



# Stapleford Abbots Parish Council

## WHISTLEBLOWING POLICY

**Version: 1.3**

**June 2023**

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### **A Scope**

This policy applies to the Stapleford Abbots Parish Council. Where the term ‘staff’ is used, this includes any staff (paid and voluntary) working for the Council. This policy is aimed at all Councillors and staff working for Stapleford Abbots Parish Council.

### **B Confidential Notice & Intellectual Property**

This document and the information contained therein is the property of Stapleford Abbots Parish Council. It must not be used by, or its contents reproduced or otherwise copied or disclosed without the prior consent, in writing, by the Council.

### **C Document Details**

<b>Policy</b>	<i>Whistleblowing Policy</i>
<b>Policy Statement</b>	<i>This document sets out a Whistleblowing Policy for use by Stapleford Abbots PC</i>
<b>Version Number</b>	<i>1.3</i>
<b>Version Date</b>	<i>01/06/2023</i>
<b>Review Date</b>	<i>01/04/2024</i>
<b>Author</b>	<i>C Atkinson</i>
<b>Responsible Owner</b>	<i>Stapleford Abbots Parish Council</i>
<b>Approving Body</b>	<i>Stapleford Abbots Parish Council</i>

## **D**                    **Revision History**

<b>Version</b>	<b>Revision Date</b>	<b>Details of Changes</b>	<b>Author</b>
1.1	01/06/2021	Current version	C Atkinson
1.2	01/06/2022	Current version	C Atkinson
1.3	01/06/2023	Current version	C Atkinson

## **E**                    **Freedom of Information**

If requested, this document may be made available to the public and persons outside the healthcare community as part of Stapleford Abbots Parish Council’s commitment to transparency and compliance with the Freedom of Information Act.

## **F**                    **Accessibility**

This document can be made available in other styles, formats, sizes, languages and media in order to enable anyone who is interested in its content to have the opportunity to read and understand it. Any such requests should be made to the Clerk.

## **G**                    **Dissemination**

This policy will be disseminated to all staff. All staff will have to read this policy at publication and every time there is an update or change to the policy. The Stapleford Abbots Parish Councillors will have the overall responsibility for implementing the policy.

## **H**                    **Review**

This policy will be reviewed every year or when new evidence, policy or guidelines come to light necessitating an update / change. The policy review and update will be the responsibility of the Stapleford Abbots Parish Council.

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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. Stapleford Abbots Parish Council 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.

## **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; or
- 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.

## **Principles**

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff, Councillors 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, 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 Clerk or the Chair of the Council.

## **Procedure**

If you believe a Councillor has breached the councillor Code of Conduct, then raise it with the Chair of the Council. Concerns relating to an alleged breach of the councillor Code of Conduct will be referred to the Monitoring Officer for investigation.

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 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 Clerk (or delegated officer) will take any necessary action, including reporting the matter to the Council, or any appropriate government department or regulatory agency. The Clerk (or delegated officer) 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 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 Chair of the Council. The Chair 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

You can find the full list in The Public Interest Disclosure (Prescribed Persons) Order 2014: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/496899/BIS-16-79-](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BIS-16-79-)

blowing-the-whistle-to-a-prescribed-person.pdf

### **Data protection**

When an individual makes a disclosure, we will process any personal data collected in accordance with the 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.