

HIRWAUN & PENDERYN COMMUNITY COUNCIL

Whistleblowing policy

Definition

Whistleblowing is when an employee knows, or suspects, that there is some wrongdoing occurring within the organisation and alerts the employer or the relevant authority accordingly.

The Public Interest Disclosure Act 1998 gives protection to individuals, casual workers, agency workers and contractors who make a qualifying disclosure when they reasonably believe it is in the public interest to do so.

Actions to be taken by the employee

If an employee knows, or suspects, that some wrongdoing is occurring within the Community Council, he or she should raise the matter immediately with the relevant manager. If the employee does not know who to approach, he or she should, in the first instance, talk to the Community Clerk or if the matter concerns the Community Clerk to the Chairman or Vice-Chairman of the Council.

Possible situations

Although this list is not exhaustive, examples of situations in which it might be appropriate for an employee to report a wrongdoing include:

- a breach, or potential breach, of health and safety legislation
- financial irregularities
- harassment of a colleague, service user or other individual
- damage to the environment
- the committing of a criminal offence
- an act of bribery
- deliberate concealment of any of the above.

Action to be taken by the Community Clerk/Chairman or Vice-Chairman

If the Community Clerk and/or Chairman or Vice-Chairman of the Council is informed by an employee of potential wrongdoing immediate action will be taken to investigate the situation. In doing so, the Community Clerk and/or Chairman or Vice-Chairman of the Council will take every possible step to maintain the anonymity of the employee who has made the allegation of wrongdoing.

The employee who has raised the issue of a wrongdoing will be kept informed of any investigation that is taking place. The employee will also be informed of the outcome

of the investigation. It might not always be appropriate to tell the employee the detail of any action that is taken, but the employee will be informed if action is taken.

Alerting outside bodies to a potential wrongdoing

An employee should always, in the first instance, talk to the Community Clerk and/or Chairman or Vice-Chairman of the Council about a potential wrongdoing. If the employee is not satisfied with the response, he or she is entitled to contact a relevant external body to express the concerns. In doing this the employee should:

- have a reasonable belief that the allegation is based on correct facts
- have a reasonable belief it is in the public interest to make the disclosure
- make the disclosure to a relevant body.

A “relevant body” is likely to be a regulatory body (eg the Health and Safety Executive, or the Financial Services Authority).

Contacting the media

The media is not a relevant external body. Employees should not contact the media with allegations about the Community Council except in extraordinary circumstances where neither the Community Council nor the relevant regulatory body would be appropriate.

Protection against detriment

Any employee who takes action under the Public Disclosure Act 1998 will be protected from any detriment in relation to any allegations that are made.

If the employee does not follow the procedure set out, which encompasses the requirements of the Public Disclosure Act 1998, the protection against detriment will not apply. Disclosing information in an inappropriate way (eg contacting the media) could result in disciplinary action being taken against the employee, which could include dismissal.