

# Whistleblowing Policy

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## Authorisation:

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## Introduction and Aims of this Policy

All of us at one time or another have concerns about what is happening at work. Usually, these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice, fraud, theft, corruption, sexual harassment or serious failures of standards at work that put people or property at risk (this is not intended to be an exhaustive list), it can be difficult to know what to do

You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to your colleagues, managers or to the Council. You may even feel that your job will be at risk if you do raise a concern. You may decide to say something but find that you have spoken to wrong person or raised the issue in the wrong way and are not sure what to do next.

Teignbridge District Council has developed this policy to enable you to raise your concerns about malpractice at an early stage and in the right way. It upholds the provisions of the the Employment Rights Act and it supports the [Council's Anti - Fraud and Corruption Policy](#).

By promoting a culture of openness within the Council, we want to encourage individuals to feel confident and come forward to make disclosures regarding serious allegations of wrongdoing. This may involve the actions of the Council's employees, workers, its

Councillors, contractors, or any aspect of the Council's activities. Most importantly, disclosures can be made without fear of victimisation, detriment or risk to job security.

## Scope

The Whistleblowing Policy applies to all employees, workers, and councillors of Teignbridge District Council.

Whilst this policy also extends to consultants, agency staff, contractors, sub-contractors and staff of partner organisations who are engaged in work for the Council, workers who are not direct employees of Teignbridge may not receive the same protection under the Public Interest Disclosure Act.

Although the Council will endeavour to provide appropriate advice and support wherever possible in this eventuality, it is recommended that advice is sought from a trade union representative or from Protect (formerly Public Concern at Work) an independent charity set up to provide advice and guidance about whistleblowing issues. Contact details for Protect are given below.

If you are an employee and your concern relates to your own treatment as an employee, (for example pay disputes), then please use the Council's employment Grievance Procedure. A copy can be obtained from your manager or from HR.

If a customer has concerns about services provided, it should be raised as a [complaint to the Council](#).

## Confidentiality

The Council will do its utmost, subject to any over-riding legal obligations, to protect an individual's identity when they raise a concern and do not want their name to be disclosed. It must be realised and appreciated, however, that the investigation process itself may well reveal the source of the information, and, depending on the outcome, a formal statement by the individual may be required as part of the evidence.

If you ask us to protect your identity, your details will not be disclosed without your consent. If the situation arises where the matter cannot be resolved without revealing your identity (for instance because your evidence is needed in court), the person investigating the matter will discuss with you how to proceed.

## Anonymous allegations

This policy is designed to encourage staff to put their names to allegations. If you do not tell us who you are, it may be more difficult for us to look into the matter, to protect your position, or to give you feedback. Concerns which are reported anonymously are much less

powerful, but if they contain sufficient detail they will be considered at the discretion of the Council. The factors to be considered would include:

1. The seriousness of the issue raised;
2. The credibility of the concern; and
3. The likelihood of confirming the allegation from attributable sources.

### **Malicious / untrue allegations**

If an employee makes an allegation, reasonably believing it to be true, but it is not confirmed by the investigation, no action will be taken against them. If, however, individuals make malicious or vexatious allegations, disciplinary action may be considered and implemented.

### **What to expect when you raise a concern**

Once you have expressed your concern, the matter will be looked into to assess what action should be taken initially. This may involve an internal inquiry or a more formal investigation. In the interim, the issue you raise will be acknowledged normally within 5 working days. You will be told:

- who is handling the matter
- how you can contact them
- whether your further assistance may be needed.

When you raise your concerns, you may be asked how you think the matter might best be resolved. If you do have any personal interest in the matter, please say so at the outset. You will be advised if your concern falls more properly within the Grievance Procedure.

The person handling the matter will then write to you, normally within 10 working days, summarising your concerns and setting out what is likely to happen next. Once the investigation is completed, you will be advised of the outcome in writing. Please note that it may not be possible to tell you the precise action taken where this would infringe a duty of confidence owed to someone else.

The earlier you express a concern, the easier it is to take action. Concerns may be expressed in writing, by email, or verbally, either by telephone or face to face by meeting the appropriate officer.

Once an investigation has been concluded there are a number of potential outcomes:

- no case to answer – case closed
- informal disciplinary action (if of a minor nature)
- formal disciplinary action (eg: dismissal)
- referral to Police and / or other body

## **Victimisation**

Please be assured you have explicit assurance that a whistleblower raising a concern will not be at risk of losing their job or suffering any form of reprisal as a result. Examples of victimisations include bullying, demotion, intimidation, and any attempt to identify a whistleblower.

The Council takes a zero-tolerance approach to victimisation of whistleblowers and will treat victimisation as a disciplinary matter.

Any incidence of victimisation should be reported to the contacts shown below.

## **How to raise a concern, advice and support**

Please raise it with your manager first. This may be done verbally or in writing / by email.

If for whatever reason, you feel unable to raise the matter with your manager, please raise your concerns with one of the following:

- **The Monitoring Officer** (responsible for legality and governance) – [monitoringofficer@teignbridge.gov.uk](mailto:monitoringofficer@teignbridge.gov.uk)
- **The Internal Audit Manager** (provides assurance on risk, governance and counter-fraud, may undertake investigations into alleged fraud) – [audit@teignbridge.gov.uk](mailto:audit@teignbridge.gov.uk)
- **The Managing Director**
- **Any Head of Service**
- **Any District Councillor**

There are also external agencies which can be contacted if there is reason not to raise the matter internally. You can contact one of the following:

- The Council's External Auditors - Grant Thornton – [www.grantthornton.co.uk](http://www.grantthornton.co.uk)
- The Police (Contact the Local Crime Desk)
- [P r o t e c t](#) (formerly Public Concern at Work)  
This is a charity, which provides confidential and free advice to anyone who believes there is serious wrongdoing in the workplace.
- External bodies may also be helpful such as the Environment Agency or the Health and Safety Executive.

## Review

The policy will be reviewed by the Audit Manager and HR and OD Manager, as and when a change to legislation, working practices, or guidance from specialist sources dictate.