

MEETING	Full Council
DATE	2 July 2026
TITLE	Members Confidential Reporting Policy (" Whistleblowing ")
AUTHORS	Catrin Thomas - Corporate Director Iwan Evans – Head of Legal Services / Monitoring Officer
AELOD CABINET	Cyng. Llio Owen Cabinet Member for Corporate Services, Legal and Welsh Language
PURPOSE	To recommend that the Council adopt the Confidential Reporting Policy ("Whistleblowing") Members to be included in the Constitution.

1.Recommendation

That the Council adopts the Members Confidential Reporting Policy (“Whistleblowing ") to be incorporated in the Constitution

2. Background/ Context of introducing the new Policy and Procedure

- 2.1 On 20th January 2026 the Cabinet adopted a new Whistleblowing Policy for Staff. As an amendment to the Constitution the Policy was reported on the Full Council on 5 March 2026. That policy is specific for the Council's employed staff and others in employment/ volunteering positions and derives from the Public Interest Disclosure Act 1998 and consequently does not apply to Elected Members.
- 2.2 Therefore, it was acknowledged at the time that there was a need to consider a policy enabling Elected Members to also present, in confidence, concerns of the same nature as to what is included in a normal Whistleblowing Policy, i.e., matters that could be criminal, significant malpractice or gross inappropriate conduct, whether from a Member or an officer. However, it must also be highlighted that the Whistleblowing procedure for staff is based on employment legislation. It creates a framework of rights, protection and legal outcomes that are not reflected in the relationship between elected members and the Council.
- 2.3 When drawing up this type of Policy, it must be acknowledged that members come into contact with the Council for many reasons. This could be raising concerns on behalf of constituents, complaining about a Department or service's arrangements, or expressing discontent about the quality of the work of a specific team. This is a part of the Council's daily work, and it is dealt with under a range of arrangements and Protocols. These are matters that would not be a routine part of the dealings of staff and their employer or contractors. They are dealt with through the Council's routine arrangements. This is not what is covered here, but rather matters that are the cause of a more serious and grave concern.

- 2.4 There is also a need to outline what is in the Members' Code of Conduct and the requirements on members to report on specific matters. Therefore, it is a requirement under the Code for members to report to the Monitoring Officer if they are of the opinion that a member has breached the Code of Conduct. This is not optional and a member may be required to refer the matter to the Ombudsman. In addition, further provision within the Code of Conduct places a legal requirement on members who discover criminal behaviour in the Council's work to either report to the Council by means of a confidential reporting procedure or relevant enforcement agency. It is also emphasised that criminal behaviour within the scope of this may include a range of matters that could be criminal. For example, dishonesty, health and safety offences and matters such as attacks. Safeguarding matters are exempt as there is a specific procedure for reporting on such matters that would address the duty under the Code. However, beyond this, there are instances where it is appropriate for Members to obtain assurance of confidentiality when highlighting specific gross misconduct.
- 2.5 Adopting this policy is an essential step to strengthen the culture of transparency and accountability, and it has been noted consistently as a high priority following the publication of the Child Practice Review Report: Our Bravery Brought Justice. Support from the Response Board is also to be adopted, reflecting a strong consensus across the organisation regarding its purpose and value.

3. Other arrangements for different types of concerns

- 3.1 As well as this Expressing Concerns (Whistleblowing) Policy and Procedure, several other clear pathways already exist by the Council for reporting on different types of concerns (e.g. safeguarding, fraud, or Member and Officer code of conduct issues). However, in some circumstances, it is essential to be able to protect the confidentiality of those making the allegations, in particular to create the confidence to raise concerns, and ensure that sensitive information is handled appropriately.
- 3.2 In order to support Members and to ensure consistency, Appendix 2 provides a useful overview of different paths for enquiries, complaints or disclosing concerns. This brief overview is an attempt to include all different pathways in one useful place for Members, and it will be included in the Members' Handbook in the future. It will also be the basis of the induction training for new Members following the Local Government Election 2027.
- 3.3 Also see below a link to the full document of each of the processes highlighted on the overview in Appendix 2:

Type of 'Concern / Enquiry'	Relevant document:
Disclosing Serious Concerns / Behaviour	The Constitution (to be reviewed after the Council meeting on 02/07/2026)

Safeguarding	Polisi-Diogelu-Ionawr-2025-Cymraeg.pdf
Complaint about another Member's conduct	Adran-18---Cod-ymddygiad-aelodau.pdf
Fraud	Anti-fraud Strategy: Atodiad 1 - Strategaeth.pdf
Complaints about an Officer / Chief Officer	Member / Officers Relations Protocol Adran-21---Protocol-ar-gyfer-cysylltiadau-aelodau-a-swyddogion.pdf
Complaint about a Service on behalf of electors	Complaints Policy: Cyngor Gwynedd Concerns and Complaints Policy
Service request on behalf of electors	Member / Officers Relations Protocol Adran-21---Protocol-ar-gyfer-cysylltiadau-aelodau-a-swyddogion.pdf
General enquiry / request for information about Council services	Galw Gwynedd or direct contact with the service or information on the website Adran-21---Protocol-ar-gyfer-cysylltiadau-aelodau-a-swyddogion.pdf

4. Engagement

- 4.1 When drawing up the Policy, discussions were held and input sought by the Member Enquiries Task Group, which had already discussed this procedure when looking at the general relations between Members and Officers. Engagement was also undertaken with all Members and a single response was received noting that it was; "clear and self-explanatory".
- 4.2 In addition, consultation was also undertaken with the Protect Organisation, which is a charitable body specialising in whistleblowing matters under the act to identify opportunities to take advantage of their support. On the whole positive feedback was received for the Policy but with suggestions for adapting and strengthening some aspects. These changes are noted and underlined in the appendix. The only aspect where an amendment was not incorporated was in relation to the list of possible sources of behaviours that would be relevant to the Policy. This list has been included partly due to the specific requirements of the Code of Conduct and also to give context. However, the suggestion to extend the list to include behaviours by the public and businesses as the source of concerns was incorporated

in the draft at paragraph 5.3 .In addition, the wording has been amended to provide better clarity as to the purpose of the list.

Standards Committee

The views of the Standards Committee were sought on the 8th of June, and they confirmed their support for the Policy.

Education and Economy Scrutiny Committee

The Policy was considered by the Committee on the 18th of June 2026 where it was stated:

"RESOLVED that the Committee declared support for the Policy and asked the Monitoring Officer to make changes in line with his response to members' comments.."

The Committee specifically asked to clarify the reference to safeguarding arrangements in Part 3.1 in that it related to referring concerns about individuals not wider policy issues. In addition, modifications were requested to highlight that the Policy did not prevent members from directly reporting an issue externally. These changes have been incorporated.

Statutory Officer Comments

Monitoring Officer

Joint author

Cheif Finance Officer

"I support the decision sought; there are no direct financial obligations."

Background Information

Education and Economy Scrutiny Committee 19 January 2026 [Agenda for Communities Scrutiny Committee on Thursday, 19 January 2026, 10:30am](#)

Cabinet [Agenda for The Cabinet on Tuesday, 20th January, 2026, 1.00 pm](#)

Full Council 5 February 2026 [Agenda for The Council on Thursday, 5 February 2026, 1.30pm](#)

Standards Committee 8 June 2026 [Agenda for Standards Committee on Monday, 8th June, 2026, 10.30 am](#)

Education and Economy Scrutiny Committee 18 June 2026 [Agenda for Education and Economy Scrutiny Committee on Thursday, 18th June, 2026, 10.30 am](#)

Appendices

Appendix 1 - Elected Members' Whistleblowing Policy (draft)

Appendix 2 – Overview of the Members' Pathway for Reporting Concerns