

**MINUTES OF A MEETING  
OF THE POLICY AND RESOURCES COMMITTEE  
MALVERN TOWN COUNCIL**

held on 9 May 2018 at 6.00 pm

in the Council Chamber, Malvern Town Council, Belle Vue Terrace, Malvern.

**Councillors**

Present

J Thomas (Chairman)  
J Campbell  
N Mills  
N Morton  
B Regimbeau  
P Tuthill

Absent

J Cain (apologies sent after the meeting)  
S Charles (apologies)  
M Campbell (apologies)  
J O'Donnell (apologies)

**In attendance**

Linda Blake – Town Clerk  
Louise Wall – Minute Clerk

**71. APOLOGIES FOR ABSENCE**

Apologies were received and accepted from Cllr S Charles, Cllr M Campbell and Cllr J O'Donnell. Cllr J Cain sent her apologies after the meeting had finished.

**72. DECLARATIONS OF INTEREST**

Cllr P Tuthill – Worcestershire County Council.

**PUBLIC PARTICIPATION**

None.

**73. QUARTERLY ACCOUNTS – FOURTH QUARTER**

**March Management Accounts**

Report PRC01/18 was received and the Town Clerk presented the Quarterly Accounts for the fourth and final quarter of the 2017/18 financial year.

Committee received the management accounts. The Town Clerk outlined the major variances for the quarter. £7,766 had been taken from general reserves, ahead of the budgeted deficit for the quarter of £17,775. This was very pleasing considering the costs of the two by-elections of £10,678 during the quarter. The Town Clerk outlined the major variances for administration and operations and explained that cemetery income was much higher than expected. It was noted that overall there was an underspend against budget of £10,009 during the fourth quarter of the 2017/18 financial year.

Committee noted that for the entire Financial Year to 31 March 2018, there was an underspend against budget of £43,406. It was **NOTED** that this illustrated robust and sensible budgeting. It was difficult to budget precisely as so many one-off and individual factors can affect expenditure but an average underspend of £10,000 per quarter showed budgets were at a sensible level.

It was **RECOMMENDED** that Council approves the Quarterly Accounts for the Fourth Quarter ending 31 March 2018.

**Cash report CR1 February and March 2018**

Committee **NOTED** the cash report for February and March 2018.

## **Bank Payments Schedule February and March 2018**

Committee **NOTED** the Bank Payment Schedule for February and March 2018.

Committee expressed its thanks to the Town Clerk and her staff for setting a realistic budget and keeping within it.

### **74. REVIEW OF UTILITY CONTRACTS AND SUPPLIERS**

Report PRC02/18 was noted.

All suppliers to the Town Council had been scrutinised at the last meeting of the Policy and Resources committee and since then, the utility contracts had been looked at in more detail.

Members noted the dates of next reviews for various contracts and requested that a dual fuel agreement is looked into for Victoria Park when the next contract is due for renewal.

### **75. REVIEW OF WHISTLEBLOWING POLICY**

Report PRC03/18 was received and accepted.

Some minor amendments were made, namely changing the word 'customer' to 'member of the public'.

It was **RECOMMENDED** that with these amendments, the policy as attached at Appendix A to these minutes be accepted and the next review should be carried out in three years' time.

### **76. GRANT TO MARIÁNSKÉ LÁZNĚ TWINNING ASSOCIATION**

Report PRC04/18 was received and noted.

The Town Clerk informed members that since the report had been issued, it had been discovered that one claim amount had been made twice in error and therefore, there was enough in the reserve to cover the requested grant of £325, should it be agreed.

It was **AGREED** that a grant of £325 be awarded to the Mariánské Lázně Twinning Association to pay for the accommodation of Dr Petr Somol when he visits Malvern in June 2018.

### **77. LIFT MAINTENANCE CONTRACT**

The Town Clerk gave a verbal update regarding the lift maintenance contract for the building at Belle Vue Terrace, and explained the problems encountered with the renegotiation of the contract. Officers are in the process of resolving an issue relating to the changeover period between contracts.

### **78. 2018-2019 NATIONAL SALARY AWARD**

Report PRC05/18 was received and noted.

Committee **ACCEPTED** the new Local Government Services pay scales for 2018 and 2019.

### **79. DATE AND TIME OF NEXT MEETING**

There will be no further meetings of the Policy and Resources Committee.

The meeting closed at 6.50 pm

.....  
(Chairman)

# MALVERN TOWN COUNCIL



## WHISTLEBLOWING AT WORK POLICY

### 1. Introduction

The terms whistleblowing and whistleblower in this Policy refer to the disclosure internally or externally by workers, of malpractice as well as illegal acts or omissions at work.

### 2. Policy Statement

Malvern Town Council is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices. To achieve these ends, it encourages freedom of speech. It also encourages staff to use internal mechanisms for reporting any malpractice or illegal acts or omissions by its employees or ex-employees.

### 3. Other Policies and Procedures

Malvern Town Council has a range of policies and procedures, which deal with standards of behaviour at work; they cover Discipline, Grievance, Harassment and Recruitment and Selection. Employees are encouraged to use the provisions of these procedures when appropriate. There may be times, however, when the matter is not about your personal employment position and needs to be handled in a different way. Examples may be:

- Malpractice or ill treatment of a stakeholder by a senior member of staff.
- Repeated ill treatment of a stakeholder, despite a complaint being made.
- A criminal offence has been committed, is being committed or is likely to be committed.
- Suspected fraud.
- Disregard for legislation, particularly in relation to health and safety at work.
- The environment has been, or is likely to be, damaged.
- Breach of standing financial instructions.
- Showing undue favour over a contractual matter or to a job applicant.
- A breach of a code of conduct.
- Information on any of the above that has been, is being, or is likely to be concealed.

This list is not exhaustive.

Malvern Town Council will not tolerate any harassment or victimisation of a whistleblower (including informal pressures), and will treat this as a serious disciplinary offence, which will be dealt with under the Disciplinary Rules and Procedure.

**4. Role of Trade Unions**

Malvern Town Council recognises employees may wish to seek advice and be represented by their trade union(s) officers when using the provisions of this policy, and acknowledges and endorses the role trade union officers play in this area.

**5. Designated Officers**

The following people have been nominated and agreed by Malvern Town Council as designated officers for concerns under this procedure. They will have direct access to the most senior person in the organisation.

*Lyndsey Davies, 28 – 30 Belle Vue Terrace, Malvern. Tel: 01684 580604*

*Grahame Gibbins, 28 – 30 Belle Vue Terrace, Malvern. Tel: 07739 542241*

**6. Role of Designated officers**

Where concerns are not raised with the line manager, the designated officer will be the point of contact for employees who wish to raise concerns under the provision of this policy. Where concerns are raised with him/her, he/she will arrange an initial interview, which will, if requested, be confidential, to ascertain the area of concern. At this stage, the whistleblower will be asked whether he/she wishes to make a written or verbal statement. In either case, the designated officer will write a brief summary of the interview, which will be agreed by both parties.

**7. Role of the Most Senior Person in the Organisation**

The designated officer will report to the most senior person in the organisation (the Town Clerk), who will be responsible for the commission of any further investigation.

**8. Complaints about the Most Senior Person in the Organisation**

If exceptionally the concern is about the most senior person in Malvern Town Council, this should be made to the Chair of the Town Council, who will decide on how the investigation will proceed. This may include an external investigation.

**9. The Investigation**

The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. This may be appropriate in cases of suspected fraud. In certain cases, however, such as allegations of ill treatment of a

stakeholder, suspension from work may have to be considered immediately. Protection of stakeholders is paramount in all cases.

The designated officer will offer to keep the whistleblower informed about the investigation and its outcome.

If the result of the investigation is that there is a case to be answered by an Individual, the Disciplinary Rules and Procedure will be used.

Where there is no case to answer, but the employee held a genuine concern and was not acting maliciously, the designated officer should ensure that the employee suffers no reprisals.

Only where false allegations are made maliciously will it be considered appropriate to act against the whistleblower under the terms of the Disciplinary Rules and Procedure.

**10. Inquiries**

If the concern raised is very serious or complex, an inquiry may be held.

Malvern Town Council recognises the contribution the trade union(s) can make to an inquiry, and agrees to consult with the trade union(s) about the scope and details of the inquiry (if this is the wish of the employee), including the implementation of the recommendations of the inquiry. Malvern Town Council recognises that in many cases it will be desirable that a trade union(s) representative will be appointed to the panel of the inquiry.

**11. Following the Investigation**

The most senior person in the organisation will brief the designated officer as to the outcome of the investigation. The designated officer will then arrange a meeting with the whistleblower to give feedback on any action taken. (This will not include details of any disciplinary action, which will remain confidential to the individual concerned). The feedback will be provided within one month.

If the whistleblower is not satisfied with the outcome of the investigation, Malvern Town Council recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Executive, The Audit Commission, or the utility regulators, or where justified, elsewhere).

**12. The Law**

This policy and procedure has been written to take account of the Public Interest Disclosure Act 1998, which protects workers making disclosures about certain matters of concern, where those disclosures are made in accordance with the Act's provisions. The Act is incorporated into the Employment Rights Act 1996, which also already protects employees who take action over, or raise concerns about, health and safety at work.