



STANDARDS COMMITTEE –15TH FEBRUARY 2016

SUBJECT: ANNUAL WHISTLEBLOWING REPORT

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES & S151 OFFICER

1. PURPOSE OF REPORT

- 1.1 This report provides a high level review of whistleblowing activity and the development of the Council's approach to whistleblowing during the period 1st January 2014 to 31st December 2015.
- 1.2 It also contains an anonymised summary of a whistleblowing investigation undertaken by the Authority.

2. SUMMARY

- 2.1 To provide an overview of the Council's whistleblowing activities.

3. LINKS TO STRATEGY

- 3.1 The Authority has an obligation to maintain and monitor the standards of conduct throughout the Council's workforce and to maintain appropriate arrangements for good governance. This policy is contained within the Council's Constitution.

4. THE REPORT

- 4.1 The Whistleblowing Policy provides a method for employees to raise concerns about the running of the Council without fear of victimisation. All employees have access to this policy.
- 4.2 The Policy forms part of the Officer's Code of Conduct and is found within the Council's Constitution.
- 4.3 The Policy has been in place since July 2001 and other than a minor review to reflect changes to job titles undertaken in 2012 there had been no significant changes made since that date.
- 4.4 Members may recollect from an earlier training session that a Whistleblowing Commission was set up in February 2013 by the leading Whistleblowing Charity - Public Concern at Work (PCaW). Their remit was to review the effectiveness of whistleblowing in UK workplaces, and to make recommendations for change. The Commission was an independent body made up of industry and academic experts and chaired by the Right Honourable Sir Anthony Hooper (former appeal court judge).
- 4.5 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 had 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 that 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.

- 4.6 Officers worked with the Charity Public Concern at Work, who were identified as being able to support best practice in this area. As a consequence the Council has been able to access guidance, resources and support from Public Concern at Work to develop a new Whistleblowing Policy reflective of current guidance and regulations.
- 4.7 Additionally the Council has access to an ongoing facility provided for employees to access the confidential support helpline provided by Public Concern at Work. This enables individuals to make contact in a confidential manner, should they wish to seek independent advice.
- 4.8 In line with the findings of the Commission, the Councils policy was reviewed and an amended policy adopted by the Council in December 2015. The new policy has been written in plain English, to encourage a wide understanding by employees. The policy was heavily based around the model policy provided by Public Concern at Work and was developed by the Council with the support of the Improving Governance Programme Board.
- 4.9 Following the adoption of the revised policy the Council it was uploaded to HR Support Portal and Wellbeing@Work intranet pages and a communication plan undertaken to increase awareness across the wider organisation. This is ongoing.
- 4.10 Members may also recollect that at the meeting on 2nd March 2015, Members of the Committee received a training session on the new policy.
- 4.11 In addition, the recent Standards Conference included a workshop on whistleblowing, details of which have already been shared with Members of the Standards Committee.
- 4.12 Given the role of the Standards Committee to oversee the Whistleblowing Regime, it is proposed that in future annual reports will be presented to the Standards Committee containing information in relation to the numbers of whistleblowing reports issued.
- 4.13 The report contains an anonymous summary of a formal whistleblowing investigation undertaken during the course of the last year, for information.

5. EQUALITIES IMPLICATIONS

- 5.1 There are none arising from the report, it is for information only.

6. FINANCIAL IMPLICATIONS

- 6.1 There are none arising from the report, it is for information only.

7. PERSONNEL IMPLICATIONS

- 7.1 There are none arising from the report, it is for information only.

8. CONSULTATIONS

- 8.1 There has been no formal consultation as this report is for information only.

9. RECOMMENDATIONS

9.1 Members are asked to note the report.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To receive an update on the operation of the Council's Whistleblowing regime.

11. STATUTORY POWER

11.1 Local Government Act 2000.
Public Interest Disclosure Act 1998.
Employment Act 2008.

Authors: Gail Williams, Interim Head of Legal Services and Monitoring Officer and Lynne Donovan Interim Head of Human Resources.

Consultees: Nicole Scammell, Acting Director of Corporate Services & Section 151 Officer
Councillor C Forehead, Cabinet Member for Human Resources &
Governance/Business Manager
Councillor B Jones, Cabinet Members for Corporate Services

Background:
Report to Policy and Resources Scrutiny Committee 11/11/14
Report to Council 18/11/14

Appendices:
Appendix 1 – Anonymised Summary of Whistleblowing Investigation