



# Eton Town Council

## Whistle-blowing Policy and Procedure

### Definition of Whistle-blowing

Whistle-blowing is the formal raising of concerns that are in the public interest (referred to as public interest disclosures).

### Principles

All Councils face the risk of things going wrong or unknowingly harbouring malpractice. The Council believes it has a duty to identify such situations and take the appropriate measures to remedy the situation. Encouraging a culture of openness within the Council, it is hoped that such problems can be prevented.

Eton Town Council is committed to achieving high standards of integrity and accountability and expects the same commitment from employees and those working for it.

This policy should be used where there are concerns about the consequences for other employees or the public and does not apply to matters relating exclusively to your employment. It seeks to comply with the Public Interest Disclosure Act 1998 and the Enterprise and Regulatory Reform Act 2013. This policy provides a framework for employees, consultants or contractors, including temporary, subcontracted and agency workers, to raise concerns which they believe are in the public interest and may relate to illegal, improper or unethical conduct.

All staff have statutory protection if they raise appropriate concerns in the right way. This policy is designed to give employees that opportunity and protection providing they are acting in good faith. There is no question of employees having to prove anything about the allegation, but they must reasonably believe that the information they have implied falls under this policy.

Issues which fall under this policy include:

- Criminal offences
- Miscarriages of justice
- Failure to comply with legal obligations
- Actions which endanger the health or safety of any individual
- Actions which cause damage to the environment
- Breaches of any legal and / or statutory obligations
- Deliberately concealing any of the above

## **Procedure**

- The Council will treat concerns seriously and act according to this policy. Whistle-blowers will not be asked to substantiate the allegation they raise, but they must reasonably believe that the information they have tends to show some malpractice. If an Employee asks for a matter to be treated in confidence, the Council will respect that request wherever possible.
- Employees should raise their issues with the Clerk, Mayor or Deputy Mayor verbally or in writing if they prefer.
- If they feel that they cannot deal with the Clerk, Mayor or Deputy Mayor, for whatever reason, they should address their concerns to another Councillor.

## **How the Council will respond**

Once a concern has been raised, the Clerk, Mayor, Deputy Mayor or Councillor concerned will decide how to respond in a responsible and appropriate way under this policy. Usually this will begin with internal enquiries but may progress to either a formal or informal investigation, depending upon the nature of the concern. The Council will endeavour to complete the investigation within a reasonable time scale. If an investigation is required this may be conducted by a team of two or more councillors selected by the Full Council, depending upon the nature of the concern.

The investigation will clarify what is alleged by the employee and will:

- assess what action should be taken;
- record the employee's concern;
- depending on the nature of the concern, refer the matter to an auditor, the police, monitoring officer or another independent body;
- keep the employee informed of the progress of the investigation;
- at the conclusion of the investigation, advise the employee that the matter has been dealt with, and the outcome recorded in a confidential whistleblowing investigation log kept by the Clerk for that purpose. This will be in a form which does not breach employee confidentiality. However, the Council will not be obliged to reveal information which would infringe the confidentiality of others, the Data Protection Act or any other statutory obligation.

There will be circumstances where it is not possible to maintain the anonymity of the whistle-blower, for example where the whistle-blower is an essential witness, and the Council will be unable to investigate a situation further without revealing the whistle-blower's identity. Should such a situation arise, this will be discussed directly with the whistle-blower.

## **Raising your concerns externally**

- The purpose of this policy and procedure is to give employees the opportunity and protection they need to raise concerns internally. The Council would expect that in almost all cases, raising concerns internally would be the most appropriate action to take.
- However, if for whatever reason employees feel that they cannot raise their concerns internally and reasonably believe that the information and allegations are substantially true, they can consider raising the matter with the appropriate regulator, such as the Monitoring Officer, Association of Local Councils or the Police.

- Public Concern at Work is an independent charity whose main objective is to promote compliance with the law and good practice in the public, private and voluntary sectors. They can be contacted at [www.pcaaw.co.uk](http://www.pcaaw.co.uk)
- If you have any questions regarding this policy and procedure, please feel free to discuss the matter with either the Clerk or the Chairman of the Council.