

People & Talent Policy

Whistleblowing

Version Control	Changes Made	Author
Version 2 April 2026	Update to qualifying disclosure	Rachel Rollins
Version 1 March 2024	Updated for new service and removed CCC specific references	H Clark, HR

Introduction

Cumbria Fire and Rescue Service is committed to the highest standards of honesty, integrity and accountability in carrying out its functions. Employees who have serious and genuine concerns about any aspect of the Service's work and relationships, should be able to come forward and raise their concerns, without fear of harassment or victimisation.

CFRS recognises however, that wrongdoing, though rare, may occur and that the vigilance of employees, other staff and contractors is vital to maintain high standards of conduct.

CFRS expects employees and other workers to report suspected wrongdoing, as we believe that the best deterrent is for everyone to know that wrong doing will be reported, will be thoroughly and swiftly investigated and that wrongdoers will be held accountable for their conduct.

This Policy is intended to make a clear statement that any wrongdoing by employees or third parties associated with CFRS that is reported to CFRS will be thoroughly investigated and appropriate action taken when wrong doing is found to have occurred.

Application of this Policy

This Policy applies to all employees and other workers, including freelance staff, temporary and agency staff, consultants, contractors (and their staff), volunteers and employees in organisations which work in partnership with CFRS.

Making Cumbria a safer place for all



In this Policy the term “employee” refers to employees of CFRS and other workers to whom the Policy applies.

Scope of this Policy

This Policy provides all employees with:

- Avenues to raise concerns and receive feedback on those concerns
- Reassurance that they will be protected from victimisation and dismissal as a result of reporting their concerns
- Details of support available

The list below provides examples of the types of wrong doing that can legitimately be reported under the Whistleblowing Policy (this list is not exhaustive):

- Any unlawful conduct, whether criminal or a breach of civil law, failure to comply with a legal obligation, or where a miscarriage of justice has occurred or is likely to occur
- Maladministration as defined by the Local Government Ombudsman
- Breach of any statutory Code of Practice
- Breach of, or failure to implement or comply with, any policy or procedure rules determined by CFRS
- Misuse of assets including stores, equipment, vehicles, buildings computer hardware and software;
- Failure to observe health and safety legislation or endangering the health and safety of any individual;
- Failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income, to CFRS or would otherwise seriously prejudice CFRS;
- Causing damage to the environment;
- Allegations of sexual harassment;
- Corrupt practices, abuse of power, or the use of CFRS’s powers for any unauthorised or ulterior purpose;
- Deliberate falsification of data or information;
- Any other cases of malpractice, negligent, unprofessional or unethical conduct;
- The deliberate concealment of any information in relation to any of the above.

Relationship with other policies

The Whistleblowing Policy is intended for employees to raise concerns that are in the public interest to report and where the interests of others or of CFRS are at risk.

CFRS has in place policies and procedures for employees to raise issues relating to their own personal circumstances or treatment at work. In those cases employees should use the Workplace Complaints Procedure or other appropriate Human Resources Procedure.

CFRS has in place policies and procedures in line with the Financial Regulations for reporting suspected fraud, money laundering, bribery and other financial crime and employees should report those concerns under the relevant policy.

The Whistleblowing Policy is intended to be used in circumstances where the person reporting the matter feels that, for any reason, existing policies and procedures are inappropriate.

It is recognised that in some cases, complaints could fall within one or more policies. In these circumstances, the Lead Manager will inform the complainant of the policy/ policies that are being used.

Assurances for employees raising concerns

Employees raising concerns under this policy will not be at risk of detrimental treatment as a result, providing that:

- Disclosures are made in good faith
- It is reasonably believed that the allegation is substantially true
- The disclosure is not made for personal gain

At all stages, whistleblowers will be treated with fairness, dignity and respect.

Safeguards for employees reporting concerns

In many cases, it is an employee who will be the first to become aware of any wrongdoing within CFRS. If an employee becomes aware of any wrongdoing, CFRS therefore expects employees to report their suspicions, or to encourage others to report concerns if they become aware that other employees have any suspicions of wrongdoing.

CFRS recognises that individuals may sometimes be reluctant to express their concerns, because they fear that this would be disloyal to managers, colleagues and others in CFRS or because they fear reprisals, such as harassment or victimisation.

CFRS will not tolerate any attempt on the part of any employee to take reprisals against any person who has reported a concern. CFRS will treat any such harassment or victimisation as a serious matter which, in the case of a person employed by CFRS may be a disciplinary matter.

Whistleblowers may also have additional legal protection if they make certain disclosures of information in the public interest and are then victimised in their employment. Those who victimise a Whistleblower can be held personally liable for their conduct. In addition, CFRS could be held liable if it has not taken all reasonable steps to prevent such victimisation occurring.

If an employee who has made a genuine complaint feels they have been victimised as a result of raising a concern they may raise the matter with CFRS's Monitoring Officer. If the complaint relates to the Monitoring Officer they should raise it with the Chief Fire Officer.

CFRS will ensure that the necessary resources are put into investigating any reports it receives.

Support and adjustments

Any employee involved in this procedure may access support via their Trade Union, a Welfare Officer or via the other available support mechanisms.

Access to support mechanisms can be found via the Employee pages of the CFRS website <https://www.cumbriafire.gov.uk/wellbeing-support-and-fitness>

Anybody involved in this procedure who requires a reasonable adjustment may request one at any stage in the procedure. All requests for reasonable adjustments will be considered and actioned where possible.

How to report a concern

An employee who wishes to report a concern under the Whistleblowing Policy should contact speakup@cumbriafire.gov.uk giving as much detail as possible. Access to the speakup mailbox is strictly limited to the team responsible for monitoring reports.

If an employee wishes to raise their complaint anonymously, the service has an independent route with Crimestoppers either online www.FRS-speakup.co.uk or by telephone 0800 022 3818. Reports made to Crimestoppers are reported to the service without details of the person making the report.

Any evidence relating to the concern should be recorded, preserved and secured, and supplied at the time that concerns are reported, or as soon as possible afterwards.

Anonymous reports

Anonymous allegations are those which are unsigned and/ or unidentifiable. All reports will be investigated, but employees should be aware that anonymous allegations are more difficult to act upon and so may not be effective in remedying the wrongdoing alleged.

It will not be possible for CFRS to respond to anonymous complainants at any stage of the process if contact details are not available.

In considering what action to take in response to an anonymous allegation, the person to whom the report is made will consider:

- The seriousness of the allegation;
- The credibility of the allegation;
- The likelihood of obtaining information from other sources to confirm the allegation.

The confidentiality of people who report concerns will be protected where it is possible to do so.

How CFRS will respond to a report of concerns

If urgent action is required to safeguard individuals or property or to preserve evidence the service will immediately take such action as is required.

All officers involved in investigating a report of a concern/s will take action without delay and in accordance with any timescales set out in this Policy.

Once a report of concerns has been received, it will be the duty of the Lead Manager to pursue the matter if he/she believes that action may be required.

It will not be possible for an employee to prevent a matter from being investigated by subsequently withdrawing their concerns.

Procedural steps following a report of concerns

The Lead Manager must register the report with the Monitoring Officer within 5 working days of receipt of the concern. The details to be provided are:

- Date report of concern received
- Name of person reporting concerns (if available)
- Details of the concerns reported
- Proposed action and by whom

In order to protect both individuals and CFRS the Lead Manager will (unless in their judgement it is inappropriate to do so) make initial enquiries to decide whether an investigation is appropriate and if so what form it should take.

This Policy acknowledges that in some circumstances, the Lead Manager may be able to resolve the reported concerns informally, without the need for a detailed investigation.

The Lead Manager will normally refer concerns which fall within the remit of specific procedures (such as child or adult safeguarding to the relevant organisation, disciplinary matters or employee grievances) for investigation under those procedures. The Lead Manager will need to make a judgement about whether the concern reported should be dealt with under other procedures or under the Whistleblowing Policy. In making this decision, the Lead Manager may wish to consult with the Monitoring Officer and/or with the officer responsible for the operation of the procedures they think might be more appropriate to follow.

In exceptional circumstances the Lead Manager may decide not to investigate a complaint further. The Lead Manager may make such a decision if the facts on which the complaint is based have already been investigated and dealt with under the Whistleblowing Policy or other policies and procedures. If, following consultation with the Monitoring Officer, a Lead Manager determines that a complaint should not be further investigated, they will write to the complainant giving their reasons.

The Lead Manager is responsible for commissioning an appropriate manager or external investigator as Investigating Officer.

The Lead Manager may identify a Support Officer who will be available to provide support and advice to the person who reported concerns during the investigation and afterwards.

The Lead Manager will also identify a contact person for any employee who is under investigation under the Whistleblowing Policy.

Within 10 working days of receiving the complaint the Lead Manager will write to the person who reported concerns:

- Acknowledging that the report of concerns has been received
- Indicating how the Lead Manager proposes to deal with the matter
- An estimate of how long it will take to provide a final response
- Stating what action has been taken and what action will be taken and by whom, including the name of the Investigating Officer appointed.
- Explaining the reason if the Lead Manager has decided not to investigate further.

The Investigating Officer will conduct an investigation to establish the facts of the reported wrongdoing and will make a written report, appending witness statements and other evidence to the Lead Manager.

All employees are required to co-operate with any investigation carried out under this Policy. Any employee who attends a meeting in connection with an investigation of alleged wrongdoing is entitled to be accompanied by a trade union representative or a colleague who is not involved in the area of work to which the investigation relates.

The Investigating Officer will keep the person who reported a concern informed of progress with the investigation. The Investigating Officer may need to meet with the person who reported the concern as part of the investigation. If the person has any concerns about the investigation they may raise these with the Lead Manager or if the concerns are about the Lead Manager, with the Monitoring Officer.

If the investigation is taking longer than estimated, the Investigating Officer will provide a written update to the employee and to the Lead manager at least every month.

Once they have received the report of the Investigating Officer, the Lead Manager will take any necessary action. If the investigation reveals circumstances in which disciplinary action against an employee, or action to enforce a contractual obligation, is appropriate, the Lead Manager will be responsible for ensuring that the necessary steps are taken.

In some circumstances, the Lead Manager may consider it appropriate to report a matter to the Police or other regulatory authority. This decision should be taken in consultation with the Monitoring Officer or the Section 151 Officer.

If an allegation is found to be groundless CFRS will take reasonable steps to remedy any adverse consequences arising from the investigation.

In all circumstances the Lead Manager must update the register at the conclusion of the process by notifying the Monitoring Officer of:

- Any resolution of the complaint without the need for investigation
- Any referral for investigation under another policy

- or, any decision not to investigate a complaint.
- Where investigated, the date of completion of the investigation.
- The findings of the investigation;
- Action taken by the Lead Manager.

All information relating to the report of concerns and its investigation must be retained in accordance with CFRS's document retention policy.

Confidentiality

CFRS will be sensitive both to persons reporting concerns and to persons under investigation following a report under this Policy.

Investigations will be carried out as confidentially as possible. There will, however, be circumstances where information relating to a report of concerns will have to be disclosed by CFRS, for example if there is a legal obligation to disclose the information to another organisation or if the wrongdoing is serious and is to be reported to the Police or External Auditor.

The Investigating Officer will not disclose the identity of the person who reported concerns unless they agree or it is necessary for the purpose of the investigation. If a person raising a concern wishes to remain anonymous then CFRS will make every reasonable effort to maintain this confidentiality whilst preserving the integrity of the investigation before deciding to disclose an identity. The service also recognises that people may be identifiable as a result of evidence or statements that they provide; in these circumstances the service will protect the anonymity of the person as far as it is possible to do so.

The Investigating Officer will advise the person who reported concerns if it becomes necessary to disclose their identity against their wishes. The person will have the opportunity to raise the issue with the Lead Manager who will without delay review the necessity of the disclosure before the investigation continues.

How concerns can be taken further

If an employee is not satisfied with how CFRS has addressed issues they have reported under this Policy, they may contact:

- The Chair of the Joint Audit Committee
- The External Auditor, Grant Thornton on 0141 223 0891
- The relevant professional body or regulatory body, for example, The Health and Safety Executive, Care Quality Commission, Ofsted. The details of relevant bodies are available on the Government Website Direct.Gov

An employee who discloses confidential information, or concerns relating to CFRS, its business or other employees, outside the procedures set out in this policy may, if the law does not permit such disclosure, lose their entitlement to the protection against adverse consequences available to them under this policy or under the law.

Employees are therefore advised always to follow the procedures under this Policy if they have concerns about wrong doing in CFRS. This does not affect the legal right of employees to disclose concerns to outside bodies where this is legally prescribed.

Independent advice to Employees

Free confidential advice about wrong doing at work can be sought from the independent charity Protect on www.protect-advice.org.uk 020 3117 2520 or from an employee's Trade Union.

Contractors and Partners

Where appropriate, CFRS will include a clause into contracts with suppliers to CFRS highlighting that this Policy applies to their staff while working on Service business. It will place a requirement on contractors to publicise the Whistleblowing Policy to their staff involved in the contract with Service.

CFRS will include a clause in agreements with partner organisations where CFRS is acting as accountable body applying this policy to the partnership arrangements.

The Responsible Officer

The Responsible Officer for the operation of the Whistleblowing Policy corporately is the Monitoring Officer, who will ensure that the effectiveness of the Policy is monitored, reviewed and updated at appropriate intervals.

Failure to report concerns

Where an employee fails to report concerns, they themselves may become implicated in the wrong doing and CFRS will therefore also treat failure to report concerns as a serious matter which may, in the case of a person employed by CFRS amount to a disciplinary matter.