



BRACKLEY TOWN COUNCIL

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# Whistleblowing Policy

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## **1. What is Whistleblowing?**

1.1 Whistleblowing occurs when an employee raises a serious concern about malpractice or wrongdoing or provides information about illegal or dishonest practices within an organisation that has come to their attention through their work.

1.2 The concern may be about something that:

- Is unlawful or illegal
- is a failure to comply with a legal duty
- Is a miscarriage of justice
- Is against the Council's Standing Orders or policies
- Amounts to improper conduct
- Endangers the health and safety of any person
- Is unauthorised use of public funds
- Is fraudulent or corrupt
- Might cause damage to the environment.

## **2. Policy Aim**

2.1 Employees may often be the first to realise that there may be something seriously wrong with an aspect of the Council's work. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the Council.

2.2 The aim of this policy is to:

- encourage employees to feel confident about raising concerns about any aspect of the Town Council's work;
- to provide a process for those concerns to be raised in confidence and for the employee to receive feedback on any action taken; and,
- to reassure employees that they will be protected from possible reprisals or bullying if they have a reasonable belief that a disclosure has been made in good faith.

## **3. Policy Scope**

3.1 This policy applies to any person who works for the Town Council including those who are temporary, agency, an apprentice or on work experience and those contractors working for the Council on Council Premises.

## **4. Policy Principles**

- 4.1 The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment it expects employees, and others that it deals with, who have serious concerns about any aspect of the Council's work to come forward and voice those concerns.
- 4.2 It has been written in accordance with the requirements of the Public Interest Disclosure Act 1998, which protects workers making disclosures about matters of concern where they may have reasonable grounds for believing they are true. This policy is not intended to address grievances relating to individual employment.
- 4.3 A separate Grievance Procedure exists for this purpose.

## **5. Safeguarding and Victimisation**

- 5.1 The Council recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you provide a service. The Council will not tolerate any harassment or victimisation and will take action to protect you when you raise a concern in good faith.

## **6. Confidentiality**

- 6.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.
- 6.2 This policy encourages you however to put your name to your concern whenever possible. Please note that you:
- must disclose the information in good faith;
  - must believe it to be substantially true;
  - must not act maliciously or make false allegations; and,
  - must not seek any personal gain.

## **7. How to raise a concern**

- 7.1 You should normally raise concerns with the Town Clerk. If you believe the Town Clerk is involved you should inform the Mayor.
- 7.2 Concerns are best raised in writing but can be raised face to face. The information required to investigate an allegation are details of the background

and history of the concern, names, dates and places and the reason for the concern.

7.3 If you are a member of a trade union or a professional association you may prefer to invite them to raise the matter on your behalf.

## **8. How the council will respond**

8.1 The action taken by the Council will depend on the nature of the concern. The matters raised may:

- Be investigated internally;
- Be referred to the Police;
- Be referred the external auditor; or,
- Form the subject of an independent inquiry.

8.2 In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and if so what form it should take. Some concerns may be resolved by agreed action without the need for investigation.

8.3 Within 10 working days of a concern being received, the appropriate officer will write to you:

- Acknowledging receipt of the concern;
- Indicating how the matter will be dealt with;
- Telling you if any initial enquiries have been made; and,
- Telling you whether further investigation will take place and, if not, why not.

8.4 The amount of contact between the people considering the issues and you, will depend on the nature of the matters raised, the potential difficulties involved and the clarity of information provided. If necessary, further information will be sought from you.

8.5 When any meeting is arranged you have the right, if you so wish, to be accompanied by a union or professional association representative or a friend not involved in the area of work to which the concern relates.

8.6 The Council will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Council will advise you about procedure.

8.7 The Council accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcomes of any investigations

## **9. How the matter can be taken further**

9.1 This policy is intended to provide you with an avenue to raise concerns within the Council. If you feel you are not satisfied with the Council response you may feel it is right to take the matter to:

- The Town Council Auditor
- The relevant professional body or regulatory organisation
- Your solicitor
- The police
- Your local Citizens Advice Bureau

9.2 You will need to ensure that you do not disclose confidential information or that disclosure would be privileged and you should check this point with your contact.

## **10. Independent Advice**

10.1 Public Concern at Work is an independent charity that provides free confidential advice for employees who are considering expressing concerns covered by this policy. They can be contacted at <https://protect-advice.org.uk/>