



Whistleblowing Policy

Full Council Approved: February 2018
Last Reviewed: November 2025
Due for Review: November 2028

Policy Elements (Principles and Scope)

1. Policy Statement

Fleet Town Council is committed to the highest standards of openness, accountability, and integrity. The Council takes malpractice seriously and encourages all workers to report genuine concerns in the public interest. This policy provides a framework for raising and investigating whistleblowing concerns.

2. Scope

This policy applies to all workers, including:

- Employees
- Temporary staff
- Agency staff
- Councillors
- Contractors and suppliers of services

Volunteers, contractors, and suppliers may make disclosures under this policy, but are not considered workers under employment legislation and therefore do not have statutory protection.

3. Key Definitions

- **Whistleblowing:** Raising a concern in the public interest about danger, illegality, or malpractice affecting others, such as members of the public.
- **Protected Disclosure:** A disclosure that meets the following criteria:
 1. It is in the public interest (affects others).
 2. The worker reasonably believes it tends to show past, present, or likely future wrongdoing in one of the following categories:
 - Criminal offences (including fraud)
 - Failure to comply with a legal obligation

- Miscarriages of justice
- Endangering health and safety
- Environmental damage
- Covering up wrongdoing in the above categories

Where both criteria are met, workers are protected from detrimental treatment under the Public Interest Disclosure Act 1998 (PIDA), incorporated into the Employment Rights Act 1996 and amended by the Enterprise and Regulatory Reform Act 2013.

4. Policy Outcomes

This policy aims to:

- Provide a safe mechanism for raising genuine concerns
- Ensure concerns are investigated promptly, thoroughly, and effectively
- Enable appropriate sharing of critical information
- Protect workers who raise concerns from victimisation
- Ensure proportional and serious consideration of concerns
- Comply with legal obligations
- Maintain trust, confidence, and a culture of openness
- Protect the Council's reputation
- Encourage internal reporting and minimise unnecessary external disclosures

5. Legal Context

- **Public Interest Disclosure Act 1998 (PIDA):** Protects workers from detriment for making a protected disclosure.
- **Data Protection Act 2018 / UK GDPR:** Governs processing and retention of personal data related to whistleblowing investigations.

Procedural Elements (How the Policy Works in Practice)

6. Making a Disclosure

Workers should raise concerns at the earliest opportunity, verbally or in writing, with:

- Their line manager
- Executive Officer

7. Principles of Whistleblowing

- All workers must maintain confidentiality
- Workers are encouraged to give their name; anonymous concerns are harder to investigate
- No adverse action will be taken against a worker raising a genuine concern
- Frivolous, malicious, or untrue reports may result in disciplinary action

8. Responding to a Disclosure

The manager receiving the concern will:

- Assess seriousness and decide proportionate action

- Record reasons for decisions, including whether to investigate anonymous reports

9. Investigation

- Investigations will be proportionate to the concern raised
- Urgent matters (e.g., Police referrals) are prioritised
- Timescales may vary; the worker will be kept informed appropriately

10. Outcome of Investigation

- Outcomes are shared with the worker (subject to legal/confidentiality constraints)
- Appropriate management actions are taken to address concerns
- Cases are reviewed to ensure resolution

11. External Disclosures

External reporting should only occur if:

- Internal reporting has not resolved the concern, or
- Raising the concern internally would put the worker at risk

Possible external contacts include:

- An elected Member of the Council
- Protect (formerly Public Concern at Work)
- Prescribed persons listed by the Department for Business, Energy & Industrial Strategy
- The Police

12. Record Keeping

- Whistleblowing records are retained for 6 years plus the current year, except where other statutory retention rules apply (e.g., child protection records)

13. Examples of Malpractice

- Fraud, corruption, or financial irregularities
- Misuse of public funds
- Breach of legal obligations
- Health and safety risks
- Environmental damage
- Criminal offences
- Failure to follow financial/contractual rules
- Showing undue favour to a contractor or job applicant
- Miscarriages of justice
- Deliberate concealment of any of the above