



WHISTLEBLOWING POLICY

Confidential Reporting for the Council workforce

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Owner	Director Business Operations and Partnerships
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1.0	Contained within Code of Conduct	Director of Central Services	October 2002
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4.0	Update after the retiral of Deputy Chief Executive	Head of HR & Corporate Services	June 2022
5.0	Updated internet and intranet links and Head of Finance job title	HR Manager	October 2025



1. Introduction

- 1.1 East Renfrewshire Council is committed to the highest possible standards of openness, probity and accountability. In accordance with that commitment, the Council encourages employees and others with serious concerns about any aspect of the Council's work to come forward and voice those concerns. This practice is commonly referred to as "whistleblowing".

This policy is designed to provide guidance to all those who work within the Council who may feel they wish to raise a concern. For ease of reference, the term "employee" is used in this document but also applies to casual workers.

- 1.2 You are a whistleblower if you are a worker and you report certain types of wrongdoing. This will usually be something you've seen at work - though not always. The wrongdoing you disclose must be **in the public interest**. This means it must affect others, for example the general public. You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future. A further explanation can be found in 2.2 and 2.3 below.
- 1.3 It is recognised that certain cases will have to proceed on a confidential basis. The procedures set out in this policy make it clear that employees can make reports without fear of reprisals. The objective of the policy is to encourage and enable employees to raise serious concerns within the Council rather than overlooking problems or raising them outside the Council.

2. Aims and scope of this policy

- 2.1 This policy aims to:-

- provide avenues for employees to raise concerns and receive feedback on any action taken;
- ensure, through the application of a procedure, that all disclosures are treated consistently and fairly;
- allow employees to take the matter further if they are dissatisfied with the Council's response; and
- reassure employees that they will be protected from reprisals or victimisation for "whistleblowing" made in the public interest

- 2.2 These concerns may be about something that is:-

- a criminal offence;
- a failure to comply with any legal obligation, i.e. breaking the law;
- a miscarriage of justice;
- a danger to the health and safety of an individual;
- likely to cause damage to the environment; or
- the covering up of wrongdoing

- 2.3 It would be expected that employees making a disclosure under this policy are doing so because they believe that they are acting in the public interest. There are existing procedures in place to enable employees to lodge grievances relating to their own employment (personal grievances). This policy is therefore designed to cover concerns that fall outwith the scope of the grievance procedure.

3. Safeguards

- 3.1 The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from fellow employees or workers. This policy aims to make it clear that the Council will not tolerate, under any circumstances, bullying, harassment or victimisation by co-workers and will take action to protect employees when they raise concerns in the public interest.

It should be clear, however, that this does not mean that if employees are already the subject of disciplinary or other procedures that those procedures will be halted as a result of the "whistleblowing".

- 3.2 The Council will do its best to protect employees' identities when they raise concerns and do not wish their names to be disclosed. It must be appreciated, however, that the investigation process may have to reveal the source of information and a statement may be required as part of the evidence.
- 3.3 Concerns expressed anonymously will be considered at the discretion of the Council. In exercising this discretion, the factors to be taken into account would include:-
- the seriousness of the issues raised;
 - the credibility of the concerns; and
 - the likelihood of confirming the allegations from attributable sources.
- 3.4 If an employee (s) make allegations in the public interest but they are not confirmed by an investigation, no action will be taken against the employee (s). It is stressed, however, that the Council will protect itself and its employees from false and malicious allegations by taking disciplinary action where appropriate. In addition, the Council will try to ensure that the negative impact of either a malicious or unfounded allegation is minimised, although the Council recognises that it will not be possible to prevent all of the potential repercussions.

4. How to raise a concern

- 4.1 As a first step, concerns should normally be raised with the employee's immediate managers. It is accepted, however, that the most appropriate person to contact will depend on the seriousness and sensitivity of the issues involved and who is suspected of malpractice.

If an employee believes that senior management is involved in the matter of concern, an approach should be made instead to the Monitoring Officer, Chief Auditor or Chief Financial Officer (Head of Finance), if there is any allegation of fraud involved or to the Chief Executive if none of these other officers is considered appropriate for any reason.

- 4.2 If employees do not feel able to put their concerns in writing they can arrange to meet the appropriate Officer. The earlier concerns are expressed, the easier it is to take action. Alternatively, if the employee has access to either the Council Intranet and/or website, there are forms available there that will allow a concern to be submitted on-line.

Intranet: [Report a fraud](#)

Website: <https://www.eastrenfrewshire.gov.uk/report-a-fraud>

- 4.3 Although employees are not expected to prove the truth of allegations, they will need to demonstrate that there are sufficient grounds for concern to warrant an investigation.
- 4.4 Advice and guidance on how specific matters of concern may be pursued can be obtained either from any of the above named Officers or, alternatively, employees may wish to get confidential legal advice from their Trade Union or professional association.

5. How the Council will respond

- 5.1 The action to be taken by the Council will depend on the nature of the concerns. The matters raised may be:-
- investigated internally;
 - referred to the police;
 - referred to the external Auditor;
 - the subject of an independent enquiry
- 5.2 In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example, child/adult protection or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.
- 5.3 Within ten working days of a concern being received, the Council will write to the employee who raised the concern:-
- acknowledging that the concern has been received;
 - indicating how it proposes to deal with the matter; and
 - giving an estimate of how long it will take to provide a final response.
- 5.4 Thereafter the Council will write to the employee:
- advising whether any initial enquiries have been made;
 - advising whether further investigations will take place, and if not, why not.
- 5.5 The amount of contact between the Officer(s) considering the issues and the employee who raised the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the employee.
- 5.6 When any meeting is arranged, the employee will have the right, if they so wish, to be accompanied by a union or a professional association representative or a friend who is not involved in the area of work to which the concern relates. The Council will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For example, if the employee is required to give evidence on criminal or disciplinary proceedings, the Council will advise them about the procedure.
- 5.7 The Council accepts that any employee raising a concern needs to be assured that matters have been properly addressed and, subject to legal constraints, will endeavour to provide them with information about the outcome of any investigations.

6. How the matter can be taken further

- 6.1 This policy is intended to provide employees with an avenue to raise concerns within the Council but if the employee is dissatisfied with the Council's response they can raise the matter with their solicitor, the external Auditor, the Commissioner for Local Administration in Scotland (Ombudsman) or the police.
- 6.2 Ideally, employees will feel able to use this procedure to make a disclosure of a concern to the Council. However, there may be circumstances where they feel unable to do so. One option for making an external disclosure without losing rights under whistleblowing law would be to make a disclosure to a prescribed person. A complete list of prescribed persons can be found here: [Whistleblowing: list of prescribed people and bodies - GOV.UK](#)

7. The responsible officer

The Monitoring Officer, has overall responsibility for the maintenance and operation of this policy and will report as necessary to the Council. The Monitoring Officer can be contacted via MonitoringOfficer@eastrenfrewshire.gov.uk

8. Public Interest Disclosure Act 1998

- 8.1 This policy is intended to complement the provisions of the Public Interest Disclosure Act 1998 (PIDA). That Act provides protection for workers who make certain disclosures of information in the public interest. This policy provides procedures to enable employees to raise matters of concern with the Council without the fear of reprisal, whether or not protection would be afforded by PIDA. It is not intended that the policy replicate the provisions of PIDA. Employees should be aware that the protections offered by the Public Interest Disclosure Act are very specific and anyone wishing to rely on the provisions of that legislation, rather than follow the procedures detailed in this policy, is advised to seek independent legal advice.
- 8.2 Following the procedures set out in this policy will not affect the statutory protection afforded to you by the Public Interest Disclosure Act 1998

9. Employment Rights Act 1996

The statutory provisions of this Act are also covered within this policy and as amended by the Enterprise and Regulatory Reform Act 2013.

10. Further Information

Any employee who needs further information or advice can speak to their Trade Union or a solicitor. In addition, information and advice can be obtained from the following websites:

UK Government: <https://www.gov.uk/whistleblowing>

ACAS <http://www.acas.org.uk/index.aspx?articleid=1919>

Public Concern at Work [Whistleblowing Support for Employers - Protect - Speak up stop harm](#)