**Halewood Town Council**

**Whistleblowing Policy**

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| **SUBJECT: Whistleblowing Policy** |
| **APPLICABLE: All Town Council Employees, Volunteers and Contractors** |
| **APPROVED BY HALEWOOD TOWN COUNCIL :- November 2015** |

1. **Policy Statement and Scope**
   1. Halewood Town Council is committed to the highest possible standards of openness, probity and accountability. In accordance with that commitment we expect employees and others with whom we deal, who have serious concerns about any aspect of the Town Council’s work to come forward and voice those concerns.
   2. This policy makes it clear that employees/volunteers and contractors can do so without fear of victimisation, subsequent discrimination or disadvantage. The policy seeks to enable people to raise serious concerns within the Town Council rather than overlooking a concern or raising that concern outside of the Town Council.
   3. The Policy applies to all employees and volunteers and those contractors working for the Town Council on Town Council premises. It also covers suppliers and those providing services under a contract with the Town Council in their own premises.
   4. The Policy is in addition to the Town Council’s complaints policy and other relevant policies including those designed to combat fraud within the Town Council and also to complement other policies relating to irregularities or improper behaviour which occurs within the workplace.
2. **Policy Aims**
   1. This Policy aims to:

* allow employees to feel confident in raising serious concerns about issues relating to Town Council practices and policies
* provide avenues for people to raise those concerns and receive feedback on any action taken
* ensure that those who raise concerns receive a response to concerns raised and that employees are aware of how to pursue those concerns further if necessary
* reassure employees that they will be protected from possible reprisal or victimisation if they have a reasonable belief that they have made any such disclosure in good faith.
  1. There are existing policies in place to enable employees to lodge a grievance relating to their own employment. This policy is intended to cover major concerns that fall out the scope of the grievance policy including:
* conduct which breaches the Town Council’s standing orders and financial regulations



* conduct which is illegal
* disclosures relating to miscarriages of justice
* health and safety risks, include risks to the public as well as other employees



* damage to the environment
* sexual or physical abuse of clients, or other unethical conduct
  1. Thus, any serious concerns that employees have about any aspect of service provision or the conduct of employees or Members of the Town Council or others acting on behalf of the Town Council can be reported under this policy. This may be about something that:
* makes an employee feel uncomfortable in terms of generally acceptable standards, their own experience or the standards they believe the Town Council subscribes to,
* or is contrary to the Town Council’s Standing Orders, Financial Regulations and policies,
* or falls below accepted standards of practice, or amounts to improper conduct.



1. **Safeguards**
   1. The Town Council recognises that the decision to report a concern can be a difficult one to make. Thus the Town Council will support fully any employee who reports, in good faith, any concerns that he/she has.
   2. The Town Council will not tolerate any harassment or victimisation [including informal pressures] of employees who report concerns and will take appropriate action to protect employees who raise a concern in good faith.
   3. Any investigation into allegations made under this Policy will not influence or be affected by any Disciplinary or Redundancy Policy in relation to employees who raise concerns under this Policy.
2. **Confidentaility**
   1. All concerns will be dealt with in confidence and every effort will be made not to reveal the identity of an employee who raises a concern.
   2. If however a concern leads to disciplinary action against an employee who is accused of improper conduct, it may be necessary for any employee[s] who raised the concern to give evidence as a witness in disciplinary proceedings, or to provide information to an outside body for example and including, the Police.
3. **Anonymous Allegations**
   1. Concerns expressed anonymously may be considered at the discretion of the Town Manager. However employees are encouraged to put their name to any concerns raised to aid investigation of those concerns.
   2. In exercising discretion in relation to anonymous allegations the factors to be taken into account would include:

* the seriousness of the issues raised
* the credibility of the allegation; and
* the likelihood of confirming the allegation from attributable sources

1. **Untrue Allegations**
   1. If an employee makes an allegation in good faith, but it is not substantiated by the investigation, no action will be taken against that employee. If, however, an employee makes an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against that employee.
2. **Procedure for Raising Concerns**
   1. As a first step, employees should normally raise concerns in writing with the Town Manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is involved. If employees feel unable to raise concerns with the Town Manager, the concern should be addressed to the Leader of the Town Council.
   2. Employees raising concerns should, in their written report, outline the background and the nature of the concern [giving relevant dates] and the reason why he/she is particularly concerned about the situation.
   3. Although employees are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the Town Manager or Leader of the Town Council that there are reasonable grounds for concern.
   4. Employees may wish to considered discussing concerns with a colleague and may find it easier to raise the matter if there are two [or more] people who have had the same or similar experience or concerns.
   5. In summary therefore, concerns can be reported to the Town Manager or Leader of the Town Council who will deal with the complaint in accordance with section 8 below.
3. **How the Town Council will Respond**
   1. The Town Council/Leader of the Town Council will respond to all concerns raised except those anonymous allegations where discretion is exercised not to do so as outlined in paragraph 5.2 above.
   2. If a concern is raised, initial enquiries will be made by the person(s) receiving the complaint, 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. The overriding principle is to act in the public interest.
   3. Concerns or allegations which fall within the scope of specific policies e.g. disciplinary issues, the matter will be dealt with in accordance with the respective policy. If urgent action is required this will be taken before any investigation is conducted. If it is decided that an investigation is required, this may be undertaken using the Town Council’s existing policies and/or by involving the Police and/or Internal Audit.
   4. Within ten working days of a concern being raised, the employee will be contacted by the Town Manager/Leader of the Town Council:

* to acknowledge that the concern has been received



* to indicate how the Town Council proposes to deals with the matter supplying information on staff support mechanisms, and stating whether further investigation will take place and if not, why not.
  1. The level of contact between the person investigating the concern and the employee[s] who raised the initial concern will depend on the nature of the concern, the potential difficulties involved and the complexity of the information provided. If necessary, further information will be sought from the employee[s] who raised the initial concerns.
  2. Where any meeting is arranged, if he/she so wishes, the employee[s] who raised the initial concerns can be accompanied by a Trade Union representative or a friend.
  3. This Policy seeks to minimise any problems which may arise as a result of raising a concern. For instance, if required to give evidence in criminal or disciplinary proceedings, the employee will be given advice and guidance on the policy.
  4. The Town Council accepts that employees need to be assured that the matter has been properly addressed. Subject to legal constraints, any employees who raise initial concerns will be informed of the outcome of any investigation.

1. **Responsibility**
   1. The Town Manager on behalf of the Town Council, has overall responsibility for the maintenance and operation of this Policy, and will maintain a record of concerns raised and the outcome of any investigation.
2. **How the Matter Can be Taken Further**
   1. This Policy is intended to provide an avenue within the Town Council to raise concerns. If employees are dissatisfied and feel it is right to take the matter outside of the Town Council, they have the right to do so. This should normally be done after the conclusion of the Town Council’s investigation into the employee[s] concerns.
   2. This Policy, properly applied, should prevent the need for such action.
   3. If concerns are raised outside of the Town Council by employees, they must endeavour to protect the confidentiality of matters relating to the Town Council’s business and its employees.
   4. The Town Council accepts that there may be circumstances where employees can properly report matters to outside bodies e.g. The Police, The Health and Safety Executive etc. Provided that the employee has acted honestly and reasonably he/she will be protected from any Disciplinary Action arising from such disclosures. However, this Policy has been devised to minimise the need for employees to report matters to outside bodies or agencies. Employees must therefore be able to justify external disclosures.