



West Lothian
Council

**DISCLOSURE OF INFORMATION
BY EMPLOYEES
(Whistleblowing)**

POLICY



Original approved by PP&R Cttee 21 June 2000

Last Revised January 2021

DATA LABEL: PUBLIC



West Lothian
Council

DISCLOSURE OF INFORMATION BY EMPLOYEES POLICY

(Whistleblowing)

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DISCLOSURE OF INFORMATION BY EMPLOYEES POLICY

(Whistleblowing)

(Covers ALL employees)

1. INTRODUCTION

- 1.1 The principles and guidance outlined in this policy have been developed to implement the Public Interest Disclosure Act 1998 (as amended) and to complement the provisions of the National Code of Conduct for Local Government Employees in Scotland, the Code of Conduct - Openness in Local Government, and the Code of Conduct for Employees as agreed by the council.
- 1.2 This policy for reporting concerns at work is based on the following principles:
- fair and reasonable treatment at work;
 - the right to report concerns in the public interest;
 - confidentiality;
 - openness and accountability;
 - honesty and integrity.

2. SCOPE AND APPLICATION

In the course of employment with West Lothian Council an employee may become aware of serious wrongdoing in the council or have information regarding malpractice. The disclosure of such matters is clearly in the public interest and the accompanying procedure outlines the steps an employee should take to bring serious situations to the attention of the council. This policy and the accompanying procedure have been designed to provide guidance to employees on reporting incidents of malpractice or wrongdoing and indicates how matters will be dealt with thoroughly, discreetly and in a confidential way.

3. CONFIDENTIALITY AND SUPPORT

- 3.1 For the reporting process to have credibility, employees must have confidence that any matter that is drawn to the attention of the council will be handled with discretion and tact. Therefore, one of the principles of the policy is that an employee has the right to report a matter they consider to be in the public interest and the report will be treated confidentially. All whistleblowing complaints will be dealt with in the strictest confidence throughout the process and only discussed initially with other relevant persons for the purposes of seeking advice.
- 3.2 However, in some cases it may not always be possible to preserve anonymity between the employee and the appropriate manager of the council or designated individual. The information or concerns expressed may lead to an employee becoming involved in a number of processes such as a criminal investigation and/or the council's disciplinary procedure. In such circumstances, it may not be possible to guarantee anonymity to employees. This would be the case if the matter being reported is serious enough to involve agencies such as the police or an external agency like the Health and Safety Executive. The council will give the employee as much support as possible throughout such processes.
- 3.3 The council recognises that it will sometimes be very difficult for employees to disclose their concerns especially if they relate to fellow employees. Employees are assured that they will not be penalised in any way for bringing forward genuine concerns even if they relate to events, which occurred some time ago.
- 3.4 On receipt of a verbal or written disclosure, the employee making the disclosure will be advised of the next steps in the Whistleblowing procedure and will be given indicative timescales for the matter to be progressed.

4. RECORD OF COMPLAINTS

Depute Chief Executives will ensure that a record is kept of each complaint and the outcome of any investigation undertaken.

5. IMPLEMENTATION

This policy will be implemented through the accompanying procedure in conjunction with briefing for managers.

6. REVIEW OF POLICY

This policy may be reviewed at any time and at least every 5 years by the council in consultation with the recognised trade unions and other interested parties as determined by the council.