

MEETING:	Full Council
DATE:	2nd July 2026
TITLE:	Amendments to the Constitution – Section 22 – Staff Whistleblowing Policy
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1. Recommendation

To accept the information about the amendments to Section 22 of the Constitution set out in Appendix 1

2. Background

2.1 In accordance with paragraph 2.6.3 of the Constitution, I have the right to incorporate legislative changes into the Constitution.

"2.6.3 Legislative Change

The Monitoring Officer may amend any part of the Constitution where such amendment is necessary in order to comply with any legislative provision. Such amendments will come into force when the Monitoring Officer so decides or when the legislation (where applicable) provides for it. Such changes will be reported to the next meeting of the Full Council for information."

2.2 On the 6th of April this year Section 23 of the Employment Rights Act 2025 came into force. According to the department it added to the behaviours that can be included within the definition of protected disclosures in the Employment Rights Act 1996. This Act is amended to include provisions and protections arising from the Public Interest Disclosure Act 1998. In response to this statutory change I have acted to include "sexual harassment" in the Ringing Policy to reflect the latest statutory definition of protected disclosure.

22.1 Frequently Asked Questions

What is Whistleblowing?

Whistleblowing is when an employee, contractor or supplier shares a serious concern about malpractice, inappropriate behaviour or illegal activity with the Council.

Why does this policy exist?

The policy gives people a safe way to speak out if they have serious concerns. It helps to protect the Council's standards and to ensure that inappropriate actions are prevented.

What can I raise a concern about?

A concern can be raised about anything of public interest, such as:

- fraud or misuse of public funds
- abuse or neglect towards customers or clients
- corruption or abuse of authority
- risk to health and safety
- concealment of important information or malpractice
- **Sexual Harassment**

22.5.3 Complaints can be about something that is thought to be in the public interest including something

- that is illegal, fraudulent or corrupt;
- which amounts to maladministration as defined by the Local Government Ombudsman. Maladministration encompasses, for example, unjustified delay, failure to follow the authority's rules or the law, prejudice, using inappropriate considerations, providing inaccurate information and several similar matters which cause injustice.
- that is contrary to, or is not in accordance with, the Council's Standing Orders, Financial Regulations or policies, codes of practice or legal obligations;
- which does not meet the established standards of practice;
- which is in breach of any statutory code of practice;
- **which amounts to sexual harassment**
- which amounts to inappropriate behaviour;
- which amounts to sexual, physical, or emotional abuse of clients;
- which endangers the health and safety of an individual;
- which causes, or is likely to cause, harm to the environment;
- which is a miscarriage of justice;
- which is an abuse of power or the use of the Council's power and authority for some unauthorised purpose;
- which fails to rectify or take reasonable steps to report an issue which is likely to result in a large avoidable cost or loss of consequence to the Council or which would otherwise jeopardise the Council, or;
- which is an attempt to hide any of the above examples.