

## Whistleblowing

The Council recognises that some individuals may not always feel comfortable about disclosing their concerns, especially if they believe that the Council itself is responsible for the wrongdoing. The aim of this policy is to ensure that any individual working for the Council can raise any matter with the Council that concerns them in the knowledge that it will be taken seriously, treated as confidential as far as possible and that no detrimental action will be taken against them where such concerns are raised based on a genuine belief.

This policy covers the disclosure of genuine concerns that employees may have about suspected malpractice within the Council and conforms to the guidance in the Public Interest Disclosure Act 1998 (PIDA).

The Council takes any malpractice seriously and any employee who makes a disclosure under this policy in good faith will not be subject to any detriment.

This policy applies to all employees. It also applies to secondees, external consultants, contractors and agency workers whilst working with the Council.

### Qualifying disclosure

A qualifying disclosure under PIDA is one which, in the reasonable belief of the employee making the disclosure, suggests that one or more of the below has been committed, is being committed or is likely to be committed:

- A criminal offence (including bribery & corruption)
- Failure to comply with any legal obligations
- A miscarriage of justice
- Endangerment of the health and safety of any person
- Environmental risk or damage
- Deliberate concealment of any of the above

Employees have the right not to be subjected to any detriment by the Council on the grounds that they have made a protected disclosure, i.e. under the Council's disclosure procedure, and provided the disclosure meets the requirements set out above and is made in good faith. The disclosure must also be in the "public interest"; i.e. it must affect others, for example the general public. The Council will ensure that the identity of the employee making the disclosure is kept confidential as far as possible. Employees are therefore encouraged to use the disclosure procedure if they are concerned about any suspected wrongdoing.

The Council will take all reasonable steps to ensure that employees do not engage in unfair treatment in any form towards the person who has made the disclosure. However, if the procedure has not been invoked in good faith (e.g. for malicious reasons or in pursuit of a personal grudge) then this will constitute misconduct and will be dealt with in accordance with the disciplinary procedure.

### Whistleblowing procedure

1. If the employee has a concern, they may first raise the matter informally and in confidence with their manager or a People Team representative. The information will be kept confidential wherever possible. Employees should be aware that the person they have raised the matter with may have to take action even if the employee asks for nothing to be done, particularly where illegal activity is suspected or the safety of individuals is at risk.
2. Should the employee wish to raise their concern formally, they should inform their manager. The manager will then raise the matter with a People Team representative. If the concern involves the employee's line manager or more senior manager or for any reason they would prefer them not to be told, they may raise the matter directly with a People Team representative.
3. The Council will conduct a full investigation into the allegation made.
4. It may be necessary to hold a meeting to discuss the issues with the employee. If this is deemed necessary, the person raising the malpractice concern may be accompanied at any fact-finding meeting by a fellow employee or trade union representative.

5. The person appointed to investigate the concern raised will communicate the findings of the investigation to:
  - a) The person raising the malpractice concern;
  - b) The individual under investigation; and, if appropriate
  - c) Those members of the Council's management or external authorities who need to consider whether action should be taken on the basis of the findings.