

TORPOINT TOWN COUNCIL

WHISTLEBLOWING POLICY

RENEWAL DATE: - April 2016

NEXT RENEWAL DATE: - April 2018

Reviewing Body: - Finance and Personnel Committee

TORPOINT TOWN COUNCIL

"WHISTLEBLOWING" POLICY

Introduction

Torpoint Town Council Whistleblowing policy and the procedures contained therein, reflect the philosophy set out by Torpoint Town Council and in particular to "the promotion of an atmosphere where all members of the council can feel comfortable" and "where the dignity and uniqueness of the individual" is respected.

The Councillors and staff of Torpoint Town Council seek to carry out all aspects of council business and activity with full regard to high standards of conduct and integrity. In the event that Councillors or staff become aware of activities which give cause for concern, we have established the following Whistleblowing Policy, or Code of Practice, which acts as a framework to allow concerns to be raised confidentially, and provides for a thorough and appropriate investigation of the matter, to bring it to a satisfactory conclusion.

Throughout this policy, the term 'whistleblower' denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the *Second Report of the Committee on Standards in Public Life: Local Spending Bodies*, published in May 1996.

Torpoint Town Council is committed to tackling fraud and other forms of malpractice and treats these issues seriously. We recognise that some concerns may be extremely sensitive and have therefore developed a system, which allows for the confidential raising of concerns within the Council environment, but also has recourse to an external party outside the management structure of the Council.

We are committed to creating a climate of trust and openness, so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

The provisions of this policy apply to matters of suspected fraud and impropriety, and not matters of more general grievance, which would be dealt with under the Council grievance procedures.

When might the Whistleblowing Policy apply?

The type of activity or behaviour, which we consider should be dealt with under this policy, includes:

- inappropriate use of Council assets or funds
- inappropriate use of external funds by third parties
- decision making for personal gain
- any criminal activity
- abuse of position
- fraud and deceit
- serious breaches of Council procedures which may advantage a particular party, including failure to register a pecuniary, non-pecuniary or non-registerable interest.

What action should the whistleblower take?

Torpoint Town Council encourages the whistleblower to raise the matter internally in the first instance to allow those Councillors and Council staff in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

We have designated two individuals to specifically deal with such matters and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter:

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Town Clerk
Town Mayor

The whistleblower may prefer to raise the matter in person, by telephone, or in written form marked 'private and confidential' and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected whenever possible.

How will the matter progress?

The individual(s) in receipt of the information or allegation (the investigating officer/s) will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice, or assistance.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the members of the Council, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral, such as the Police.

The whistleblower will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the Council.

If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigating officer(s) and/or the Council.

Respecting confidentiality

Wherever possible, Torpoint Town Council seeks to respect the confidentiality and anonymity of the whistleblower and will as far as possible protect him/her from reprisals. We will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

Raising unfounded malicious concerns

Individuals are encouraged to come forward in good faith with genuine concerns, with the knowledge that they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken very seriously and may well constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

Conclusion

Existing good practice with Torpoint Town Council in terms of its systems, and of internal control both financial and non-financial, and the external regulatory environment in which the council operates, ensures that cases of suspected fraud or impropriety rarely occur. This Whistleblowing Policy is provided as a reference document to establish a framework within which issues can be raised confidentially, internally, and if necessary outside the management structure of the council. This document is a public commitment that concerns are taken seriously and will be actioned.