



Barrowby Parish Council

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Whistleblowing Policy

Document control

- **Owner:** Full Council
- **Responsible officer:** Clerk / Proper Officer
- **Adopted:** 11.05.2026 (Minute ref: 8e [26/008])
- **Version:** 2026.1
- **Review:** Annually or earlier if legislation/guidance changes
- **Next review due:** January-March 2027 at Staffing for formal adoption at Parish Council
May 2027

1. Purpose

1.1 Barrowby Parish Council is committed to the highest standards of openness, integrity and accountability.

1.2 This policy provides a framework for workers to raise concerns about serious wrongdoing or risk in connection with the Council's activities.

1.3 The Council wants concerns to be raised at the earliest opportunity so that they can be addressed appropriately.

1.4 This policy is intended to reflect the protections available under whistleblowing law. In law, whistleblowing is the making of a protected disclosure in the public interest.

2. Scope

2.1 This policy applies to workers, including:

- employees;
- casual workers;
- agency workers;
- trainees;
- apprentices;
- certain contractors working for the Council; and
- others who may be protected by whistleblowing law.

2.2 This policy does not normally apply to members of the public making service complaints. Those matters should usually be raised through the Council's complaints procedure.

2.3 Personal employment concerns about an individual's own treatment at work should normally be raised under the Grievance Policy unless they also amount to whistleblowing. ACAS distinguishes whistleblowing, which concerns wrongdoing affecting others or the wider public interest, from a personal grievance.

3. What is whistleblowing?

3.1 Whistleblowing is the reporting of certain types of wrongdoing in the public interest.

3.2 A qualifying concern may include, for example, a reasonable belief that one or more of the following has happened, is happening, or is likely to happen:

- a criminal offence;
- failure to comply with a legal obligation;

- a miscarriage of justice;
- danger to the health and safety of any individual;
- damage to the environment;
- bribery, fraud or financial malpractice;
- abuse of position;
- safeguarding failures;
- deliberate concealment of any of the above.

These categories reflect the statutory whistleblowing framework in the Employment Rights Act 1996.

3.3 A worker does not need proof at the point of raising the concern, but must have a reasonable belief that the information disclosed tends to show wrongdoing and that the disclosure is in the public interest.

4. What is not normally whistleblowing?

4.1 The following will not usually fall under this policy unless there is a wider public interest element:

- dissatisfaction with pay, leave, supervision or working relationships;
- interpersonal disputes;
- bullying or harassment affecting only the individual complainant;
- dissatisfaction with Council decisions where there is no allegation of wrongdoing.

4.2 Such issues should normally be raised under the appropriate policy, such as the Grievance Policy, Dignity at Work Policy or Complaints Procedure.

5. Protection for whistleblowers

5.1 The Council will not tolerate dismissal, disciplinary action, detriment, victimisation or other unfair treatment because a worker has raised a genuine whistleblowing concern.

5.2 A worker who makes a protected disclosure may have legal protection under the Employment Rights Act 1996. Protection can apply even if the concern later proves to be mistaken, provided it was raised with a reasonable belief and in the public interest.

5.3 Deliberately false allegations or disclosures made maliciously may lead to appropriate action.

6. Confidentiality and anonymous disclosures

6.1 The Council will take reasonable steps to protect the identity of a whistleblower where requested, although this cannot be guaranteed in every case.

6.2 Sometimes it may be necessary to disclose information to investigate properly, comply with legal obligations, or take formal action.

6.3 Anonymous disclosures will be considered, but they can be harder to investigate and may limit the Council's ability to provide feedback or protection.

7. How to raise a concern

7.1 Concerns should normally be raised as soon as possible.

7.2 A concern may be raised verbally or in writing, but written disclosures are preferable where possible.

7.3 The disclosure should, so far as possible, include:

- what happened, or is believed to have happened;
- when and where it happened;
- who was involved;
- whether there are any witnesses;
- whether the concern has already been raised elsewhere; and

- any supporting information available.

7.4 A worker may raise the concern with:

- the Clerk / Proper Officer; or
- the Chair of the Staffing Committee, where the concern relates to the Clerk; or
- the Chair of the Council, where the concern relates to the Clerk or where it would be inappropriate to report to the Clerk.

7.5 If the concern relates to the Chair of the Council, the worker may report it to the Chair of the Staffing Committee, Vice-Chair, or an appropriate external prescribed person/regulator.

8. External disclosures

8.1 The Council encourages concerns to be raised internally first where appropriate.

8.2 However, the law recognises that, in some circumstances, a worker may make a protected disclosure to a prescribed person or body, such as a regulator. ACAS and GOV.UK both note that disclosures can in some cases be made to prescribed persons rather than only to the employer.

8.3 If a worker is considering raising a concern externally, they may wish to seek independent advice first, for example from ACAS, their trade union or a legal adviser.

9. How the Council will respond

9.1 The Council will take concerns seriously and assess them promptly.

9.2 The Council's initial response may be to:

- acknowledge receipt;
- seek further information;
- appoint an appropriate person to assess or investigate;
- refer the matter to another procedure if it is not a whistleblowing matter; or
- refer the matter to an external body where appropriate.

9.3 Depending on the nature of the concern, action may include:

- an internal investigation;
- referral to the police;
- referral to the Council's insurer, auditor or legal adviser;
- referral to the Monitoring Officer or another authority; or
- use of another internal procedure such as disciplinary, grievance or safeguarding arrangements.

9.4 The Council will aim to keep the whistleblower informed, so far as it is lawful and appropriate to do so. Full details may not always be shared, particularly where confidentiality rights of others are engaged.

10. Investigation

10.1 Investigations will be carried out fairly, proportionately and without unreasonable delay.

10.2 The person investigating should, where possible, be independent of the issues raised.

10.3 In a parish council context, investigation may be undertaken by:

- the Clerk, where appropriate;
- a councillor panel not previously involved;
- an external HR adviser or investigator; or
- another suitably independent person.

10.4 The Council may take immediate steps where necessary to protect people, funds, records or property while an investigation is ongoing.

11. Support for workers raising concerns

11.1 A worker raising a concern under this policy may seek support from:

- a trade union representative;
- a workplace colleague, where appropriate;
- ACAS; or
- another appropriate support source.

11.2 The Council will consider reasonable steps to reduce any risk of victimisation or detriment following a disclosure.

12. Record keeping and data protection

12.1 The Council will keep a confidential record of whistleblowing concerns raised and action taken.

12.2 Information will be handled sensitively and in accordance with data protection law.

12.3 Access to records will be restricted to those who need the information for legitimate purposes.

13. Relationship with other procedures

13.1 This policy does not replace the Council's other procedures.

13.2 Depending on the circumstances, concerns may also interact with:

- the Disciplinary Policy;
- the Grievance Policy;
- the Dignity at Work Policy;
- the Complaints Procedure;
- financial controls;
- safeguarding procedures; or
- criminal reporting processes.

14. Monitoring and review

This policy will be reviewed periodically to ensure compliance with current legislation and best practice.