

Whistleblowing and Confidential Reporting Policy

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Document History

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1. Introduction

All organisations face risks of things going wrong or unknowingly harbouring malpractice. Gainsborough Town Council recognises its duty to identify such situations and take appropriate measures to remedy them. By fostering a culture of openness, the Council aims to prevent such problems.

Employees often first become aware of serious issues within the Council but may hesitate to raise concerns due to fears of disloyalty, harassment, or victimisation. This policy encourages employees to come forward with serious concerns, reassuring them they can do so without fear of reprisal.

This policy applies to all Council employees, including temporary, subcontracted, and agency workers, as well as contractors working on Council premises or under contract.

Employees and Elected Members must make service users aware of these procedures.

2. Aims and Scope of this Policy

This policy aims to:

- Encourage employees to feel confident in raising serious concerns and acting on them;
- Provide clear channels for raising concerns and receiving feedback;
- Ensure employees receive a response and know how to proceed if unsatisfied;
- Protect employees from reprisals if disclosures are made in good faith.

This policy covers major concerns beyond typical grievances, including:

- Criminal offences or breaches of law;
- Miscarriages of justice;
- Health and safety risks to the public or employees;
- Environmental damage;
- Misuse of public funds;
- Fraud or corruption;
- Breaches of legal or statutory obligations;
- Sexual or physical abuse of clients;
- Other unethical conduct;
- Concealment of any of the above.

Raising a concern in good faith will not lead to retaliation. This policy does not replace the Council's Complaints Procedure.

3. Safeguards: Harassment or Victimisation

The Council commits to high standards and supporting employees who raise concerns in good faith. Harassment or victimisation will not be tolerated and will be dealt with promptly.

Investigations into malpractice will remain separate from any disciplinary or redundancy procedures affecting employees.

4. Confidentiality

Concerns will be treated confidentially, and every effort will be made to protect identities. However, anonymity cannot be guaranteed if disclosure is required by law. Employees may be asked to act as witnesses where necessary.

5. Anonymous Allegations

While employees are encouraged to provide their names, anonymous concerns will be considered at the Council's discretion, weighing factors such as seriousness, credibility, and the likelihood of confirming allegations.

Anonymous concerns will not be dismissed automatically.

6. Untrue Allegations

If concerns raised in good faith are not confirmed after investigation, no action will be taken against the employee. However, frivolous, malicious, or personal gain-driven allegations may lead to disciplinary action.

7. How to Raise a Concern

Employees should normally raise concerns with the Town Clerk, depending on the nature and sensitivity of the issue. If the concern involves the Town Clerk, it should be raised with the Chair or Leader of the Council.

Concerns may be raised verbally or in writing, ideally including:

- Background and history of the concern with relevant dates;
- Reasons for concern.

Employees are not expected to prove allegations beyond doubt but must show reasonable grounds for concern.

Trade unions or colleagues may be present during any related meetings.

8. How the Council Will Respond

The Council will acknowledge concerns within ten working days, detailing:

- Receipt of the concern;
- Proposed handling;
- Estimated timeframe for response;
- Any initial enquiries made;
- Available support for staff;
- Whether further investigation will follow and reasons if not.

Possible actions include internal investigation, referral to police or auditors, or independent inquiry. Urgent action may be taken before investigation if necessary.

The Council will keep the complainant informed, respect confidentiality, and provide support as needed.

9. The Town Clerk (as Proper Officer of the Council)

The Town Clerk is responsible for maintaining and operating this policy, recording concerns and outcomes (without compromising confidentiality), and reporting to the Council as necessary.

10. Taking the Matter Further

If unsatisfied with internal responses, employees may contact:

- Trade unions;
- Local Citizens Advice Bureau;
- Professional or regulatory bodies;
- Relevant voluntary organisations;
- The Police.

Employees should avoid disclosing confidential information and seek advice from trade unions or the SLCC (if members).

This policy does not restrict employees from making protected disclosures under the Public Interest Disclosure Act 1998.

11. Councillor Conduct

Concerns about Councillor conduct may be handled under the Members' Code of Conduct and referred to the Monitoring Officer when appropriate.