
Whistleblowing Policy



Council of the
ISLES OF SCILLY

December 2025

REVISIONS TO SOURCE DOCUMENT

Version	1	Approving Committee	Governance Committee
Date	December 2025	Ratified by Council	n/a
Responsible Officer	Monitoring Officer / Head of HR	Review Date	This policy will be reviewed in the event of a change to relevant legislation and guidance or if research, monitoring or auditing suggests a review may be required.

Version History

Date	Version	Author/Editor	Comments
2025	1.0	Monitoring Officer / Head of HR	Replacement for previous policy

Equalities Impact Assessment Record

Date	Type of Assessment Conducted	Stage/Level completed	Summary of Actions Taken Decisions Made	Completed by.	Impact Assessment Review date
26/8/25	EIA	Completed	Whistleblowing contacts shared to noticeboards for employees without ready access to the online copy of the policy. E.g. fire stations	Natalie Swift (Head of HR – interim)	November 2028

Document retention

Document retention period	For the time that the policy is in force, plus 6 years
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1. INTRODUCTION

- 1.1 The Council of the Isles of Scilly is committed to the highest possible standards of operation, probity and accountability and recognises that its Members, employees, and other workers, are often the first to realise there may be something wrong within the Council. However, they may not express their concerns because they feel speaking up would be disloyal to their colleagues or to the Council and they may also fear harassment, victimisation or other repercussions.
- 1.2 The Public Interest Disclosure Act 1998 (the 1998 Act) introduced protection for “whistle-blowers”. The 1998 Act inserted a new Part IVA into the Employment Rights Act 1996 (the 1996 Act). Sections 17 to 20 of the Enterprise and Regulatory Reform Act 2013 (the 2013 Act) made further amendments to Part IVA of the 1996 Act. In accordance with Part IVA of the 1996 Act and its commitment to the highest standards of service delivery, the Council encourages its Members, employees and other workers, with serious concerns about any aspect of the Council’s work, to come forward and voice those concerns, in confidence, within the Council rather than overlooking a problem or “blowing the whistle” outside the Council.
- 1.3 The Council will take all reasonable steps to protect the identity of those who raise concerns (which for the purpose of this policy include all Members, employees and workers).
- 1.4 “Whistleblowing” is the term used when someone who works for an organisation, raises a concern about a possible fraud, crime, danger or other serious risk that could threaten customers, colleagues, the public, a vulnerable adult, child, young person or the organisation’s own reputation. When someone “blows the whistle”, it is to raise a concern about a danger or illegality which affects others. Part IVA of the 1996 Act, as amended by the 2013 Act, provides protection for employees and workers who disclose information which might otherwise be regarded as confidential.
- 1.5 This policy is consistent with the legislative requirements.

2. AIMS AND SCOPE OF THE POLICY

- 2.1 The scope of the policy is intended to be inclusive across the Council’s workforce and will apply to all employees, agency and casual staff, contingent workers, contractors, consultants whilst engaged on Council business and to Members.
- 2.2 The aim of this policy is to improve service delivery to the community by providing employees with a procedure for reporting genuine concerns about unlawful conduct, malpractice or wrongdoing at work, without any fear of comeback. The policy is designed to encourage and enable employees to raise concerns as soon as the issue arises, rather than staying silent and waiting until something more serious happens. The Council will take concerns seriously and ensure that any matter raised will be dealt with efficiently and fairly. The policy also aims to reassure employees that they can raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.
- 2.3 Concerns which should be raised in accordance with this Whistleblowing Policy may be in relation to actions/behaviours that are perceived as not being in the public interest and are:
 - Unlawful/illegal; or
 - In breach of the Council’s policies or procedures; or
 - Falling below established standard(s) or practice(s); or
 - Amounting to improper conduct.

2.4 For example (this list is not exhaustive):

- Malpractice or ill treatment of a client / customer;
- Abuse or neglect of children, young people, vulnerable adults or any other service user, for example, failure to take reasonable steps to ensure their safety and well-being or by using abusive language, shouting or deliberately withholding food, drink or medication;
- Grooming a child, young person or vulnerable adult (in an effort to promote an unacceptable relationship);
- A criminal offence has been committed, is being committed or is likely to be committed;
- Pecuniary or business interests which conflict with employees' roles and responsibilities;
- Suspected fraud, bribery or corruption;
- A failure to comply with legislation or carry out a legal obligation;
- Damage to the environment;
- Endangering an individual's health and safety;
- A breach of Financial Regulations, Contract Procedure Rules, or any other part of the Council's Constitution or other Regulations, Procedures or any Code of Conduct;
- Concealment of any of the above.

2.5 A disclosure (reporting a concern) is not protected unless the employee reasonably believes the disclosure is made in the public interest (Section 17 of the 2013 Act).

3. POLICY STATEMENT

- 3.1 All employees have a responsibility for the safety of children and vulnerable adults and should report any concerns through the means identified in this policy. The Council's Safeguarding Policy is the primary policy for reporting Safeguarding concerns and whilst concerns about children, young people or vulnerable adults can be raised in accordance with this Policy, cases will be responded to and dealt with using the separate Safeguarding procedure available from the Council's Employee Handbook.

4. Links with other policies

- 4.1 In certain circumstances, there may be links with other policies such as:
- Safeguarding Policy Statement
 - Social Media Policy
 - ICT Acceptable Use Policy
 - Employee Code of Conduct
 - Disciplinary Policy
 - Domestic Abuse and Sexual Violence Policy
 - Capability Policy
 - Health and Safety Policy
 - Member Code of Conduct

5. What is the difference between a complaint/grievance and whistleblowing?

- 5.1 This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should have recourse to the Council's Grievance Procedure, if the matter cannot be resolved informally.
- 5.2 "Whistleblowing" is the term used when someone raises a concern about a possible fraud, crime, danger or other serious risk that could threaten a vulnerable adult, child, young person, service user, colleague or the organisation's own reputation. The person "blowing the whistle" is usually not directly or personally affected by the danger or illegality. Consequently, the "whistle-blower" rarely has a personal interest in the outcome of any investigation into their concern - they are simply trying to alert others. For this reason, the "whistle-blower" is not expected to prove the malpractice. They are the messenger raising a concern, so others can address it.
- 5.3 By comparison, a grievance will usually concern an employee personally. For example, the individual may have a complaint about their pay or working hours, the amount of work they are expected to do or their working conditions. The person raising the grievance, therefore, has a vested interest in the outcome and, for this reason, is expected to be able to evidence their case.
- 5.4 If you are uncertain whether something is within the scope of this policy you can seek advice from the Whistleblowing Officer, whose contact details are at the end of this policy.
- 5.5 If you enter into a settlement agreement with the Council, there are no clauses in the settlement that would prevent you from making disclosures in the public interest.

6. Confidentiality

- 6.1 This section applies where the whistle blower's name is known but will not be disclosed without their consent, unless required by law.
- 6.2 All concerns will be treated in confidence i.e. the Council would expect to protect the identity of the person raising a concern. At the appropriate time, however, the person raising the concern may need to come forward as a witness in order for the issue to be thoroughly investigated.
- 6.3 An employee may be represented by a recognised trade union representative or work colleague.
- 6.4 Other forms of internal or external support will be offered. For example, a free, confidential counselling service can be accessed. A telephone helpline is available during business hours and an individual's call will be taken by a trained and experienced counsellor who can support the whistle-blower to work out ways of addressing their difficulties. Confidentiality is guaranteed in accessing this service - individuals will not be identified to the Council. The contact details for this support are: Care First: 0800 174319, [Carefirst Lifestyle - Carefirst Lifestyle](#), with the password available from the Employee Handbook.

7. Confidentiality and Information Sharing Protocols

- 7.1 Sometimes it may be necessary to share information with others to make sure an individual is kept safe. There may be a need to depart from the duty of confidentiality if it is believed the personal safety, wellbeing or welfare of an individual (or that of others) is at risk. The

individual's permission will usually be sought first of all, prior to any disclosure outside of the duty of confidentiality and disclosure to other authorities, but in some cases immediate contact will need to be made to prevent serious harm to others. Any such decision will be formally recorded in the file actions/notes.

- 7.2 Professional guidance should be sought in specific cases, especially relating to child protection and if the person's life, or that of a child or co-worker or the public at large is in danger, then the police should be called. Without delay, a discussion will take place to agree who will contact the Police.

8. Anonymous allegations

- 8.1 This section applies where the whistle blower does not wish to share their identity to anyone at any stage in the process.
- 8.2 This Policy encourages those who raise concerns not to remain anonymous as, by doing so, allegations are potentially difficult to investigate. The Council will exercise its discretion in deciding whether to investigate an anonymous allegation and will, for example, consider the seriousness of the issues raised and the likelihood of being able to confirm the allegation from identifiable sources.

9. How to raise a concern

- 9.1 If something is causing a concern, it should be raised straight away. It is preferable to raise the matter promptly rather than to stay silent or wait until something more serious happens. If an employee is aware that a child, young person or vulnerable adult has been abused or is at risk of abuse they must report it immediately. Please see the relevant section below in respect of that process.
- 9.2 Failure to report abuse could ultimately leave the Council open to non-compliance with its legal duties, including to refer appropriate matters to the Disclosure and Barring Service. Relevant contact information is detailed below under "Raising a concern about children, young people or vulnerable adults".
- 9.3 Concerns will be taken seriously, and the Council will ensure any matter raised will be dealt with efficiently, confidentially and will be thoroughly investigated by an appropriate senior person or body.
- 9.4 If an investigation is appropriate, it will be usually completed by an experienced senior manager. In some cases, as explained below, the investigation will be carried out external to the Council.
- 9.5 Due care and consideration will be given to ensure that the most appropriate investigator for the allegation is appointed.

Steps to raise a concern

- 9.6 As a first step, the whistle blower should normally raise concerns with their line manager, a more senior manager or some other senior officer as appropriate. However, it is recognised this may not be appropriate, in which case there are the following other options to raising a concern:

- In writing to the Monitoring Officer by e-mailing whistleblowing@scilly.gov.uk
- By contacting the Head of Human Resources by emailing humanresources@scilly.gov.uk

- 9.7 This should identify the nature of the concerns and the grounds upon which these are based. Information on the background, history, names, dates and places should be provided if possible.
- 9.8 If a reported concern is in relation to suspected fraud, corruption or irregularity, the recipient of the “whistle-blow” must inform the Monitoring Officer immediately, whose duty it is to ensure the Council acts lawfully at all times.

Raising a concern about children, young people or vulnerable adults

- 9.9 If an employee has any Safeguarding concerns about children, young people or vulnerable adults, they should contact the appropriate named Safeguarding contact without delay. The contact details of the named safeguarding contacts can be found in the Council’s Safeguarding Policy Statement.
- 9.10 Alternatively, the concern may be referred on the following contact details:
- Children and Young People: 0300 123 1116: Out of Hours Service please call 01208 251300.
 - Adults: 0300 123 4131: Out of Hours Service please call 01208 251300 or email accessteam.referral@cornwall.gov.uk
- 9.11 The management of allegations or concerns against employees who work with children and young people and people in a position of trust (PiPOT) who work with adults must be referred to the Local Authority Designated Officer (LADO) on 01872 326536 and the Adult Safeguarding Service Manager on 01872 326433.
- 9.12 Concerns relating to adults must be reported to the local authority Adult Safeguarding Service Manager within one working day of identification or disclosure on 01872 326433.
- 9.13 Whilst concerns about children or vulnerable adults can be raised in accordance with this Policy, cases will be responded to and dealt with under the separate Safeguarding procedures.
- 9.14 Any Safeguarding concerns relating to suspicions of financial abuse/irregularity must also be notified to the Director of Children’s and Adults Services.

How the Council will respond

- 9.15 All concerns raised will be treated confidentially by those involved in the reporting process.
- 9.16 Action taken by the Council will be dependent on the nature of the concern raised and may:
- Be resolved by an agreed action (Service Management and/or Human Resources team) without the need for investigation.
 - Be investigated by senior management.
 - Be referred to the Police.
 - Be investigated by an independent and external person or body.
 - Be referred to the External Auditor.

- 9.17 In determining whether to refer the matter for external investigation or inquiry, the Council will consider the following criteria:
- The availability of internal resources and whether an external investigation will lead to a more time and cost-effective way of responding to the concern raised
 - The allegation raises issues of expertise which cannot be effectively addressed within the Council
 - The nature of the allegation could lead to a reasonable perception that the investigation was biased or not impartial if carried out from within the Council
 - The public interest/confidence would best be served by the investigation being conducted from outside the Council
- 9.18 Due to the wide-ranging nature of the concerns covered by this policy, which may involve internal or external investigators, including the Police, it may not be possible for the Council to indicate immediately how it proposes to deal with the matters and the timescales involved. However, the Council undertakes to ensure any investigation will be undertaken efficiently, balancing the need for a swift resolution with the requirement to undertake a full and fair investigation. The Council will keep the individual making the allegation and any other person impacted informed of progress and in respect of the outcome of any investigation, to the extent it is appropriate to do so and where this will not compromise the process and as the law allows. The aim is to reassure all persons that the matter is being and has been properly addressed without compromising the investigation or the Council.
- 9.19 The whistle blower will be informed as to who is investigating the concern, how to contact them and what further assistance or information may be required. The whistle blower will also be notified of the name of a Council representative who is not involved in the investigation, so they can contact them for support during the investigation, as necessary.
- 9.20 The Council will formally acknowledge receipt of an allegation of concern within 5 working days and within 14 calendar days will confirm:
- How it is proposed to deal with the matter
 - Whether further investigations will take place or if not deemed appropriate, why this decision has been made
 - An estimate of how long it might take to provide a final response
 - What support can be offered to the individual raising the concern
- 9.21 The person conducting the investigation will aim to update the whistle blower as to progress, where possible. However, in the event of a formal investigation or the involvement of the police, the whistle-blower will receive sufficient information about the progress of any investigation to enable them to be reassured the concern is being dealt with. This may, however, be restricted to confirmation from the relevant senior officer that the matter is being addressed, depending on the circumstances.
- 9.22 Support will be offered to whistle-blowers throughout, including access to counselling and a wellbeing support contact, in recognition that raising a concern can feel stressful for individuals.
- 9.23 If a whistle-blower is concerned that any aspect of the investigation of their concern is not in accordance with this Policy, they should notify the Chief Executive in writing of their concern.

- 9.24 Upon completion of an investigation, the Senior Manager overseeing the case will engage with internal audit who will seek assurance that, where relevant, any recommendations have been implemented and/or management controls have been introduced to ensure similar cases do not occur in the future.
- 9.25 Internal Audit has the authority to take whatever action necessary to satisfy themselves that any management controls have been properly implemented.

Support from “Protect”

- 9.26 Protect is an independent charity which specialises in providing individuals, employers and schools, free, confidential and practical advice about raising concerns at work. They can help identify how to raise the concern while minimising any risk to the whistle blower and maximising the opportunity for any wrongdoing to be addressed.
- 9.27 An adviser will talk through with the whistle blower how to safely and effectively raise a concern or help if they are unsure whether to raise a concern or not. Their key advice is to remember that the whistle blower is a witness not a complainant. Their telephone number is: 020 3117 2520 or Website: www.protect-advice.org.uk

Trade Union support

- 9.28 If the whistle blower is a member of a trade union, they may also wish to contact their local office for advice and support in relation to raising concerns.

10. How will the whistle blower be protected?

- 10.1 The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of repercussions and/or reprisals from those to whom the disclosure relates. Victimisation or other repercussions against those raising matters under this Policy will not be tolerated. For example, this means that continued employment and opportunities for future promotion or training will not be prejudiced because an employee has raised a legitimate concern.
- 10.2 The whistle blower raising a concern should immediately notify the person(s) investigating the matter should they experience bullying or harassment as a result of their allegation. Colleagues can be held personally liable for such victimisation (Section 19 of the 2013 Act).
- 10.3 The Council will treat any harassment or victimisation by employees as a serious disciplinary offence to be dealt with under the Disciplinary Policy and reasonable steps will be taken to prevent any such incidents occurring. Any improper conduct by Members may be referred as a Code of Conduct complaint and addressed through the established procedures.

11. Allegations where no wrongdoing is found

- 11.1 If a concern is raised but the investigation finds no wrongdoing, no action will be taken against the whistle blower unless it can be shown that they have knowingly made malicious or vexatious in which case the appropriate disciplinary or other action may be taken against them.

12. Raising a concern outside of the Council

- 12.1 This Policy is intended to provide Members, employees and other workers with a method to raise concerns **within** the Council. The Council believes it is right for the internal Whistleblowing Policy to be followed first of all, but if this is not possible and the whistle blower feels they have no option but to take the matter outside the Council, the following are possible contact points:
- Care Quality Commission: Tel 03000 61 61 61 or www.cqc.org.uk
 - Environment Agency: Email. enquiries@environment-agency.gov.uk Main switchboard. 03708 506 506
 - Food Standards Agency: Tel 0207 276 8829 or www.food.gov.uk
 - The Health and Care Professions Council: 0300 500 6184 or www@hcpc-uk.org
 - Health and Safety Executive: www.hse.gov.uk
 - Ofsted: Tel 0300 123 4666 or www.ofsted.gov.uk
 - The Police (in an emergency 999 or 101 for non-urgent matters).
 - Your Member of Parliament
- 12.2 Those who raise a concern outside of the Council should ensure that they do not disclose confidential information unless it is lawful to do so.

13. Monitoring arrangements

- 13.1 The Monitoring Officer must be notified by the Head of HR as soon as a concern or complaint has been received. The Monitoring Officer will report to the Council as necessary.
- 13.2 The Monitoring Officer holds overall responsibility for the maintenance and operation of the Whistleblowing Policy.
- 13.3 As the nominated recipient of any notifications under this policy, the HR team will maintain a record of all concerns raised and the outcomes.
- 13.4 Anonymised data may be shared on request with the Cornwall and Isles of Scilly Safeguarding Children Board/Safeguarding Adults Board.

14. Policy implementation

- 14.1 This Policy will be available on the Council's Employee Handbook and on its public-facing internet pages.
- 14.2 This policy does not form part of your contract with the Council and may be amended from time to time.

- 14.3 If you have any questions about whistleblowing you can contact the Whistleblowing Officer, whose details are below:
- Tina Blackwell
 - Head of HR
 - Email: humanresources@scilly.gov.uk
 - Tel: 01872 322222 and say my name
- 14.4 The Whistleblowing Officer will ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.
- 14.5 This Policy will be reviewed in the event of a change to relevant legislation and guidance or if research, monitoring or auditing suggests a review may be required.

ALTERNATIVE FORMATS

If any person would like this information on audio tape, Braille, large print, any other format or interpreted in a language other than English, please contact:

Council of the Isles of Scilly
Old Wesleyan Chapel
Garrison Lane
St Mary's
Isles of Scilly
TR21 0JD
Telephone: 0300 1234 105
Email: enquiries@scilly.gov.uk
www.scilly.gov.uk