



RAUNDS TOWN COUNCIL

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CONFIDENTIAL REPORTING POLICY

1.0 Introduction

1.1 The Council has adopted this policy document – which may also be known as the “Whistleblowing Policy” - in order to clarify its commitment to a confidential reporting code. This policy document will form part of employees’ contracts of employment.

1.2 Employees can be the first to realise that there may be something seriously wrong within an organisation. However our employees may not feel able to express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

1.3 The Council is committed to the highest possible standards of conduct and wishes to ensure openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the Council's work to come forward and voice those concerns without fear of reprisals. This policy makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. It is recognised that most cases will have to proceed on a confidential basis.

1.4 This code is intended to encourage and enable employees to raise serious concerns within the Council rather than overlooking a problem or seeking to address their concern externally.

1.5 This Policy applies to all employees and to employees of contractors working for the Council on Council premises, for example, Turney Landscapes, Cory Environmental Management, consultants and private contractors.

1.6 There are already established procedures in place to enable you to lodge a grievance or raise concerns relating to your own employment or our employment policies and this code is not intended to cover these issues.

2.0 Aims and Scope of the Policy

2.1 This Policy aims to:

- Encourage you to feel confident in raising serious concerns and to question and act on concerns about practice;
- Reassure you that any matter that you report will be taken seriously and treated as confidential as far as practicable;
- Provide avenues for you to raise those concerns and receive feedback on any action taken;
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if not satisfied;
- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

2.2 The Confidential Reporting Policy is intended to cover major concerns that fall outside the scope of other procedures. Your concern may be about:

- Conduct which is an offence or a breach of law;
- Inappropriate conduct of councillors;
- Disclosure relating to miscarriages of justice;
- Health and safety risks, including risks to the public as well as other employees;
- Damage to the environment;
- The unauthorised use of public funds;
- Possible fraud and corruption;
- Sexual or physical abuse of clients or colleagues;
- Bullying, intimidation or other unethical conduct.

2.3 Employees and Members of the Council are bound by published codes of conduct and any serious concerns that you have about any aspect of service provision or the conduct of officers, members of the Council or others acting on behalf of the Council can be reported under this Confidential Reporting Policy. This may be something that:

- Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Council subscribes to; or
- Is against the Council's Standing Orders and policies; or
- Falls below established standards of practice; or
- Amounts to improper conduct.

3.0 Safeguards Against Harassment or Victimisation

3.1 The Council is committed to good practice and high standards and wants to be supportive of employees.

3.2 The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and our service users, taxpayers and citizens.

3.3 The Council will not tolerate any harassment or victimisation (including informal pressures) and will do what it lawfully can to protect you when you raise a concern in good faith. Victimising employees or others or deterring them from raising a concern is a disciplinary offence.

3.4 This does not mean that if you are already the subject of disciplinary or redundancy procedures that those procedures will be halted as a result of your whistleblowing.

4.0 Confidentiality

4.1 The Council will do its best to ensure that your concerns are treated in confidence and appropriate arrangements will be made to safeguard your identity. Depending on the nature or severity of the allegation it may be necessary for a statement to be taken from you as part of the evidence, for example if the external auditors or the Police become involved. In order to take effective action, the Council will need proper evidence which may be required to stand up to examination in Courts or Tribunals.

5.0 Anonymous Allegations

5.1 This Policy encourages you to put your name to your allegation whenever possible.

5.2 The Council encourages you to put your name to your allegation. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the person to whom they are made.

5.3 In exercising this discretion, the factors to be taken into account would include:

- The seriousness of the issues raised;
- The credibility of the concern, and
- The likelihood of confirming the allegation from attributable sources.

6.0 Untrue Allegations

6.1 If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, to cause trouble or annoyance or without good reason an investigation will take place to determine whether disciplinary action is taken against you.

7.0 Legal Protection

7.1 This code takes account of the Public Interest Disclosure Act 1998, which protects workers making disclosures about certain matters of concern, where those disclosures are made in accordance with the Act's provisions. The Act is incorporated into the Employment Rights Act 1996, which already protects employees who take action over, or raise concerns about, health and safety at work.

8.0 How to Raise a Concern

8.0 The earlier you express the concern, the easier it is to take action.

8.1 As a first step you should raise concerns with the Clerk of the Council, or if you feel that you would prefer to talk to another person you should contact the Mayor.

8.2 Concerns are better in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reasons why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can report it verbally by telephone and meeting with the appropriate person.

8.3 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

8.4 You may obtain advice or guidance on how to pursue matters of concern from the Clerk to the Council or the Town Mayor.

8.5 You may invite a colleague, friend or professional representative to be present during any meetings or interviews in connection with the concerns you have raised.

9. How the Council will respond

9.1 The Council will respond to your concerns. Please remember that investigating your concerns is not the same as either accepting or rejecting the validity of the allegation.

9.2 Where appropriate, the matters raised may:

- Be investigated by management, internal audit or through the disciplinary process;
- Be referred to the police;
- Be referred to the external auditor;
- For the subject of an independent inquiry;
- In certain circumstances, necessitate a report on the outcome of the investigation to be made to the Council.

9.3 In order to protect individuals, the Council and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the Council will follow, is to establish the facts and to protect employees and the public interest. Concerns or allegations, which fall within the scope of specific procedures (for example, discrimination issues), will normally be referred for consideration under those procedures.

9.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

9.5 Within five working days of a concern being raised, the person you contacted with your concerns will write to you:

- Acknowledging that the concern has been received;
- Indicating how he/she proposes to deal with the matter;
- He/she will endeavour to keep you informed as matters progress.

9.6 The amount of contact between you and the person(s) considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary you will be asked to provide further information.

9.7 When any meeting is arranged, off-site if you so wish, you can be accompanied by a colleague, friend or professional representative.

9.8 The Council will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Council will advise you of the procedure. The Council cannot provide legal representation for you. Where appropriate, counselling may be provided by the Council.

9.9 The Council accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

10.0 The Responsible Officer

10.1 The Clerk to the Council has overall responsibility for the maintenance and operation of this Policy and maintains a record of concerns raised and records the outcomes but in a form which does not endanger your confidentiality.

11.0 How the Matter can be taken further

11.1 This Policy is intended to provide you with an avenue within the Council to raise concerns. The Council hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the Council, the following are possible contact points:

- The Monitoring Officer, East Northamptonshire Council, Thrapston;
- Your trade union;
- Relevant professional bodies or regulatory organisations;
- The police.

11.2 If you do decide to take the matter outside the Council you should ensure that you do not disclose confidential information and should check with the Clerk to the Council about this aspect.

Adopted 1st October 2009.
Reaffirmed June 2017.
To be reviewed tri-annually.