

Appendix

Whistleblowing Investigation

Summary

Following the submission of a letter of complaint, the complaint was deemed to fall within the definition of qualifying disclosure under the Council's Whistleblowing Policy. As such, the identity of the complainant was not revealed to those interviewed as part of the investigation.

An investigating officer, one of the Council's Senior Solicitors was appointed to undertake the investigation. She was supported throughout the investigation by one of the Council's HR Managers and the Internal Audit Manager.

The investigation was extensive and involved interviewing eleven individuals (including the complainant) from across the Authority. This included officers from the relevant service area and corporate support services staff. In addition, a very wide range of documentation was thoroughly reviewed and investigated.

In summary, the allegation concerned the transparency, governance, scrutiny and consultation related to a major project being undertaken by the Authority.

Of the allegations investigated, one allegation was substantiated and two were partially substantiated. The remaining allegations were not upheld.

The allegation substantiated was in relation to the execution of confidentiality agreements and the threat of failing to do so resulting in disciplinary action.

The investigation established that signing of confidentiality agreements was on the basis of external legal advice and therefore there is no recommendation to take action in relation to this matter.

The first of the allegations partially substantiated related to the procurement of a data management system. The investigation concluded that whilst there were problems with the system, it was properly procured as there were only limited systems available on the market at that date. The system procured was the best system that was available at that time. Consequently the investigating officers did not conclude that there was an inappropriate commitment of public money and made no recommendation in relation to this allegation.

The second partially upheld allegation related to allegations that costs of works were excessive due to the adoption of a particular schedule of rates. The investigation concluded that certain elements of work undertaken had potentially resulted in an increase in costs for the Council. It was recommended that this matter be reviewed.

In relation to the overall allegation that there was no transparency, governance, scrutiny and consultation in relation to the project, this was not substantiated. In fact, to the contrary the evidence suggested that the whole process was transparent and subject to scrutiny and consultation with appropriate governance process. All decisions to have been consulted upon and scrutinised appropriately and formal decisions taken in accordance with the Council's constitutional requirements. Consequently, this overall allegation was not upheld.

The Investigating Officer concluded that no disciplinary action was required in respect of any of the allegations.