**UPPINGHAM TOWN COUNCIL DRAFT**

**WHISTLEBLOWING POLICY**

**Introduction**

1 Uppingham Town Council is committed to the highest standards of transparency, probity, integrity and accountability. This Whistleblowing Policy sets out the Council’s framework for dealing with allegations of illegal or improper conduct.

2 This procedure is intended to provide a means of making serious allegations about standards, conduct, financial irregularity or possible unlawful action in a way that will ensure confidentiality, and protect those making such allegations in the reasonable belief that it is in the public interest to do so from being victimised, discriminated against or disadvantaged.

3 This procedure is intended to ensure that the Town Council complies with its duty under the Public Interest Disclosure Act 1998.

**Scope**

4 This procedure applies to all employees, including volunteers and contractors. It applies to, but is not limited to, allegations about any of the following:

* Fraud or corruption
* Unauthorised use of public funds
* Abuse of authority
* Sexual, physical or verbal abuse, or bullying or intimidation
* Serious Health & Safety shortcomings
* Conduct which is an offence or breach of the law
* Other unethical conduct

5 The Council recognises that the decision to make an allegation can be a difficult one. However, whistleblowers who make serious allegations in the reasonable belief that it is in the public interest to do so have nothing to fear, because they are doing their duty to the Council and to those for whom they are providing a service. The Council will take appropriate action to protect from any reprisals, harassment or victimisation any whistle-blower who makes a serious allegation in the reasonable belief that it is in the public interest to do so

6 All allegations will be treated in confidence, and every effort will be made, unless the whistle-blower otherwise requests, not to reveal the whistle-blower’s identity - other than, if necessary, to a person involved in the investigation. However, if the matter is subsequently dealt with through other procedures such as the Disciplinary Procedure, it may be helpful if the person making the allegation gives evidence, in order for a case to be successful. Similarly, if the allegation results in court proceedings, the whistle-blower may be asked to give evidence in open court.

**Anonymous allegations**

7 The council encourages whistle-blowers to put their name to an allegation wherever possible, as anonymous allegations may be difficult to substantiate or prove. Allegations made anonymously are often less powerful, but acceptance of anonymous allegations for investigation will be considered, taking into account these factors:

* The seriousness of the issue
* The credibility of the allegation
* Whether the allegation can realistically be investigated from factors or sources other than the complainant

**Untrue allegations**

8 No disciplinary or other action will be taken against a whistleblower who makes an allegation in the reasonable belief that it is in the public interest to do so even if the allegation is not substantiated by an investigation. However, disciplinary action may be taken against a whistleblower who makes an allegation without reasonable belief that it is in the public interest to do so (e.g. making an allegation frivolously, maliciously or for personal gain where there is no element of public interest).

**Procedure for making an allegation**

9 The circumstances of each case vary, depending on the seriousness and sensitivity of the issues involved and the person suspected of malpractice; the allegation may thus be made to any appropriate person in authority. If the whistle-blower believes that their manager is involved, it would be inappropriate to raise it directly with them. Ideally, the Council would prefer any allegation to be made to the Clerk (except, if the matter concerns the Clerk, when it should ideally be made to the Chair of the staffing committee).

10 Whether a written or oral report is made, it is important that relevant information is provided including:

* the name of the person making the allegation and their preferred means of communication for this issue.
* the background and history of the allegation (giving relevant dates, and names and positions of those who may be in a position to help corroborate the allegation)
* the specific reason for the allegation. Although someone making an allegation will not be expected to prove the truth of the allegation, they need to provide enough information so as to establish that there are reasonable grounds for the allegation.

11 The recipient of an allegation will ensure that it is referred appropriately for investigation. If the allegation relates to fraud, potential fraud or other financial irregularity, the Responsible Financial Officer will be informed as soon as possible, unless the matter relates to their alleged malpractice, and he/she will then determine the method of investigation.

12 If the allegation discloses evidence of a criminal offence, a decision will be made as to whether to inform the Police. If the allegation concerns a suspected safeguarding matter, the appropriate authorities will be informed immediately.

13 Unless the allegation has been made anonymously, a written acknowledgement of the allegation having been made will be provided confidentially to the person reporting it, within 5 working days, including

* an outline indication of how the Council proposes to deal with the matter
* an estimate of how long this may take, and
* information on available whistle-blower support mechanisms.

14 Someone who has made an allegation may be accompanied by another person of their choosing during any meetings or interviews in connection with the allegation. However, if the matter is subsequently dealt with through another procedure, the right to be accompanied will then be in accordance with that procedure.

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**Support**

15 The Council will ensure that it takes suitable steps to minimise any difficulties which may be experienced by an employee as a result of making an allegation, including if a whistle-blower is required to give evidence in disciplinary or criminal proceedings.

16 The Council acknowledges that whistleblowers need to be assured that the matter has been properly addressed. So, subject to legal constraints, the Council will inform those making allegations of the outcome of any investigation.

This Policy was approved by Uppingham Town Council at its meeting on xxxx.