

Dear Requester,

Thank you for your Freedom of Information Request. Please accept our apologies for the delay in getting the information to you.

The response from the department concerned is as follows:

You have posed various questions about NCC's role as a prescribed person under the Public Interest Disclosure (Prescribed Persons) Order 1999. You will be aware from the guidance (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/604935/whistleblowing-prescribed-persons-guidance.pdf) that the prescribed person's role is very limited and, for example, the prescribed person is unable to become involved in any grievance between workers and employers, other than to confirm that a disclosure was made, it is not for the prescribed person to decide whether the individual who has made the disclosure qualifies for protection and if a protected disclosure is made any redress for a worker is through the employment tribunal rather than being the responsibility of the prescribed person. I have therefore responded to your questions on that basis and you will see that the Council does not have any specific procedures in respect of this limited role and matters would be dealt with on a case by case basis.'

Q1 Does your organisation take action to protect external whistleblowers from unjustified treatment by their employers or others?

Please select one of the below answers if possible –

- i. Yes (please explain what action is taken)
- ii. **No**
- iii. Not known

Q2 Does any protection against unjustified treatment provided by your organisation extend to persons reporting on behalf of external whistleblowers?

- i. Yes (please explain what action is taken)
- ii. **No**
- iii. Not known

Q3 Does any protection extend to proposed or intended unjustified action against an external whistleblower contemplated by his/her employer or another in respect of the disclosure?

- i. Yes (please explain what action is taken)
- ii. **No**

iii. Not known

Q4 Does your organisation offer any reward or bounty for information received from an external whistleblower in respect of information about which you are the prescribed body or person?

i. Yes

ii. No

iii. Not known

Q5 Does your organisation publish for the public a step by step guide on how it follows up on external whistleblower information?

i. Yes

ii. No

iii. Not known

Q6 Where your organisation does not feel itself to be legally competent to engage with a disclosure made by an external whistleblower, do you have a policy and process to refer that disclosure to another prescribed body/person/regulator or other agency better placed to deal with it?

i. Yes (please provide a copy of the policy, where written)

ii. No

iii. Not known

Q7 Where in the circumstances described in Q6 above, your organisation passes information to another prescribed body etc., do you have a policy and process to advise the external whistleblower that the disclosure has been passed to another body etc?

i. Yes (please provide a copy of the policy, where written)

ii. No - If the Council does not have the power to deal with the relevant disclosure then the County Council would advise the complainant that they should approach the other relevant prescribed body

iii. Not known

Q8 Where an external whistleblower may be dissatisfied with his/her dealings with your organisation, is there an appeals policy and process which engage someone who is independent of the investigating department?

- i. Yes (please provide a copy of the policy, where written)
- ii. No
- iii. Not known

Q9 Does your organisation publish FAQ to advise and assist external whistleblowers considering making a disclosure to you?

- i. Yes (please provide the FAQ or direct me to it)
- ii. No
- iii. Not known

Q10 Does all your staff which communicates with or otherwise manages external whistleblowers receive specialist and on-going training for that purpose?

- i. Yes
- ii. No
- iii. Not known

Q11 Where, following a disclosure to your organisation by an external whistleblower about a matter for which you are prescribed, an alleged act of retaliation occurs against the external whistleblower by the employer or another person, does your organisation investigate the alleged act of retaliation?

- i. Yes
- ii. No
- iii. It would depend on the facts
- iv. Not known

Q12 Please describe what criteria you consider in deciding whether to investigate information received from an external whistleblower about a matter in respect of which you are prescribed?

We do not have any – each matter would be assessed on its facts.

Q13 Does your organisation distinguish between public complaints and external whistleblowers?

- i. Yes (please describe the essential differences in your approach between managing public complaints and external whistleblower disclosures)
- ii. No
- iii. Not known – each situation would be assessed on its facts

Q14 Apart from any information on your website, does your organisation undertake any public awareness programme(s) regarding whistleblowing?

- i. Yes (if so please provide details)
- ii. No
- iii. Not known

I hope this now satisfies your request, and should you have any further enquiries please do not hesitate to contact me directly on the details below.

In addition to this and for future reference Nottingham County Council regularly publishes previous FOIR,s and answers on its website, under Disclosure logs. (see link)
<http://site.nottinghamshire.gov.uk/thecouncil/democracy/freedom-of-information/disclosure-log/>

You can use the search facility using keywords.

If you wish to raise any concerns about the way your request was dealt with, then please write to the Team Manager, Complaints and Information, County Hall, West Bridgford, Nottingham, NG2 7QP or e-mail foi@nottscc.gov.uk quoting the reference number above.

Kind Regards

Complaints, Information & Mediation Officer.
Complaints and Information Team
Chief Executive's Dept
Nottinghamshire County Council
County Hall, West Bridgford, Nottingham, NG2 7QP