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Shropshire and Wrekin Fire and Rescue Authority
Audit and Standards Committee
28 October 2026

# Review of Reporting of Illegality and Malpractice (Whistleblowing) Policy


## Report of the Chief Fire Officer

For further information about this report please contact Simon Hardiman, Chief Fire Officer, on 01743 260201 or Marc Millward, Assistant Chief Fire Officer, on 01743 260280.


## 1 Purpose of Report

This report requests the Committee to recommend that the Fire Authority approve the Reporting of Illegality and Malpractice (Whistleblowing) Policy, attached as the appendix to the report, following the annual review conducted by officers.

## 2 Recommendations

Members are asked to consider the Reporting of Illegality and Malpractice (Whistleblowing) Policy, attached at the appendix to the report, and to recommend that the Fire Authority approve the Policy (with or without amendment).

## 3 Background

The Fire Authority has in place a Reporting of Illegality and Malpractice (Whistleblowing) Policy, which enables workers to raise concerns about unlawful conduct, financial malpractice (including fraud, bribery and corruption), failure to comply with any legal duty, danger to health and safety, damage to the environment and other unethical conduct. It is considered best practice for policies, such as this, to be reviewed annually.

## 4 Review

Having carried out their review, officers have made several changes, which are listed below:

**Key amendments introduced in June 2026**

**1. Sexual harassment added as a potential whistleblowing matter**

The most significant change was the inclusion of wording clarifying that: disclosures relating to sexual harassment may be considered under the whistleblowing policy where they are raised in the public interest and meet the requirements of a protected disclosure.

Prior to this amendment, bullying, harassment and discrimination were generally directed through the Grievance Procedure rather than the whistleblowing route.

**2. Clarification of the relationship between grievance and whistleblowing procedures**

The June 2026 version introduced clearer wording that:

- Personal employment concerns should normally be managed through the Grievance Procedure.
- However, concerns may fall under whistleblowing where there is a wider public interest issue. This was intended to help staff choose the appropriate reporting route while recognising some overlap between the two processes.

**3. Stronger emphasis on speaking up and organisational support**

The briefing note records an intention to strengthen policy wording to reinforce:

- support for individuals who raise concerns in good faith;
- protection from detriment;
- encouraging concerns to be raised at an early stage;
- alignment with the Service's wider speak-up culture.

**4. Alignment with legal clarification effective 6 April 2026**

The amendments were prompted by a legislative clarification confirming that reports of sexual harassment can qualify as protected disclosures under whistleblowing legislation where the public interest test is met. The briefing note states the previous policy was not incorrect but had become incomplete following this clarification.

A copy of the draft Policy is attached as an appendix to this report.

The list of officer contacts in the appendix to the policy has also been updated to reflect changes in job titles and contact details.

## 5 Financial Implications

There are no direct financial implications arising from this report.

## 6 Legal Comment

The Fire Authority is not under a statutory duty to maintain a Whistleblowing Policy. However, the Government expects all public bodies to have such a policy in place, and its existence and operation are assessed as part of the annual audit process. Maintaining and keeping the Policy under review is therefore consistent with the Authority's governance obligations and with the expectations of its external auditors.

The principal amendment reflects a change in the law that took effect on 6 April 2026. Section 23 of the Employment Rights Act 2025 added sexual harassment as a further category of qualifying disclosure. A disclosure relating to sexual harassment can therefore be a protected disclosure. The amendment to the Policy aligns it with this change; it does not alter the fundamental structure of the whistleblowing regime.

Members should also note the related and parallel duty on the Authority, as an employer, to take reasonable steps to prevent the sexual harassment of its employees in the course of their employment. That duty is strengthened to a duty to take "all reasonable steps" with effect from 30 October 2026. The Policy's new sexual-harassment route, and the Authority's arrangements for handling such reports, support compliance with that duty.

There are no other direct legal implications arising from the Policy as revised. Officers are satisfied that the Policy is consistent with current whistleblowing and equality legislation and recommend it to the Committee for approval.

## 7 Appendix

Draft Reporting of Illegality and Malpractice (Whistleblowing) Policy

## 8 Background Papers

There are no background papers associated with this report.