



AUDIT COMMITTEE – 11TH JUNE 2014

SUBJECT: CONFIDENTIAL REPORTING (WHISTLEBLOWING) CODE

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES & S151 OFFICER

1. PURPOSE OF REPORT

- 1.1 To inform the Audit Committee on the proposed revision of the Council's Whistle Blowing Policy, and seek their comments.

2. SUMMARY

- 2.1 The Whistle Blowing Policy is intended to encourage and enable employees to raise concerns with the Council without fear of victimisation, subsequent discrimination or embarrassment. This policy supports the Council's anti-fraud and corruption strategy.

3. LINKS TO STRATEGY

- 3.1 The Authority through this Committee has an obligation to maintain and monitor the standards of conduct throughout the Council's workforce.

4. BACKGROUND

- 4.1 The Head of Legal Services reported to Audit Committee on the 6th of November 2013 on proposals to develop an All Wales Framework document that could form the basis of a revised Whistleblowing policy for the Authority.
- 4.2 Since that date it has been established that the document circulated to Members required further amendment to take account of changes to legislation, consequently further work was undertaken by officers. This report therefore highlights current proposals for consulting on a revised policy document.

5. THE REPORT

- 5.1 Members may be aware that a Whistleblowing Commission was set up in February 2013 by the leading Whistleblowing Charity – Public Concern at Work. Their remit was to review the effectiveness of whistleblowing in UK workplaces, and to make recommendations for change. The Commission is an independent body made up of industry and academic experts and chaired by the Right Honourable Sir Anthony Hooper (former appeal court judge).
- 5.2 In late November 2013 it published its findings, with the Primary recommendation being for the Secretary of State to adopt a Code of Practice that could be taken into account in

whistleblowing cases before courts and tribunals. The Commission has published a draft Code which sets out clear standards for organisations across all sectors to enable them to have clear whistleblowing arrangements. The Code of Practice is designed to help regulators assess and inspect whistleblowing arrangements. The Code of Practice was designed to be adopted by organisations who are looking to achieve the highest standards in ensuring that workers are encouraged to speak up and when they do, that they are listened to. The draft code is provided as Appendix 2.

- 5.3 Officers have worked with the Charity Public Concern at Work, who were identified as being able to support best practice in this area. Officers have been able to access best practice guidance and support from Public Concern at Work to develop a new draft Whistleblowing Policy.
- 5.4 Members may also wish to note that there is an ongoing facility provided for employees to access the confidential support helpline provided by Public Concern at Work. This will enable them to make contact in a confidential manner, should they wish to seek independent advice.
- 5.5 In line with the findings of the Commission, the attached draft policy has been written in plain English, to encourage a wide understanding of employees. This draft policy has been developed with the support of the Improving Governance Project Board. A copy of the revised draft policy is provided at Appendix 1.
- 5.6 Members views are sought on the new policy document, which will be used as a basis for wider consultation with P& R Scrutiny, Managers, Employees and Trades Unions.

6. EQUALITIES IMPLICATIONS

- 6.1 None directly arising from this Report, however the views of the Council's Equalities Officer will be sought prior to adoption of a new Policy.

7. FINANCIAL IMPLICATIONS

- 7.1 There is a small membership cost (£1600 & Vat) for joining Public Concern at Work, which has been met from existing budgets

8. CONSULTATIONS

- 8.1 The Improving Governance Project Board have been involved in the decision to partner with Public Concern at Work. They have been consulted on the development of this draft policy.

9. RECOMMENDATIONS

- 9.1 Members of the Audit Committee are asked to provide their views of the draft Policy.

10. REASONS FOR THE RECOMMENDATIONS

- 10. To facilitate the implementation of a new Policy.

11. STATUTORY POWER

- 11.1 Local Government Act 2000, Public Disclosure Act 1998

Author: Gareth Hardacre, Head of Workforce & OD
Consultees: Gail Williams, Monitoring Officer
Nicole Scammell, Acting Director of Corporate Services & Section 151 Officer
Colin Jones, Head Of Property & Performance Management
Cllr Christine Forehead, Cabinet Member for HR & Governance
Gill Lewis, Change Management Director

Appendices:

Appendix 1 Draft Policy
Appendix 2 Whistleblowing Commission Code of Practice

Background Papers: Audit Committee Report – 6th November 2013