

# Whistleblowing and Raising a Concern

## 1. Whistleblowing Defined

Whistleblowing occurs when an employee raises a concern about past, present, or imminent wrongdoing or malpractice, or an attempt to cover up wrong doing, in the workplace. This concern is raised without malice, and the disclosure is made in the public interest. The employee raising the concern is usually not directly and personally affected by the wrong doing. Consequently, the whistle blower does not have a personal interest in the outcome of any investigation into their concern. Therefore, they are not expected to prove any wrongdoing, they only need to have a reasonable belief that a wrongdoing has occurred.

## 2. The Purpose

The Forestry Commission (FC) is committed to ensuring high standards of conduct in all that it does. However, wrong doing 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 FC or the public. This policy and associated procedure will guide employees through the process of raising a concern which is referred to as 'whistleblowing'.

## 3. Principles

The following principles provide the foundation for the Whistleblowing Policy:

- employees are encouraged to raise any concerns they may have about wrong doing as soon as they notice it;
- employees will be able to raise concerns without fear of victimisation or reprisal if they believe that they are making the disclosure in the public interest;
- employees raising a concern will be afforded protection in line with the Public Interest Disclosure Act 1998 (PIDA) as detailed in the procedure;
- all genuine concerns will be handled responsibly, professionally, and in a positive manner; and
- help and support will be available to employees where concerns are raised under this policy and the associated procedure.

The Whistleblowing Policy and Procedure do not replace any other Forestry Commission Policies and Procedures. They are separate from our Grievance Policy and Procedure,

and the right and responsibility to raise concerns under the [Civil Service Code](#) or the Forestry Commission's [Fraud Policy](#).

## 4. The Benefits

A positive approach to whistleblowing has numerous benefits. With this policy and the associated procedure, the FC seeks to promote a positive culture in line with our Values, which will:

- encourage an open culture where employees feel confident that concerns can be raised;
- detect and deter wrong doing;
- provide managers with the information they need to make decisions and control risk;
- save lives, the environment, property, jobs, money, and/or both personal and organisational reputations;
- reduce the chance of anonymous or malicious leaks (including to the media); and
- reduce the chance of legal claims against the FC.

## 5. The Policy

### 5.1 Your responsibilities as an employee

You are expected to:

- make yourself aware of and understand this policy and the associated procedure;
- raise any concerns with your line manager or someone else in your line management chain, or a nominated officer, or an appropriate prescribed person, at the point you develop a concern; and
- allow the matter to be dealt with in line with the Whistleblowing Procedure, or under any other more appropriate procedure.

### 5.2 Your responsibilities as a manager

You are expected to:

- make sure that you and your team are aware of and understand this policy and the associated procedure;
- encourage open dialogue with your staff to enable them to raise any concerns with you;
- liaise with the relevant Nominated Officer so that matters may be dealt with under the Whistleblowing Procedure; and
- provide feedback on the progress/outcome of any investigation to employees who raise a concern with you.

## 5.3 Human Resources responsibilities

Human Resources have responsibility for:

- giving advice and guidance on the application of this policy and the associated procedure;
- supporting and assisting managers and/or employees who report concerns under this policy and the associated procedure;
- working with Nominated Officers and managers to ensure that matters are effectively dealt with under the Whistleblowing Procedure;
- monitoring and reviewing this policy and the associated procedure in consultation with management and Forestry Commission Trade Unions; and
- Arranging the investigation of any complaints of victimisation as a result of whistleblowing.

## 5.4 Nominated Officer's Responsibilities

The FC has a number of Nominated Officers to represent each business area. For a list of Nominated Officers, refer to [Staff Notice –Whistleblowing Nominated Officers](#).

Nominated Officers are responsible for:

- helping to raise awareness about the whistleblowing procedure and the importance of raising concerns internally in the first instance;
- re-assuring whistleblowers of the protection available when the procedure is properly applied;
- supporting whistleblowers and managers in dealing with a concern or potential concern;
- acting as central, impartial point of contact for the whistleblower and any investigation – but not taking part in the investigation;
- deciding on the appropriate person to investigate a whistleblowing concern and subsequently appointing an investigating officer;
- providing regular update on the progress of whistleblowing investigations to the Whistleblowing Policy Owner;
- obtaining feedback from the whistleblower on the effectiveness of the process at the end of an investigation; and
- supporting Country Heads/Agency Chief Executives in deciding whether it is appropriate to publicize details of changes made as a result of whistleblowing investigation outcomes, and identifying the best channels for publicising these changes.

- maintaining a record of whistleblowing cases for your business area and reporting to the Audit and Risk Assurance Committee for your relevant business area on a regular basis, as well as providing whistleblowing data to the FC Whistleblowing Data Owner.
- Reporting any concerns raised by the Audit and Risk Committee about the FC whistleblowing practices to the Whistleblowing Policy Owner.

## 5.4 Data Owner's Responsibilities

The [HR Policy Manager](#) is the Forestry Commission's Whistleblowing Data Owner. They are responsible for:

- collating, maintaining, and analysing detailed records of all whistleblowing cases across the FC;
- preparing biannual reports of FC-wide whistleblowing cases for the Whistleblowing Policy Owner; and
- reporting on whistleblowing to Cabinet Office and DEFRA, as required.

## 5.5 Policy Owner's Responsibilities

[Director, Central Services](#) has overall responsibility for whistleblowing policy and processes in the Forestry Commission. They are responsible for:

- ensuring that the whistleblowing practices are effective and support the proper treatment of whistleblowers;
- reporting to the Executive Board biannually on the effectiveness of the FC's whistleblowing practices,
- working with Country Heads/Agency Chief Executives to ensure that a report on the effectiveness of the FC's whistleblowing practices are included in their Annual Report and Accounts; and
- ensuring that any concerns raised by the Audit and Risk Assurance Committees about the FC's whistleblowing practices are addressed, and corrective measures taken, if appropriate.