



1. Introduction, Purpose and Scope

1.1 Why is Speak Up important?

- 1.1.1 The Council is committed to conducting its business with the highest standards of fairness, integrity, ethics, respect for the law and our agreed behaviours.
- 1.1.2 The Council is committed to hearing from the people it works with as to what is happening in the organisation. A culture of transparency and openness is encouraged. A willingness to tackle challenging issues is fundamental to the good governance of any organisation, which in turn has a positive impact on the ability of the organisation to deliver its objectives.
- 1.1.3 The Council is committed to ensuring that colleagues, partners and other stakeholders are able to raise concerns openly in a safe environment and in the knowledge that concerns will be promptly considered with action taken where required to address issues raised.

1.2 What is the purpose of Speak Up?

- 1.2.1 For certain very serious disclosures, the law provides very specific protection for those people making such declarations. The Council has a Whistleblowing Policy in place to protect those people making declarations covered by law. Before making or receiving declarations under Speak Up you need to consider whether the disclosure is a protected disclosure captured by the Whistleblowing Policy. If the disclosure would be covered by the Whistleblowing Policy, you should always use that Policy.
- 1.2.2 The purpose of Speak Up is to provide an avenue for those people not covered by the Whistleblowing Policy and to encourage open and frank discussions in respect of any concerns.

1.3 Who can Speak Up?

1.3.1 Speak Up is available to all colleagues working for, with or on behalf of the Council, including employees, elected Members, consultants, contractors, agency workers, temporary and casual workers and volunteers. It is also open to any party who has a business relationship with the Council such as suppliers, clients, or partner organisations who have concerns about wrongdoing within the Council.

1.4 What types of concerns are covered by Speak Up?

1.4.1 Speak Up can be used to raise any concerns you have or observations that are not covered by the Council's Whistleblowing Policy, for example because the issue or the person making the disclosure are not covered or because the concern is of a less serious nature.

2. Guidance on how and when to Speak Up

2.1 How to Speak Up

2.1.1 Speak Up allows you to raise concerns through a variety of channels. If you are a member of Council staff, the policy doesn't replace your usual reporting arrangements through line management. If you see anything that you believe needs to be reported under Speak Up, the following channels are available:

2.2 Line management

2.2.1 As a general guideline, the first person for Council staff to approach to raise a concern is your line manager. If you are unable to approach your direct line manager, you can speak to the next manager in the structure or if you are unable to do this for any reason, please refer to the Trusted Representatives section at 2.4 below.

2.2.2 Your line manager will arrange a meeting with you as soon as possible to discuss your concerns. You may bring a work colleague or a Trade Union representative to this meeting if you wish. Your representative must agree to respect the confidentiality of any matters discussed in their presence.

2.3 Non-Council staff

2.3.1 If you are not a member of Council staff, you should raise your concern with your usual key contact within the Council. If you are unable to do this for any reason, please refer to the Trusted Representatives section at 2.4 below.

2.4 Trusted Representatives

2.4.1 If, for any reason, you feel unable to report your concerns within your line management chain or to your usual key contact within the Council, you may feel that speaking in confidence to your Trade Union Representative may be beneficial. We have also nominated a small number of Trusted Representatives who you can approach to report your concerns. These officers are:

Monitoring Officer

Iolanda Puzio, Chief Legal Officer
Tel: 01228 226301

Email: Iolanda.puzio@cumbria.gov.uk

Section 151 (Chief Finance) Officer

Julie Crellin, Director of Finance
Tel: 01228 226853

Email: Julie.crellin@cumbria.gov.uk

Head of Internal Audit

Emma Toyne / Peter Usher
Tel: 01228 226261

Email: emma.toyne@cumbria.gov.uk or
peter.usher@cumbria.gov.uk

2.5 Confidentiality

- 2.5.1 Any Speak Up reports will be treated as confidentially as possible. This means that information you provide will only be shared with as few people as possible to allow for initial investigation and resolution of the matter as appropriate. We may need to inform an individual about whom a report is made, but your identity will not be disclosed unless it is necessary to do so. You must also respect confidentiality by not discussing the matter with others outside of the immediate reporting and investigation team.
- 2.5.2 You may wish to seek support from your Trade Union representative either before raising a concern or at any time during any follow up work/investigation. We would ask that you and your Representative maintain confidentiality throughout the process.

2.6 Anonymous reporting

- 2.6.1 Concerns can be reported anonymously with any of the Trusted Representatives named above; however it can be difficult to investigate referrals if we cannot contact you for further information.
- 2.6.2 The Council will consider what action is required in response to an anonymous allegation in light of:
- (a) The seriousness of the allegation;
 - (b) The credibility of the allegation;
 - (c) Whether it is possible to substantiate the allegation in some other way.
- 2.6.3 You will not receive any information on the progress of your referral if you do not provide your details.

3. Follow Up – what happens after you Speak Up?

3.1 What can you expect after you Speak Up?

- 3.1.1 The information you provide will be assessed by the officer receiving the referral. If it is considered that another Council policy or procedure should be applied, you may be signposted elsewhere, for example the complaints policy or the grievance procedure.
- 3.1.2 You will receive an acknowledgement of your referral and an outline of any further action that may be taken. You will also be informed if the assessment has determined that no further action will be taken.
- 3.1.3 It will be at the discretion of the Council whether to provide you with information relating to the outcomes of the investigation. We will not inform you of any outcomes affecting other individuals such as whether there were any disciplinary issues as this would breach the Council's duty of care to others.

3.2 What is expected of you in connection with an investigation?

- 3.2.1 If you make a referral and there is a need to involve you in an investigation, you will be expected to co-operate and answer all questions honestly and fully.
- 3.2.2 Once you have provided us with information, the Council may be obliged to continue with an investigation even if you do not wish to take the referral any further.

3.3 Managers' responsibilities under Speak Up

- 3.3.1 Managers are responsible for creating and maintaining a culture in which all staff feel confident to raise concerns. Managers must ensure that all referrals under Speak Up are dealt with appropriately.

3.4 Responsibility for upholding the Speak Up

- 3.4.1 Executive Directors are responsible for ensuring the effectiveness of Speak Up within their directorates and for ensuring referrals are appropriately investigated.

4. Speak Up is not designed to be used in the following circumstances:

- 4.1 Speak Up is not about issues affecting an individual's personal employment situation. The Council has developed policies and procedures to deal with the following specific issues:
- Grievance procedure – for dealing with difficulties within the workplace and to support employees who wish to raise concerns about their work, working environment or relationships with colleagues.
 - Bullying and Harassment - to support employees and managers dealing with informal or formal complaints of bullying and harassment.
- 4.2 Speak Up may not be used to re-open or review a matter already decided under other procedures. If you are uncertain whether something is within the scope of Speak Up you should seek advice from your line manager, trade union representative or the charity "Protect".

4.3 Speak Up is not to be used to question or challenge business, financial, policy or operational decisions made within the Council.

4.4 Speak Up is not to be used to report events that present an immediate threat to life or property. In the event of an emergency situation, you should use appropriate emergency contact details.

4.5 Speak Up should not be used to settle personal disputes or to make accusations which you know to be incorrect.

4.6 If you are a service user who has a complaint about the service you have received from the Council, there is a Complaints policy that should be used.

5. Monitoring and review

5.1 The effectiveness of Speak Up will be reviewed annually by the Corporate Governance Group which will oversee a review of how the policy has been implemented and utilised and how it has contributed to improved governance within the Council. Views of Trade Unions will be invited and considered as part of the annual review process.

5.2 Speak Up will be reviewed every two years or as required following review of its implementation and utilisation.