



*Dunbartonshire and Argyll & Bute  
Valuation Joint Board*

## **CONFIDENTIAL REPORTING POLICY**

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## **CONTENTS**

| <b>SECTION</b> |  | <b>PAGE NO</b> |
|----------------|--|----------------|
| <b>1</b>       | <b>INTRODUCTION</b>                            | <b>2</b>       |
| <b>2</b>       | <b>REPORTING CONCERNS INTERNALLY</b>           | <b>3</b>       |
| <b>3</b>       | <b>CONFIDENTIALITY</b>                         | <b>3</b>       |
| <b>4</b>       | <b>REPORTING PROCEDURES</b>                    | <b>4</b>       |
| <b>5</b>       | <b>FALSE REPORTING</b>                         | <b>5</b>       |
| <b>6</b>       | <b>SAFEGUARDS</b>                              | <b>5</b>       |
| <b>7</b>       | <b>CONTACT WITH THE MEDIA AND OTHER BODIES</b> | <b>5</b>       |

## **PROCEDURE ON CONFIDENTIAL REPORTING**

### **1. INTRODUCTION**

- 1.1 The Public Interest Disclosure Act, which came into effect on 2nd July 1999, provides protection for workers who make certain disclosures of information about maladministration or malpractice in the public sector.
- 1.2 Dunbartonshire and Argyll & Bute Valuation Joint Board is committed to achieving the highest possible standards of service and ethics in public life. It is possible that, in the course of employment an employee may become aware of serious wrongdoing in the VJB or has information regarding malpractice. This may relate to an aspect of individual behaviour or VJB practice. The disclosure of such a matter is clearly in the public interest and this procedure outlines the steps available to employees to enable them to bring serious situations to the attention of the VJB.
- 1.3 This policy has been designed to ensure that reports of incidents of malpractice or wrongdoing received are acted upon. It is based on the following principles:
  - The right to fair and reasonable treatment at work
  - The right to report concerns in the public interest without fear of sanction
  - The right of confidentiality
  - The encouragement of openness and accountability
  - The importance of honesty and integrity
- 1.4 The policy outlines:
  - The sort of concerns that can be reported
  - The nominated senior officers who can be contacted about concerns
  - The appropriate steps to take to report serious wrongdoing or malpractice
  - The role of the trade unions in the operation of the procedure
  - The right to raise concerns and not be subject to any detriment
  - The status of this Code and its relationship to other VJB procedures such as the Discipline and Grievance Procedures.
- 1.5 The VJB recognises that employees may wish to be accompanied by a trade union representative or another person of his/her choice at any stage when using this procedure.

## **2. REPORTING CONCERNS INTERNALLY**

- 2.1 The public rightly has an expectation of high standards of service from the VJB. As a result, there may be occasions when it will be necessary for an employee or a group of employees to bring concerns to the attention of the Assessor.
- 2.2 Using this policy, an employee can report a matter on a confidential basis if it comes within any of the undernoted six categories:-
- A criminal offence
  - A failure to comply with a legal obligation
  - A miscarriage of justice
  - A danger to the health and safety of an individual
  - Damage to the environment
  - The deliberate concealment of information relating to any of the above matters
- 2.3 These categories are not mutually exclusive; for example an employee may be aware of a health and safety matter that is also a criminal offence. The concern may be one that occurred some time in the past, or is presently occurring or may happen in the future if action is not taken, for example, environmental damage may occur.
- 2.4 If an employee is in doubt as to whether the matter is covered by this policy he/she can get advice from Personnel Services and/or the internal auditor in West Dunbartonshire Council, the Assessor, or his/her trade union. The advice may be that the matter should be dealt with under one of the VJB's other procedures, for example the Grievance Procedures or the Disciplinary Procedures
- 2.5 An employee making a disclosure is protected under the legislation if he/she has acted in good faith. If an employee acts purely on some ulterior motive for example to sort out some personal dispute, he/she may lose the protection of the Act.

## **3. CONFIDENTIALITY**

- 3.1 An employee has the right to report a matter, which he/she believes to be in the public interest, and to have the report treated confidentially. The VJB accepts that for the reporting process to have credibility employees must have confidence that any matter, which they draw to its attention, will be handled with discretion and tact. Employee's anonymity will, where requested, be protected as far as possible.
- 3.2 Once an employee has made a report, he/she will be updated as soon as practicable on the VJB's response and any action that may be taken.
- 3.3 In some cases it may not always be possible to preserve the anonymity of the employee making the initial report. For example, if the matter is serious enough to be investigated in detail by Internal Audit or reported by the VJB to an external agency such as the Health and Safety Executive or the police.

## 4. REPORTING PROCEDURES

- 4.1 If an employee wishes to report a matter, which falls into one of the categories outlined, he/she should contact the Assessor, unless the report is about the Assessor. If this is the case, please see 4.9 below. The initial contact can be made either in writing or in person.

- 4.2 Employees can contact the Assessor as follows:

### Email

[whistleblowing@dab-vjb.gov.uk](mailto:whistleblowing@dab-vjb.gov.uk)

### Post

The Assessor  
Dunbartonshire and Argyll & Bute Valuation Joint Board  
235 Dumbarton Road  
Clydebank G81 4 XJ

### Intranet

A form is available on the Intranet for completion and submission electronically.

- 4.3 On receiving the report the Assessor will then arrange an initial interview to make an assessment of the issues. The interview will be conducted either by the Assessor, or a nominated senior officer, and will be confidential. The employee can be accompanied at this meeting if wished. At this stage the employee will be given an undertaking about confidentiality. In the event that anonymity cannot be guaranteed, the employee will be given assurances about protection from victimisation or harassment as a result of having made this disclosure. Support will be available at all times from Personnel Services at West Dumbarton Council.
- 4.4 The employee may be asked to make a written statement if this has not already been done.
- 4.5 The employee will also be advised of the name of the nominated officer who will conduct the investigation into the information received.
- 4.6 Within 10 working days of the interview, the investigating officer will submit a report to the Assessor who will advise the employee what further action will be taken. If no further action is to be taken, the employee will be notified and given reasons in writing for this decision.
- 4.7 If a more detailed investigation is required, the investigating officer will discuss with the manager/senior officer how this would best be handled. A decision will be made as to whether the subject(s) of the complaint should be advised at this stage.
- 4.7 On conclusion of the further investigation, the findings will again be assessed by the Assessor who will consider what appropriate action should be taken.
- 4.8 Thereafter, the Assessor will contact the employee and advise him/her in writing of the outcome of the investigation. Should the employee have concerns at these findings, he/she may submit these to the clerk

to the Valuation Joint Board. The employee may request an update from the Assessor at any stage of the investigation.

- 4.9 If you wish to make a report regarding the Assessor it should be done in writing, using the report form if you wish, and sent to:

either

Stephen Brown  
Clerk to the Valuation Joint Board  
West Dunbartonshire Council  
Garshake Road  
Dumbarton G82 3PU

or

Internal Audit  
West Dunbartonshire Council  
PO Box 5197  
Dumbarton G82 9AB

## **5. FALSE REPORTING**

- 5.1 In the event that a reported allegation is found to be unsubstantiated or no conclusion can be drawn, and the employee making the report acted in good faith and not maliciously, the Assessor will advise the employee of the outcome of the investigation, highlighting the discrepancy between the initial report and the findings. The employee will not suffer any detriment as a result of the allegation made.
- 5.2 Where it is proved that false allegations are made deliberately or maliciously, this will be viewed seriously and the complainant may be liable to action being taken under the VJB's Disciplinary Procedures.

## **6. SAFEGUARDS**

- 6.1 Any employee making a confidential report will be protected against any detriment such as dismissal, harassment, victimisation or any other form of punitive sanction as a result of making the disclosure in good faith.

## **7. CONTACT WITH THE MEDIA AND OTHER BODIES**

- 7.1 This procedure has been developed to provide a means by which employees can make a confidential disclosure within the VJB, however it does not mean that employees may automatically report such matters to the press or other bodies. There are conditions which must be met for a disclosure made to a third party to be protected under the Act. One of these is that it is reasonable in all circumstances for the employee to make the disclosure. In deciding whether it was reasonable to make a disclosure a number of factors need to be assessed including the identity of the person to whom the disclosure is made.

This means for instance, that if an employee went to the press either directly, or after a matter has been investigated by the VJB, and there

are more appropriate people or organisations to deal with the matter, then that disclosure would not be protected under the Act. Before taking this step, therefore, an employee is strongly advised to seek advice from his/her trade union or a legal adviser. Any disclosures to the press or any other person which are not authorised by the VJB, or protected by the Public Interest Disclosure Act, are prohibited and may result in disciplinary action.

- 7.2 All contact with the press, other than when an employee is acting as a trade union official or expressing personal views, must be made through the Assessor.