

# South Northamptonshire Council

## Audit Committee

30 July 2020

### Revised Whistleblowing Policy

## Report of the Executive Director – Resources

This report is public

### Purpose of report

To present for approval a revised Whistleblowing Policy.

### 1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Revised Whistleblowing Policy contained at Appendix 1.

### 2.0 Introduction

- 2.1 The Council's current Whistleblowing Policy is out-of-date and confusing to the reader. It has been overhauled and a new Whistleblowing Policy is attached for approval.

### 3.0 Report Details

- 3.1 Whistleblowing is the term used when a worker passes on information concerning wrongdoing. The wrongdoing will typically (although not necessarily) be something they have witnessed at work.
- 3.2 To be covered by whistleblowing law, a worker who makes a disclosure must reasonably believe two things.

1. That they are acting in the public interest. This means in particular that personal grievances and complaints are not covered by whistleblowing law.
2. That the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

- criminal offences (this may include, for example, types of financial impropriety such as fraud)
- failure to comply with an obligation set out in law
- miscarriages of justice
- endangering of someone's health and safety
- damage to the environment

- covering up wrongdoing in the above categories.

3.3 As an employer it is good practice to create an open, transparent and safe working environment where workers feel able to speak up. Although the law does not require employers to have a whistleblowing policy in place, the existence of a whistleblowing policy shows an employer's commitment to listen to the concerns of workers. By having a clear policy and procedures for dealing with whistleblowing, an organisation demonstrates that it welcomes information being brought to the attention of management.

3.4 The current policy does not feel open and transparent, and is confusing to read – especially when setting out contacts. A new policy (Appendix 1) aims to reverse that.

## **4.0 Conclusion and Reasons for Recommendations**

4.1 Although the law does not require employers to have a whistleblowing policy in place, the existence of a whistleblowing policy shows an employer's commitment to listen to the concerns of workers. By having a clear policy and procedures for dealing with whistleblowing, an organisation demonstrates that it welcomes information being brought to the attention of management.

4.2 The current policy does not feel open and transparent, and is confusing to read – especially when setting out contacts. The new policy aims to reverse that.

## **5.0 Alternative Options and Reasons for Rejection**

5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to approve the new Whistleblowing Policy. The current policy is confusing and needs to be updated.

## **6.0 Implications**

### **Financial and Resource Implications**

7.1 There are no direct financial implications arising from this report.

Comments checked by: Denise Taylor, Strategic Business Partner and Deputy S151 Officer

Tel: 01327 322290

Email: [denise.taylor@southnorthants.gov.uk](mailto:denise.taylor@southnorthants.gov.uk)

### **Legal Implications**

7.2 Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

Comments checked by: Peter Holt, Assistant Chief Executive and Deputy Monitoring Officer  
Tel: 01327 322289  
Email: [peter.holt@southnorthants.gov.uk](mailto:peter.holt@southnorthants.gov.uk)

## 8.0 Decision Information

### Wards Affected

All wards are affected

### Links to Corporate Plan and Policy Framework

Links to all areas of Corporate Plan

### Lead Councillor

Councillor Peter Rawlinson – Portfolio Holder for Finance, Performance and Governance

## Document Information

Appendix No	Title
Appendix 1	Whistleblowing Policy
Background Papers	
None	
Report Author	Andrew Hunkin, Executive Director – Resources (Monitoring Officer)
Contact Information	Tel: 0300 003 0202 Email: <a href="mailto:andrew.hunkin@southnorthants.gov.uk">andrew.hunkin@southnorthants.gov.uk</a>