

# Committee on Climate Change

## Protected Disclosure (Whistleblowing) Policy

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## 1. Introduction

This procedure provides a confidential way of raising concerns about malpractice at work. It has been written pursuant to the Public Interest Disclosure Act (1998), which offers protection to those who 'blow the whistle' under certain conditions.

## 2. Aim, scope & principles

The key aim of the policy is to provide a mechanism by which to raise serious concerns within the CCC without fear of victimisation, discrimination or disadvantage. Further, the policy aims to:

- Remind you of your duty to report serious concerns.
- Encourage you to feel confident in raising serious concerns and to question and act upon concerns about malpractice.
- Provide avenues for you to raise concerns without risk of retribution and to receive feedback on any action taken.
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that your disclosure is in the public interest.

This policy applies to all staff, contractors, agency staff, consultants, summer students and other trainees.

The policy is intended to cover the following major concerns:

- Misuse of information.
- Failure to comply with legal obligations.
- A criminal offence impacting on the work of the organisation.
- Endangering of individuals health and safety.
- Miscarriage of justice, such as the destruction of evidence.
- A marked danger to the environment.
- Maladministration, such as the misuse of public money.
- Improper or unethical conduct.
- Breach of internal rules or procedures.
- Deliberate concealment of any of the above.

(This list is not exhaustive)

This procedure should not be used to raise concerns of a personal nature (e.g. complaints relating to a management decision or terms and conditions of employment). Instead, such matters should be dealt with under the CCC's Grievance Procedure. Equally, this policy does not apply to matters of individual conscience where there is no suggestion of wrongdoing but an employee is, for example, required to act in a way which conflicts with a deeply personal belief.

The following principles underpin the whistleblowing procedure:

- **Confidentiality:** Any disclosures made in line with this policy will be treated in a sensitive manner. The CCC recognises that employees may want to raise a concern in confidence and will respect any request for anonymity as far as possible. However, a situation may arise where it is not possible to resolve a concern without revealing your identity. The CCC will advise you if this is the case.

- **Timeliness:** All disclosures will be investigated and action will be taken as quickly as possible.
- **Fairness:** The Committee cannot promise that you will get the result that you want, but it can promise that your disclosure will be investigated fairly. Furthermore, raising a concern will not harm your future employment prospects at the CCC or elsewhere within the civil service.
- **Protection:** If a concern is raised in the public interest and the procedure is followed correctly, you will be protected both from victimisation and dismissal.

### 3. Raising a Concern

If you are asked to do something, or are aware of the actions of another, which you consider to be wrongdoing or in breach of the core values of the CCC, you must raise it using this procedure. You must, however, have a reasonable belief that raising the concern is in the public interest.

Evidence of malpractice is not required as it is the organisation's responsibility to investigate the matter. You must, however, have a reasonable belief that the information being disclosed is correct. Protection will not be afforded where the information disclosed is known to be false.

In order to raise a concern correctly, the following steps must be followed:

- **Step 1:** The concern should, in most circumstances, be raised with your line-manager.
- **Step 2:** If, for whatever reason, you feel unable to raise your concern with your line-manager, then you may contact one of the whistleblowing contacts within the Corporate Team (see below).
- **Step 3:** Where you have raised the concern with your line-manager and/or the whistleblowing contacts, and still feel unhappy, or if you feel unable to raise the concern with your line-manager or whistleblowing contacts, then you can take your concerns to the Acting Chief Executive or Chair of the Audit Committee.
- **Step 4:** Where you feel unable to raise the concern with any of those persons nominated above, you may raise it with the Permanent Secretary for the Department for Business, Energy and Industrial Strategy, Alex Chisholm (<https://www.gov.uk/government/people/alex-chisholm> (020 7215 5000)).
- **Step 5:** If you do not feel comfortable raising the concern with any over the above, you may contact the Auditor & Comptroller General at the National Audit Office (<http://www.nao.org.uk/contact-us/contact-us/whistleblowing-disclosures/>).

Contact	Name	Telephone
Business Manager	Yogini Patel	020 7591 6252
Head of Corporate Services	Penny Seera	020 7591 6110
Acting Chief Executive	Adrian Gault	020 7591 6106
Chair of Audit Committee	Rosalyn Schofield	020 7299 3628

BEIS Permanent Secretary	Alex Chisholm	020 7215 5000
C&AG (NAO)	Whistleblowing Hotline	020 7798 7999

#### **4. Information needed to raise a concern**

You should try to provide the following information when raising a concern:

- the background and history of the matter;
- any relevant dates.

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 has or is likely to occur.

Any personal interests that you may have in the matter should be stated from the outset.

#### **5. External disclosures**

It is important that concerns are raised internally and at the earliest time possible. This will allow the Committee the opportunity to address and resolve the matter quickly and by the most appropriate means. The Committee is confident that there are sufficient internal avenues available to deal with any concerns which may be raised.

Concerns must not at any time be raised outside the prescribed routes listed in this procedure. For example, concerns should not be raised with the media, campaign groups, on social network sites or with MPs under any circumstances. Please note that this list is not exhaustive. Raising a concern outside of the prescribed routes could result in disciplinary action and ultimately dismissal. It could also jeopardise your protection under the Public Interest Disclosure Act.

#### **6. How the concern will be handled**

All investigations will be conducted sensitively and as quickly as possible. The Committee will handle the matter fairly and in accordance with both this procedure and the Public Interest Disclosure Act. However, the organisation cannot guarantee that the outcome will accord with what you believe is fitting in the circumstances.

Once a concern is raised, the person to whom it is reported shall convene a meeting between all relevant parties (this will depend on the circumstances of the matter at hand). A written record shall be kept of the outcome of this meeting and the decisions made. Some concerns may be resolved by agreed action without the need for investigation. Where urgent action is required, this will be taken before any investigation is conducted.

Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through a disciplinary process;
- be referred to the police;
- be referred to the external auditor;
- form the subject of an independent inquiry.

Those persons carrying out the investigation will have unrestricted access to information and staff at the CCC.

Where the matter is to be investigated by the police, you are under a duty to assist investigators, prosecutors and defendants in their search for information about alleged offences and in these circumstances it may not be possible to guarantee anonymity.

The Committee will seek to update you on the progress of the matter as far as possible. However, in the event of a formal investigation or the involvement of the police, it may not be possible to provide full details.

The Committee will confirm when the matter is concluded and, if appropriate, let you know the outcome of the investigation.

You will be expected to continue your role/duties as normal throughout the investigation unless this is deemed to be inappropriate.

## **7. Independent advice**

If you need advice on whether it would be appropriate to use the whistleblowing procedure, then you may seek independent advice by:

- contacting Public Concern at Work (<http://www.pcaw.org.uk/>). This is a leading charity and authority on whistleblowing. As it is a charity this may not cost you anything.
- contacting a solicitor yourself at your own expense.

## **8. External concerns**

The CCC standard terms and conditions include a link to the complaints information on our website for external delivery partners who have a concern about malpractice. Any concerns received will be reviewed by the Head of Corporate Services and handled in accordance with the relevant sections of this policy.