



## **LISS PARISH COUNCIL**

### **Whistleblowing Policy**

#### **1 SCOPE**

- 1.1 This policy applies to a Liss Parish Council (“LPC”) employees, councillors or committee members encourages its casual workers and other individuals performing functions for LPC, such as Contractors, to use this procedure.
- 1.2 LPC is committed to operating with honesty and integrity. LPC expects employees, councillors or committee members to operate on this basis and to adhere to LPC’s policies, procedures and code of conduct. Fraud, misconduct or wrongdoing will not be tolerated.
- 1.3 LPC wants to build an environment of trust and openness so that individuals are prepared to be a whistleblower knowing that their concern will be treated confidentially and investigated properly.

#### **2 WHAT IS WHISTLEBLOWING?**

- 2.1 Whistleblowing is when a LPC employee or councillor to report suspected wrongdoing. For example:
  - 2.1.1. a criminal offence; and/or
  - 2.1.2. a miscarriage of justice; and/or
  - 2.1.3. damage to the environment; and/or
  - 2.1.4. breach of a legal obligations; and/or
  - 2.1.5. a danger to health and safety; and/or
  - 2.1.6. a deliberate concealment of any of the above.
- 2.2 Someone who has a reasonable belief that a wrongdoing has or may be committed and raises a genuine concern relating to any of the above is a whistleblower and is protected under this policy.

#### **3 OTHER POLICIES**

- 3.1 LPC has a number of policies which may be a better mechanism for raising concerns dependant on the nature of the concern. Before raising a concern under this policy, reference should be made to the following:-
  - 3.1.1. Code of Conduct
  - 3.1.2. Complaints Handling Procedure
  - 3.1.3. Dignity at Work, Bullying and Harassment Policy
  - 3.1.4. Disciplinary Policy
  - 3.1.5. Grievance Policy
- 3.2 If the concern relates to fraud or corruption, consideration should be given to LPC’s Anti-Fraud and Corruption policy.

#### **4 RESPONSIBILITIES OF LPC EMPLOYEES, COUNCILLORS OR COMMITTEE MEMBERS**

- 4.1 As part of an effective system of internal control, LPC is required to have procedures in place for LPC employees, councillors or committee members to be able to report, in total confidence, any evidence or suspicions of wrongdoing by others within their workplace.
- 4.2 Hopefully you will never have the need to use these instructions. However if a situation does arise which causes you worry or concern, the procedures outlined below are designed to enable you to report to the right person who will know what to do next.

## **5 WHAT TO DO AND WHAT NOT TO DO**

- 5.1 First of all, **don't** worry.
- 5.2 Instead, you should act in accordance with the instructions set out in this policy, which are designed to ensure that further impartial checks are carried out before any appropriate action is taken. These procedures should also give you the reassurance that all reported incidents will be properly and fully investigated. Whether this proves to be groundless or not, provided that you have acted in good faith and in the best interests of LPC when reporting your suspicions, there will be absolutely no adverse consequences for you.
- 5.3 Please note that you are **not** expected to know the precise nature of any wrongdoing, nor its extent. In particular, you are **not** authorised to carry out any investigation work on your own account to obtain evidence or confirm your suspicions.
- 5.4 **In no circumstances should you confront anyone whom you suspect of any wrongdoing.**
- 5.5 These arrangements are an important and integral part of LPC's control systems. LPC employees, councillors or committee members are directed to LPC policies, as part of their induction process, and are expected to understand and comply with it.

## **6 WHO YOU SHOULD CONTACT**

- 6.1 LPC employees, councillors or committee members should address their suspicions to the Clerk, who has responsibility for internal control.
- 6.2 Contact may be made either by telephone or in writing to the Council offices with the envelope marked "Private and Confidential - to be opened by addressee only".
- 6.3 In the Clerk's absence the Assistant Clerk will handle the matter.
- 6.4 In exceptional circumstances (or if your suspicions involve the Clerk) you should contact the Chair of the Council. Depending on the nature of the suspicion, they will either take up the matter with the Clerk or contact the Council's Internal Auditors.

## **7 WHAT HAPPENS NEXT**

- 7.1 Once you have reported your suspicions, you should await acknowledgement. You should **not** discuss your suspicions with anyone in the meantime. You will always receive a written acknowledgment within 2 weeks.
- 7.2 You may be requested to attend an interview, and this will be arranged in absolute privacy.
- 7.3 Keep a copy of any report or item submitted. If you have not had any response from the Clerk within two weeks you should contact the Chair of the Council.
- 7.4 You should also contact the Chair of the Council if you are not satisfied in any way with the initial response you have been given, for example if you are asked to do anything in connection with your suspicions, which you consider improper, or beyond the scope of your normal duties.
- 7.5 Remember: you are **not** expected to form any judgment about your findings. The responsibility of every employee is primarily to notify one (or more if you wish) of the contacts named above, who will know what further procedures will need to be taken.

## **8 THE LEGAL POSITION**

- 8.1 The Public Interest Disclosure Act 1998 gives statutory protection to any employee who, with "reasonable belief", discloses information suggesting that a criminal offence has been committed or that there has been a failure to comply with any legal obligation, or that such facts are being deliberately concealed. The disclosure must be made to the employer's representatives, as directed in this memorandum unless there are exceptional circumstances for not doing so. Further guidance may be obtained in confidence from Smaller Authorities Audit Appointments:  
Telephone: 020 7543 5817

Address: SAAA Ltd., 77 Mansell Street, London E1 8AN

Email: [admin@saaa.co.uk](mailto:admin@saaa.co.uk)

Website: <https://saaa.co.uk/>

- 8.2 LPC is committed to transparency and honesty. If an employee's employment is brought to an end through a settlement agreement between the employee and LPC, LPC will not seek to use such settlement agreement to prevent the employee raising a whistleblowing issue with the relevant authority following the ending of their employment with LPC.

## **9 MALICIOUS ALLEGATIONS**

- 9.1 LPC is committed to the highest standard of openness and expects employees, councillors or committee members to come forward and voice concerns where applicable.
- 9.2 However, LPC will not tolerate deliberately misleading, malicious or substantially untrue allegations made by employees, councillors or committee members under the guidance of this policy.
- 9.3 Employees and councillors found to have made a deliberately misleading, malicious or substantially untrue allegation will be subject to either the Councillor Code of Conduct or LPC's Disciplinary Policy for employees.

## **10 REVIEW**

- 10.1 This policy will be reviewed three years from the date of adoption by LPC.

Adopted by LPC on 12<sup>th</sup> October 2022.

To be reviewed in 2025.