

PARISH COUNCIL



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Whistleblowing Policy

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1. Introduction

Chigwell Parish Council's Policy outlines what you should do if you suspect something at work is putting you or others in danger or is illegal or unethical. This Policy should be read in conjunction with Chigwell Parish Council's Anti Bribery and Corruption Policy

Chigwell Parish Council's Policy applies to officers (all staff), Councillors, consultants, self-employed contractors, casual workers, agency workers, volunteers and interns.

This Policy does not form part of your contract with us. We reserve the right to amend or remove this Policy.

2. What is Whistleblowing?

Whistleblowing is the name given to the reporting of certain types of wrongdoing by people who work for us. This will usually, although not always, be something you have seen or noticed at work. We aim to maintain high standards of integrity in everything we do. However, all organisations can occasionally be affected by conduct that is dangerous, against the law or that breaches ethical or professional codes. We will take your concerns seriously; they will be thoroughly investigated and you can be confident there will be no reprisals.

The types of concerns you may want to 'blow the whistle' about include any activity which you suspect:

- Is criminal
- Shows a failure to comply with any legal, professional or regulatory obligation
- Poses a danger to health and safety
- May damage the environment
- May breach of our Anti Corruption and Bribery Policy
- May facilitate tax evasion
- Is mismanagement, misuse or misappropriation of public funds
- Is malfeasance in a public office
- Shows financial fraud or mismanagement or the deliberate concealment of any of the above matters

Genuine concerns raised in relation to any of the above are likely to amount to whistleblowing. If you are not sure whether something you wish to raise is covered by this Policy, then speak to your line manager, the Clerk or HR who will be able to provide guidance.

If you have a complaint or issue which does not fall into the categories listed above or relates to a personal matter, then these should generally be raised using our Grievance Policy. If your complaint relates to the conduct of others towards you, then you should also refer to our Bullying & Harassment Policy.

4. How to raise a whistleblowing concern

You should usually raise a whistleblowing concern with your line manager or the Clerk. This can be done informally and does not need to be done in writing. They can provide advice regarding appropriate next steps. If the matter involves the Clerk or if the concern you wish to raise is very serious, then you should proceed immediately to the more formal process set out below.

If the matter is not or cannot be resolved informally, you should put your concern in writing and send it to the Clerk or the Chair of the Council. This can be done either by letter or by email. You should state that you are raising a concern under the Whistleblowing Policy. Include as much information in your correspondence as possible, including facts, events, dates, times and the people involved.

We will hold a meeting with you to discuss the issues you have raised. You are entitled to be accompanied at this meeting, and any other meetings held under this Policy, by a work colleague or trade union representative. You (and your companion, if appropriate) may be asked to keep the matter confidential whilst an investigation takes place.

If the matter relates to the actions of a Councillor your should report it in writing to Monitoring Officer who will investigate. The Council cannot investigate or act on alleged breaches of the Code of Conduct by Councillors.

We will investigate your concerns in full. We will keep you informed of our progress insofar as we can, but there may be elements which we decide should remain confidential.

We will confirm the outcome of our investigation to you insofar as we can. If you are dissatisfied with the process in any way, then you can raise this with the Clerk or the Chair of the Council.

5. Confidentiality

We discourage you from making anonymous disclosures as they are very difficult for us to investigate. We can't properly establish whether allegations are credible without being able to ask you for more details or clarification, and this makes it hard to reach an informed decision.

We will protect anyone who blows the whistle in good faith, even if we do not agree that the allegations they raise are correct. You should feel able to openly raise issues with us under this Policy. However, we understand that the subject matter covered by whistleblowing can be sensitive. If you are concerned about possible reprisals, whether from colleagues or others, you should tell HR who will be able to provide you with appropriate support and reassurance.

The sensitive nature of whistleblowing investigations means that, aside from those involved in the whistleblowing process set out above, we will try to keep your personal involvement confidential.

There may be circumstances where we cannot do this, and in those circumstances, we will discuss the matter with you to explain our position.

6. External disclosures

This Policy outlines the process for raising, investigating and resolving wrongdoing in the workplace. It is often necessary for someone outside the organisation to become involved when a whistleblowing allegation about a public body such as the Council is made.

You may decide to go to an external body - the Monitoring Officer in the event a Councillor is involved, the internal or external auditor or the Local Authority Corporate fraud Dept for example. That might be the case if you believe, for example, that someone senior is involved in a cover-up but if possible it may be better to raise the matter internally first. The independent charity Protect (see contact details below) can direct you towards the appropriate regulator or third party for the type of issue you want to raise.

This Policy covers the actions of third parties such as suppliers and service providers, as well as those of our staff and Councillors. Should you have concerns about a third party, you are encouraged to raise them with us before approaching anyone else. Your line manager will be able to explain how you should proceed.

Telling the media about a concern, particularly before or during an internal investigation, is almost never justified or appropriate in any situation. We strongly discourage you from doing so, and we will treat any such contact with the press as a serious disciplinary issue justifying dismissal unless exceptional circumstances exist. We would normally expect you to have taken all reasonable steps to deal with the matter internally or with an external regulator and to have taken full advice from a lawyer or from Protect (see contact details below) before being justified in approaching the press.

7. Protection for whistleblowers

If you raise genuine concerns under this Policy, even if you turn out to be mistaken, we will support you and you will not face any action as a result.

We will not dismiss you, or treat you less well, because you've blown the whistle in accordance with this Policy.

You must not treat others badly if they have raised concerns under this Policy, nor must you threaten them in any way. If you do, you may face disciplinary action which could include dismissal for gross misconduct. The whistleblower may also be able to bring legal action against you.

If you believe that you have been treated badly in any way after having raised a whistleblowing concern with us, then you should raise this matter with your line manager and/or raise a grievance under our Grievance Policy.

8. Abuse of this policy

All whistleblowers must act in good faith. If we believe that you have raised issues under this Policy - which you knew were untrue - in bad faith or maliciously, then we will deal with this as a disciplinary matter under our Disciplinary Policy. You may be subject to sanctions up to and including dismissal for gross misconduct.

9. Useful links

You can get further advice on whistleblowing, confidentiality, and protection from reprisals at <u>https://protect-advice.org.uk/</u>. Protect is an independent charity that also offers an advice line (<u>020</u> <u>3117 2520</u>).

10. Review and updates

This Policy delegates authority to officers and the HR consultant to oversee and manage the this process. It is the responsibility of Chigwell Parish Council's HR department to ensure that this Policy is reviewed and updated at least annually or when there is a significant change in either the regulatory environment or internal processes. Such updates should be made in a timely manner and wherever practical introduced at the same time as the new process or regulation is effective. It is the responsibility of the Clerk to ensure this processes is formally adopted by the Council on an annual basis.

11. About this document

The information contained in this document is strictly confidential and is intended for Chigwell Parish Council employees only. The unauthorised use, disclosure, copying, alteration, or distribution of this document is strictly prohibited.