

Committee: Audit and Standards Committee

Date: Thursday 26

Title: Whistleblowing Policy

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Portfolio Holder: Cllr Petrina Lees, Leader

Summary

1. The Whistleblowing Policy is due for review and this report seeks a recommendation from Audit and Standards Committee to Council to adopt the fully revised policy. The rewritten policy makes amendments to the Council's Whistleblowing Policy following a change in legislation that introduces sexual harassment as a "qualifying disclosure" under whistleblowing law.

Recommendations

2. That Committee:
 - I. Note the legislative change introduced by the Employment Rights Act 2025.
 - II. That the redrafted Whistleblowing Policy, which now includes sexual harassment as a qualifying disclosure with effect from 6 April 2026, be approved and implemented.
 - III. That the redrafted policy be communicated to all staff and incorporated into relevant training and governance frameworks.

Financial Implications

3. None

Background Papers

4. Re-written Policy

Impact

- 5.

Communication/Consultation	None as in compliance with best practice guidance and the Committee's terms of reference.
Community Safety	None

Equalities	<p>In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.</p> <p>The contents of this report do not directly impact on equality, in that it is not making proposals that will have a direct impact on equality of access or outcomes for diverse groups.</p>
Health and Safety	None
Human Rights/Legal Implications	<p>The statutory basis for whistleblowing is contained 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.' The legislation does not require an employer to adopt a Whistleblowing Policy. However, the Secretary of State has published best practice Guidance for Employers on Whistleblowing that provides that the existence of a Policy shows an employer's commitment to listen to the concerns of its workers. Such concern is also demonstrated by responding to concerns when they are raised, and by monitoring and reporting on the operation of the policy as this report does. The revised Whistleblowing Policy confirms the employee's statutory rights and aims to create an organisational culture where employees feel safe to raise a concern in the knowledge that they will not be victimised if they raise their concerns.</p>
Sustainability	None
Ward-specific impacts	None

Workforce/Workplace	The officer involvement required to comply with these obligations are factored into service plans and work plans.
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Situation

6. The policy provides a clear statement of the Council’s position that it seeks to conduct all its activities to a high standard and with integrity and transparency.
7. The policy provides the mechanisms for a person with genuine concern or suspicion about council activities to raise the matter in a safe space and have confidence that it will be appropriately considered without fear of reprisal.
8. Effective from 26 June 2025, workers who report sanctions-related misconduct in the UK will benefit from enhanced legal protections under employment law. The UK government has extended the scope of **whistleblower safeguards** to include disclosures concerning breaches of financial, trade, and transport sanctions. This marks a significant development in both employment rights and organisation compliance obligations.
9. These changes come at a time when the UK is intensifying its approach to sanctions compliance, particularly in response to global geopolitical pressures. By strengthening whistleblower protections, the government aims to encourage greater transparency and accountability within organisations and improve oversight of sanctions enforcement. There is ongoing discussion about establishing a dedicated **Office of the Whistleblower** and introducing financial incentives for disclosures, similar to models used in the United States.
10. The current policy was last updated in 2023.
11. A review of this policy has been carried out as part of the Counter Fraud Strategy.
12. The Council’s Whistleblowing policy has been redrafted and is attached Appendix A, which is now recommended for adoption.

Risk Analysis

13.

Risk	Likelihood	Impact	Mitigating actions
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It is important that the Council continues to highlight the responsibility to adhere to this policy resides at all levels of the council.	2	2	The Council's induction programme includes a module to the Whistleblowing and this policy
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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.