



Whistle Blowing Policy

This Policy was adopted by the Council at its meeting held on 4th July 2023.
This version of the Whistle Blowing Policy supersedes any previous versions.

Contents

1. Introduction	3
2. Policy.....	3
3. Background.....	3
4. Principles	3
6. Data protection.....	5

Table 1 Document Version Control

Version	Date	Initials	Comment
00.01_2023	01/06/2023	HW	Review of former version
00.02_2023	28/06/2023	JM	Reviewed by Personnel, Policy and Governance Committee 28/06/23, minute ref PPG22/23
01.00_2023	04/07/2023	HW	Reviewed and adopted by Full Council 04/07/23.

Date of next review – Quarter 1 2025

1. Introduction

The www.gov.uk website describes a whistleblower as a lone worker reporting certain types of wrongdoing. The wrongdoing a whistleblower discloses must be something in the public interest.

Whistleblowers are protected by law and cannot lose their job or be treated unfairly.

2. Policy

It is important that any fraud, misconduct or wrongdoing by staff or others working on behalf of the Council is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in the Council. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

3. Background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called "qualifying disclosures". A qualifying disclosure is one made by an employee who has a reasonable belief that:

- a criminal offence,
- a miscarriage of justice,
- an act creating risk to health and safety,
- an act causing damage to the environment,
- a breach of any other legal obligation,
- concealment of any of the above,

is being, has been, or is likely to be, committed. It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. You have no responsibility for investigating the matter - it is the Council's responsibility to ensure that an investigation takes place.

If you make a protected disclosure, you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

4. Principles

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the Council should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially by the Town Clerk, and the outcome of the investigation reported back to the person who raised the issue.

No employee or other person working on behalf of the Council will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.

Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.

If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.

Maliciously making a false allegation is a disciplinary offence.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the Town Clerk or the Town Mayor.

5. Procedure

Concerns relating to an alleged breach of the Code of Conduct for Members should be referred to the Monitoring Officer for investigation. The Town Clerk and Mayor should be made aware if a matter has been referred to the Monitoring Officer.

This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via the Grievance Procedure.

Stage 1

In the first instance, any concerns should be raised with the Town Clerk, who will arrange an investigation of the matter. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained.

The Town Clerk will take any necessary action, including reporting the matter to the Council, or any appropriate government department or regulatory agency. The Town Clerk will also invoke any disciplinary action if required. On conclusion of any investigation, insofar as confidentiality allows, you will be told the outcome and what the Council has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

Stage 2

If you are concerned that the Town Clerk is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the Town Mayor. The Town Mayor will arrange for a review of the investigation to be carried out, make any necessary enquiries.

Stage 3

If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. This includes:

- HM Revenue & Customs
- The Health and Safety Executive
- The Environment Agency
- The Serious Fraud Office
- The Charity Commission
- The Pensions Regulator
- The Information Commissioner
- The Financial Conduct Authority

A list of prescribed persons and bodies can be found at [Blowing the whistle to a prescribed person.](#)

6. Data protection

When an individual makes a disclosure, we will process any personal data collected in accordance with the Information and Data Protection Policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

This is a non-contractual procedure which will be reviewed from time to time.