Whistleblowing Policy

1. Purpose

Witham St Hughs Parish Council is committed to honesty, openness and accountability. This policy explains how employees and workers can raise genuine concerns about suspected wrongdoing and how the Council will respond.

2. Scope

This policy applies to Council employees and other workers, including temporary, agency, casual and subcontracted workers. It may also guide councillors, volunteers, contractors or others raising serious concerns connected with the Council.

This policy does not replace the Council's grievance, complaints, disciplinary, safeguarding or health and safety procedures where those are more appropriate. Personal employment complaints will normally be handled under the grievance procedure unless they involve a wider public-interest issue.

3. What is whistleblowing?

Whistleblowing is reporting suspected wrongdoing or danger at work where the concern is in the public interest. The worker does not need proof but must reasonably believe the information tends to show wrongdoing and is disclosed in the public interest.

Examples of matters that may be raised under this policy include:

- criminal offences, including fraud, bribery or theft;
- failure to comply with a legal or statutory obligation;
- miscarriages of justice;
- danger to health and safety;
- damage or risk of damage to the environment;
- serious financial irregularity, maladministration or misuse of public funds;
- serious breach of Council policies or governance arrangements; and
- deliberate concealment of any of the above.

4. Protection for those raising concerns

The Public Interest Disclosure Act 1998 protects workers who make a qualifying disclosure in the right way. The Council will not tolerate victimisation, harassment, dismissal, disciplinary action or other detriment because someone has raised a genuine concern.

Anyone who believes they have suffered detriment for raising a concern should report this to the Parish Clerk, Chair of the Council or Chair of the Personnel Committee, as appropriate.

5. How to raise a concern internally

Concerns should normally be raised promptly with the Parish Clerk, verbally or in writing. The person raising the concern should explain the background, relevant dates, people involved, supporting information and why they believe the matter shows wrongdoing.

If the concern relates to the Parish Clerk, or if the person raising the concern does not feel able to raise it with the Clerk, the concern should be raised with the Chair of the Council or the Chair of the Personnel Committee. If the concern relates to the Chair, it should be raised with the Vice-Chair or another appropriate councillor.

6. Confidentiality and anonymous concerns

The Council will treat whistleblowing concerns sensitively and, as far as reasonably practicable, in confidence. Information will only be shared with those who need to know to assess, investigate or respond to the concern, or where disclosure is required by law.

The Council encourages individuals to identify themselves so the matter can be investigated and updates provided. Anonymous concerns will be considered but may be harder to investigate.

7. How the Council will respond

The Council will acknowledge the concern where contact details are available and decide how it should be handled. This may include initial enquiries, informal resolution, formal investigation, referral to an external body, or no further action if the concern cannot reasonably be investigated.

Depending on the issue, the investigation may be carried out by the Parish Clerk, Chair, Chair of the Personnel Committee, appointed councillors or an independent adviser. Anyone with a conflict of interest should not take part.

The Council will aim to provide updates where appropriate but may not be able to share full details where this would breach confidentiality, data protection requirements, legal obligations, or the rights of others.

8. External disclosures

The Council encourages internal reporting where possible. However, a worker may be protected if they disclose to an appropriate prescribed person or body, such as a relevant regulator, provided the legal requirements are met.

External bodies may include the Health and Safety Executive, the Council's external auditor, or another prescribed body. Independent confidential advice is available from Protect, the UK whistleblowing charity.

Individuals should seek independent advice if unsure whether an external disclosure is protected. Disclosures to the media will not usually be protected unless strict legal conditions are met.

9. False or malicious allegations

No action will be taken against a person who raises a genuine concern, even if it is not upheld, provided they had a reasonable belief and acted appropriately. Knowingly false, malicious or vexatious allegations may be dealt with under relevant Council procedures.

10. Record keeping and data protection

The Council will keep appropriate records of concerns, decisions, investigations and outcomes. Records will be handled in accordance with data protection requirements and retained only as long as necessary.

11. Review

This policy will be reviewed every two years, or earlier if there are changes in legislation, statutory guidance, Council structure or operational practice.

Adopted	**September 2020**
Reviewed	September 2024
Next review due	September 2026, or earlier if legislation, guidance, or Council arrangements change Policy updated – Review Sept 2028
Policy owner	Parish Clerk