

Swaffham Town Council

WHISTLEBLOWING POLICY

What Is Whistleblowing?

A “whistleblower” is someone who discovers something that is wrong and alerts his employer or the relevant authorities to what is going on.

The law protects whistleblowers from their employer subjecting them to detriment or dismissal by reason of their having “blown the whistle” and from detrimental treatment by their colleagues. To be protected by the law, the act of whistleblowing must fall within the legal rules and the whistleblower must reasonably believe that their disclosure of wrongdoing is made in the public interest.

Aim

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

If an employee uses this policy to raise a concern which they reasonably believe to be in the public interest, the Council assures the employee will not suffer any form of retribution or detrimental treatment.

Our Policy

The Council's business is run in accordance with the law.
No employee will suffer a detriment for speaking up if they believe that something is wrong.

Employees are asked to raise concerns immediately with the Town Clerk or any member of the **Personnel HR & Governance** Committee If they have information they believe shows any of the following:

- A criminal offence was committed, or is being, or is likely to be committed
- A person has, or is likely to fail to comply with a legal obligation
- A miscarriage of justice has occurred, or is likely to occur
- The health and safety of any individual has been, or is being or is likely to be endangered
- The environment has been, is being, or is likely to be damaged
- That information tending to show any matter falling within any one of the above categories has been, is being, or is likely to be deliberately concealed.

Employees are still protected in law if they disclose the information to the following:

- A legal adviser in the course of getting legal advice
- A Minister of the Crown
- One of the prescribed persons set out in the Public Interest Disclosure (Prescribed Persons) Order 1999 (e.g. disclosure of a danger to health and safety to the Health and Safety Executive; disclosure of fraud to the Secretary of State for Trade and Industry; disclosure of breach of tax rules to HM Revenue & Customs).

Disclosure to any other person is not generally protected except in very limited circumstances.

Once a concern has been raised, the Council will decide how to respond in a responsible and appropriate manner. This will usually involve making internal enquiries but it may become necessary to carry out a full investigation which may be formal or informal depending on the

nature of the concern raised. The Council will endeavour to complete investigations within a reasonable time.

The Council will keep the employee informed of progress and when the investigation is completed. The Council will not be able to inform the employee of any matters which would infringe any duty of confidentiality owed to others.

Any employee who criticises, bullies or victimises a fellow employee by reason of their whistleblowing will be managed through the Council's Disciplinary Policy – **EH Policy (D) 001 Disciplinary Policy & Procedure.**