which whistleblowing concerns can be raised (a "prescribed body"). See a full list of prescribed bodies, and the matter which they are able to consider. All reasonable attempts should be made to raise the issue through the routes outlined in this policy. Making a public statement or approaching the media on the basis of concerns which have not been researched or investigated, and without exhausting other channels for resolution, has the potential to create general anxiety and may prejudice the outcome of any investigation. It may also mean you lose your right to protection under this policy, so if you have a concern we encourage you to raise it with one of the individuals or bodies listed above. If you would like independent advice, the charity Public Concern at Work will give you free confidential advice at any stage about how to raise a concern. Contact details can be found at the end of this policy.

How to raise a concern You are encouraged to raise your concern openly as it is important that you feel able to question matters in the workplace and have them addressed. It would be helpful if you could set out some factual basis for the issues being raised. There is no need for you to prove that the breach or failure that you are alleging has occurred or is likely to occur; a reasonable suspicion will suffice - where you reasonably believe that the information disclosed is substantially true. The procedure

If you have raised your concern openly the matter will be dealt with by your manager. Your manager or the person you contact will conduct an initial interview to discuss the nature of your concern. You may be accompanied by a trade union representative or colleague at any meeting about the disclosure, if you wish to do so. After the interview, you will be asked to sign and date the notes of the meeting to confirm that this is an accurate record of the concerns that you have raised. The person you contact will either keep you updated, or advise you as to who will update you regarding the progress of your concern. However, there may be occasions where this is not possible due to the ongoing investigation or sensitivity of the issue. The interviewer will usually report the matter within five working days to the Chief Executive, depending on the nature of the issue. If the concern is about the Chief Executive the interviewing officer will report the concern to the Chair of the Commission and to the Head of Internal Audit. RSM Risk Assurance Services LLP are the Commission's Internal Auditors. The Chief Executive (or Chair of the Commission or the Head of Internal Audit, depending on who you raised your concern with initially) will decide on an appropriate course for further action, dependant on the nature of the matter. This further action may be that the matter is: considered internally; referred to the Internal Auditor; the subject of an independent inquiry; referred to external audit. The Chief Executive (or Chair of the Commission or the Head of Internal Audit) will determine a course of action within 10 working days of receipt of the written notification. Some matters may need to be referred to the relevant outside body, such as the Police, again the Chief Executive (or Chair of the Commission or the Head of Internal Audit) will decide. Based on the outcome of an initial review the Chief Executive (or Chair of the Commission or the Head of Internal Audit) will decide if it is appropriate to

instigate internal procedures. If the matter does relate more appropriately to grievance, discipline or other procedures the matter will be referred back to the person who raised the concern to determine if they wish for action to be taken using the internal procedures. The Audit and Risk Committee will consider matters raised under this policy and procedure on an annual basis. The Chair of the Audit and Risk Committee should be informed of whistleblowing concerns relating to fraud. A flow chart is available which outlines the key stages in the process. What else may happen If the investigation finds there is a case to be answered then normal disciplinary procedures may apply. The investigation will be objective and evidence based; a report will be produced that focuses on learning lessons to prevent problems recurring. If the investigation recommends any changes to existing working practices, policy or procedure these will be acted upon and the changes communicated to employees. If there is no case to answer but there was a genuine concern without malice or in good faith those involved in your complaint will take all appropriate and necessary action so that there are no reprisals. If an allegation is proven to be false and malicious or in bad faith the matter will be managed in accordance with the disciplinary procedure. Record keeping A written record will be kept of any disclosure. This will include the nature of the disclosure, the notes from the initial investigation meeting, what was decided and what actions were taken as a result. Details of all concerns raised internally and the subsequent investigation will normally be retained for seven years. The purpose of this is to ensure that a central record is kept which can be cross referenced with other complaints to monitor any patterns of concern and assist the Commission in assessing the effectiveness of this policy. Anonymity and confidentiality The Commission understands that disclosures made under this policy may involve highly confidential and sensitive matters and that you may prefer to make an anonymous disclosure. When this is the case we will endeavour to investigate your concerns fully, although a full investigation may be impeded if we cannot obtain further information from you. If you ask to have your identity protected and kept confidential, it will not be disclosed without your consent. If the situation arises where we are unable to resolve the concern without revealing your identity (for example, evidence is needed at court) we will discuss with you how we will proceed. Reporting in good faith Those making a protected disclosure are protected from detrimental treatment by the Commission, by a co-worker or by an agent of the Commission. The Commission is vicariously liable for detrimental treatment. If this occurs, it must be raised immediately with your line manager so that the matter can be investigated thoroughly without undue delay. Detrimental treatment includes, for example, harassment and bullying or not complying with a person's rights and entitlements under his or her contract of employment. Who else you can contact Public Concern at Work (an independent national body providing free advice), Public Concern at Work, 3rd Floor, Bank Chambers, 6 - 10 Borough High Street, London SE1 9QQ. Tel: 020 7404 6609 Email: helpline@pcaw.co.uk The Electoral Commission's Internal Auditors: RSM Risk Assurance Services LLP, 25 Farringdon Street, London EC4A 4AB. Tel: +44 20 3201 8000 The National Audit Office: Whistleblowing telephone line: 020 7798 7999 Related Policies We have a range of policies and procedures that deal with behaviour at work including: Code of Conduct Grievance procedure Disciplinary procedure Anti-fraud and anti-bribery policy You should use these and other procedures when it is appropriate. If you are unsure which procedure may be appropriate, please speak to a member of the HR team who will be able to advise you. Version and change summary table Version Issue date Policy Owner Policy type: statutory/ discretionary Date of next review Comments/ brief description

of main changes in this revision 1 Helen Reeves Statutory Dec 2013 Updated internal auditor details Companion to meetings Reasonable adjustment to way in which concern is raised 2 Statutory Dec 2014 Updated in line with Enterprise and Regulatory Reform Act 2013 Managers' guide added 3 April 2016 Lindy Petts Statutory April 2018 Further amendments to make fit for purpose 4 July 2017 Sharon Jager Statutory April 2018 Contact details updated 5 May 2018 Gemma Towsey Statutory April 2020 Additions on record keeping and communicating changes implemented as a result of whistleblowing. 6 May 2021 Binnie Goh Statutory May 2022 Internal Auditor details updated. Reference documents updated.