

<b>REPORT TO:</b>		Standards Committee
<b>DATE:</b>		05 October 2015
<b>REPORT AUTHOR:</b>		Executive Director (Legal & Democratic Services)
<b>TITLE OF REPORT:</b>		Review of Whistleblowing Policy
<b>EXEMPT REPORT:</b>	<b>No</b>	
<b>KEY DECISION:</b>	<b>No</b>	If yes, date of publication:

## 1. Purpose of Report

1.1 To present a revised and updated whistleblowing policy to Standards Committee for consideration and comment.

## 2. Recommendations

2.1 That Committee consider the draft whistleblowing policy attached to this report and comment prior to the policy being presented to Cabinet for approval.

## 3. Reasons for Recommendations and Background

3.1 Standards Committee is charged in the Council's constitution with monitoring the operation of the Council's whistleblowing policy and advising on revisions to the same. The current policy was adopted in 2010 and is therefore ready for review.

3.2 The whistleblowing policy is intended to support the Council's employees, councillors and contractors to raise concerns about wrongdoing or malpractice within the Council without fear of harassment or other reprisal.

3.3 In summary, the draft whistleblowing policy attached to this report has been revised and updated from the current policy as follows:

- (a) Officer contact details have been updated
- (b) Details have been added of "prescribed bodies" to whom whistleblowing disclosures can be made if an employee does not want to raise the concern within the Council
- (c) The guidance to managers dealing with a whistleblowing concern has been expanded to be much clearer and specific about the Council's expectations
- (d) Paragraph 3.3 relating to confidentiality has been rewritten, hopefully to be much clearer about what employees can expect

The proposed amendments reflect the latest advice and guidance published by the charity Public Concern At Work in its last Biennial Review in 2011 and by the National Audit Office in a good practice guide for public sector workers and employers published in November 2014.

3.4 To date, no whistleblowing concerns have been raised in 2015/16.

In 2014/15 three concerns were raised under the Policy. Two were investigated, but were unproven. An investigation in respect of the third concern concluded that the relevant procedures were operating correctly, so there was no issue to be answer.

In 2013/14 one concern was raised under the Policy and, following investigation, disciplinary action was taken against one member of staff.

#### **4. Alternative Options considered and Reasons for Rejection**

4.1 The suggested policy is still in draft form and it can be revised to reflect comments from Standards Committee and or the trade unions.

4.2 The Council is not required by law to have a whistleblowing policy, but most local authorities do and this is recognised good practice endorsed by the National Audit Office. If the Council has such a policy it seems sensible to review it from time to time to keep it up to date.

#### **5. Consultations**

5.1 The Council's recognised trade unions are also being consulted about the revised policy and their comments will also be presented to Cabinet for consideration when the revised policy is presented for approval.

#### **6. Implications**

<b>Financial implications (including mainstreaming)</b>	None Effective whistleblowing arrangements can save the Council money in the long term by minimising the risk of fraud and / or litigation against the Council.
<b>Legal and human rights implications</b>	No adverse consequences There is no legal requirement for the Council to have a whistleblowing policy but this is standard practice in local authorities and it represents good practice, as recommended by the National Audit Office and the charity Public Concern At Work.
<b>Assessment of risk</b>	No adverse consequences The policy is intended to help reduce risk for the Council by avoiding accidents, litigation and possible damage to the Council's

	reputation. Encouraging staff to raise concerns should enable the Council to take corrective or preventative action where needed.
<b>Equality and diversity implications</b> A <i>Customer First Analysis</i> should be completed in relation to policy decisions and should be attached as an appendix to the report.	None identified

**7. Local Government (Access to Information) Act 1985:  
List of Background Papers**

None

**8. Freedom of Information**

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.