OMBC

Whistleblowing Policy

2026 - 2027

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Oldham Council

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1 Introduction

1.1 Oldham Council is committed to openness, probity and accountability. It expects employees and others with serious concerns about the council's work to come forward and voice them.

1.2 This policy encourages and enables employees to raise serious concerns inside the council rather than ignore the concerns or disclose them outside.

1.3 The policy respects confidentiality and helps employees to raise concerns without fear of reprisal.

1.4 Whistle blowing legislation is in place to protect workers from dismissal or victimization at work in the event that they disclose some sort of wrongdoing to the employer or another appropriate body.

The Public Interest Disclosure Act 1998 and Employment Rights Act 1996 clearly define what types of disclosure qualify employees for protection against dismissal and detrimental treatment by your employer. These are known as 'protected disclosures.'

A qualifying disclosure can relate to any one of the following:

- A criminal offence
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- A breach of any other legal obligation
- Is being, has been, or is likely to be, committed.

A disclosure will also be protected if the information disclosed is of a nature that shows that any of the above is likely to be deliberately concealed.

1.5 This policy covers serious concerns employees may have that

- colleagues or the council are acting unlawfully
- colleagues or councillors are breaching the council's Codes of Conduct and its other operational or financial rules.

1.6 This policy is supported locally by the trades unions and professional associations.

1.7 This policy provides guidance on how issues should be raised with the council. This does not preclude any employee from reporting an issue with the police in conjunction with the whistleblowing process where it is believed that criminal activity is involved.

1.8 Other procedures exist to register a grievance about an employee's own employment. If an employee has an individual complaint relating to their employment, for example, their contract of employment, pay, conditions, this should be raised under the Council's Grievance Policy.

2 How to raise a concern

2.1 The first step depends on the seriousness and sensitivity of the issues involved and who is thought to be involved. Whenever possible, employees should normally raise concerns with their immediate manager or superior. If an employee believes that management is involved, they should approach the Head of Corporate Governance.

Usually the earlier the concern is expressed, the easier it is to take action.

2.2 Employees will not be expected to prove the wrongdoing, but will need to demonstrate to the person contacted that there are sufficient grounds for concern.

2.3 Concerns should be raised in writing by downloading and completing the Whistleblowing Policy Reporting Form. See: Whistleblowing Form page 12.

Email: investigations@oldham.gov.uk

2.4 If an employee does not feel able to put the concern in writing, they can telephone the Whistleblowing hotline – 0161 770 4897. There are experienced Officers who are used to working in complete confidence and are trained to listen carefully.

2.5 Alternatively, advice and guidance on how matters of concern may be pursued can be obtained from the APPROPRIATE OFFICERS. Within the council these posts are:

- Chief Executive (0161 770 3572)
- Monitoring Officer (0161 770 4822)

2.6 The final route is to invite a trade union or a professional association to raise the matter through the council's whistle blowing procedure on the employee's behalf.

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 those responsible for the malpractice. The council will not tolerate harassment or victimisation and will do what it lawfully can to protect employees when they raise a concern in the public interest. In this context, the following safeguards are in place:

3.2 Harassment or Victimisation

The council will not tolerate harassment or victimisation by those involved with the matters of concern or from others. It will take action to protect employees when they raise a concern in the public interest. The council takes its responsibilities in this seriously as it is responsible as the employer for any detriment caused.

Due regard and sensitivity will be exercised by all involved in the process to ensure that employees do not suffer detrimental treatment as a result of raising a complaint.

If employees are already the subject of disciplinary or redundancy procedures, those procedures will not be halted as a result of an employee whistle-blowing.

3.3 Anonymous Allegations

This policy as a whole encourages employees to put their name to the allegation.

Although concerns expressed anonymously are much less powerful they will be considered taking into account:

- The seriousness of the issues raise
- The credibility of the concern
- The likelihood of confirming the allegation from other, attributable, sources.

Clearly, employees will be unable to be told the outcome of any investigation of a concern which was brought forward anonymously.

3.4 Confidentiality

The council will do its best to protect employee identity when they raise a concern and do not want their name to be disclosed.

It is important to note that the investigation process may ultimately need to reveal the employee as the source of information. On some occasions a statement by the employee may be required as part of the evidence.

3.5 Untrue Allegations

If an employee makes an allegation in the public interest but it is not confirmed by the investigation, no action will be taken against the employee.

If, however, an employee makes malicious allegations or repeated allegations which have no foundation, disciplinary action will be taken against the employee.

4 How the council will respond

4.1 The action taken by the council will depend on the nature of the concern. The matters raised may:

- Be investigated internally referred to the Police
- Be referred to the External Auditor
- Form the subject of an independent inquiry.

4.2 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. Most matters will, initially, be investigated internally. Concerns or allegations which fall within the scope of specific current procedures (for example, child protection or discrimination issues) will normally be dealt with through those routes.

4.3 Within ten working days of a concern being received, the council will write to the employee:

- Acknowledging that the concern has been received
- Indicating how it proposes to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Informing the employee as to whether any initial enquiries have been made
- Informing the employee as to whether further investigations will take place and, if not, why not.

4.4 Some concerns may be resolved by immediate action without the need for an investigation.

4.5 The amount of contact between the Officer(s) considering the issues and the employee will depend on the nature of the matters raised, the potential difficulties involved and the amount and clarity of the information the employee provided. If necessary, further information will be sought.

4.6 When any meeting is arranged with the employee as a whistle blower, they have the right to be accompanied by a Union or professional association representative, or a colleague who is not involved in the area of work to which the concern relates.

4.7 The council will act as necessary to minimise any difficulties which employees may experience as a result of raising a concern. For instance if, later, employees are required to give evidence in criminal or disciplinary proceedings, the council will advise the employee directly as to the procedure.

4.8 The council accepts that employees need to be assured that the matter has been properly addressed so, subject to legal constraints, the employee will receive information about the outcomes of any investigations.

5 How the matter can be taken further

This policy is intended to provide employees with an avenue to raise concerns and to have them resolved inside the council.

The council hopes its investigations, and the action arising from them, will satisfy. If not, and the employee feels it is right to take the matter outside the council, the following are possible contact points:

- The external Auditor; Grant Thornton LLP; District Auditor – Mark Heap
- Relevant professional bodies or regulatory organisations
- Your solicitor
- The Police
- The Ombudsman
- Your local Council Member (if you are an elector of this council).

If employees do feel it necessary to take a matter outside the council they must ensure that they do not disclose confidential information. The law on disclosure is complex. The council's Monitoring Officer is the contact point to advise employees.

6 The Monitoring Officer

6.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this policy. S/he maintains a record of concerns raised and the outcomes (but in a form which does not endanger employee confidentiality).

6.2 Details of all concerns raised and subsequent information will be retained for 5 years. The purpose of this is to ensure that a central record is kept which can be cross referenced with other complaints in order to monitor any patterns of concern and to assist the Head of Corporate Governance in monitoring the effectiveness of this policy.

Appendix A: Whistleblowing Form

This form can be used to report all types of serious concerns and fraud. **Reports can be made anonymously** but we would appreciate it if you could provide your contact details; this allows us to seek clarification on the information you have provided (if necessary).

I wish to remain anonymous
☐

Your details

Title*

First name*

Surname*

If we need to contact you please provide details as to how you would prefer to be contacted.

☐ By phone

☐ By email

☐ By post

Report details

Please choose the area that this report relates to *

Employee Fraud

What specific area does it relate to *

Recruitment, examples of this include incorrect details provided on an application form, false identification, falsified job references, falsified qualifications or falsified status for the right to work in the UK.

Nepotism, examples of this include where favouritism is shown to relatives or close

friends by those in management.

Falsified Timesheet, Claims

Falsified Sickness

Theft of Council Goods

Don’t Know

Other

What specific area does it relate to *

Parking Permit

Disabled Blue Badge

School Admissions

Immigration related issues

Individual Budgets

Single Persons Discount/ Council Tax Reduction

Details of concern/suspected fraud

*Indicates Mandatory fields. Please provide as much detail as possible about your concerns.

Gender of person

- ○ Male
- ○ Female

First name / Other name this person is known by

Surname

Do you have a contact number for this person?

- ○ Yes

- ○ No

Do you know where this person lives?

- ○ Yes

- ○ No

Does this person use a vehicle?

- Yes

- No

- Don't Know

Are you able to describe this person?

- Yes

- No

Do you know the Date of Birth?

- Yes

- No

Is the person employed?

- Yes

No

Don't Know

How is this person involved in the concern/suspected fraud you are reporting? *

Are you aware if the concern/suspected fraud reported involves another person/partner?

Yes

No

Would you like to attach any supporting information?

Yes

No

Returning the Whistleblowing form

Other options

Print a copy of this form

Save a copy of this form to return to later

Thank you for taking time to complete this form. If you don't want to submit this form online, please print it and send it to:

Internal Audit and Counter Fraud
Level 14
Civic Centre
West Street
Oldham
OL1 1DQ

If you have any queries, please contact us via emailat investigations@oldham.gov.uk and we will get back to you as soon as we can.

Data Protection Act 1998

I understand that the information supplied by me on this form will be maintained by the Council and will not be disclosed to any other party except those who are involved in investigating your concerns, or otherwise as the law allows.

I am ready to submit this form

- Yes
- No