

**WRITTEN QUESTION TO THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON MONDAY 3rd DECEMBER 2018**

Question

In respect of the current States whistleblowing policy, will the Chairman provide –

- (a) the number of complaints raised in each of the last five years;
- (b) a summary of the nature of the complaints;
- (c) whether they were found to be substantiated;
- (d) a summary of the effect of the disclosure; and
- (e) a summary of what happened to the whistleblower;

and, further to her response to Oral Question 165/2018, will she further state what changes are envisaged to the current scheme when it is relaunched at the start of 2019?

Answer

- (a) There have been 2 complaints that have been deemed “serious concerns” in the past 5 years, all other matters raised have been dealt with under an alternate policy.
- (b) Under the serious concern policy a number of matters have been raised including complaints, concerns, bullying and grievances as well as fraud related matters. In cases of grievances, including bullying, this is dealt with under the relevant grievance policy. In respect of matters of fraud these are informed to the police and investigated as appropriately by the police. Once the police have closed the matter an internal review maybe done by Internal Audit.
- (c) In some cases there will be elements that are substantiated to a less or more degree. In other cases the claims are not substantiated. Given the small number that are deemed actual concerns rather than grievances or complaints it would not be appropriate to disclose this.
- (d) As above it is not appropriate to disclose this and we have used FOI principles in this respect as it would be exempt under FOI.
- (e) In respect of confidentiality it is vital that people’s autonomy is preserved. The policy is very clear on this, investigations are given code names and people’s details are maintained in confidence. In certain circumstances the police need to be informed and in such cases the “whistle blower” details may need to be provided, this is clear in the policy. To our knowledge there has been no requirement in the past 5 years to inform the police of the “whistle-blower’s details”. The whistle-blower is informed that the concern has been investigated and of the action that has been taken as deemed appropriate by management. It would not be appropriate for the whistle-blower to be informed of action taken for a serious concern if it is in respect of an individual.

The current scheme will be replaced by the new Whistleblowing policy, to be launched in January 2019. The policy has been drafted with reference to the HR Lounge Ltd report into Bullying and Harassment, which also gave recommendations in respect of Whistleblowing.

The launch of the revised policy, places a duty on all colleagues to raise concerns as appropriate and confirms that they can do so safely.

The policy introduces an independent, 3rd party 'speak-up' line, called *ExpoLink* which provides an anonymous way to raise concerns if an individual does not wish to raise with the line manager.

The senior officers' role has changed within the new scheme. They will now have overarching responsibility for all concerns raised and will assure that the process is followed correctly.

The policy launch will be supported by briefing sessions for all line managers, ensuring that they understand how to apply the policy and provide support to their team members. This will be followed up with mandatory on-line training which is the course of being procured.

The Launch of the Team Jersey programme in Q1 2019 will also support the revised approach.