



STANDARDS COMMITTEE – 28TH FEBRUARY 2023

SUBJECT: ANNUAL WHISTLEBLOWING REPORT

REPORT BY: DIRECTOR OF EDUCATION & CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 This report provides an anonymised summary of whistleblowing investigations undertaken during the period 1st April 2021 to 31st March 2022

2. SUMMARY

- 2.1 The Standards Committee's terms of reference include a responsibility to oversee the Council's whistleblowing regime. An annual report is presented to them containing information in relation to the number of investigations in line with the Council's Whistleblowing Policy.
- 2.2 During the period 1st April 2021 to 31st March 2022, no whistleblowing investigations have been undertaken.

3. RECOMMENDATIONS

- 3.1 The Committee are asked to note the contents of this report.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To update the Committee with regards to the operation of the Council's Whistleblowing Policy during the period 1st April 2021 to 31st March 2022 in accordance with its terms of reference.

5. THE REPORT

- 5.1 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.
- 5.2 The policy covers any disclosures that employees make with regard to any alleged wrong-doing. The policy aims to reassure employees that it is safe and acceptable to

speak up and raise serious concerns about malpractice, without risk of disciplinary action. In the policy the categories of wrongdoing include:

- Criminal offences, including conduct which is an offence or a breach of law or sexual or physical abuse of clients;
- Failure to comply with legal obligations including the unauthorised use of public funds, possible fraud and corruption; discrimination against the public or colleagues;
- Miscarriages of justice;
- Dangers to health or safety including risks to the public as well as other employees;
- Danger or damage to the environment;
- Deliberate concealment of any of the above.

- 5.3 The Policy forms part of the Officer's Code of Conduct and is found within the Council's Constitution.
- 5.4 The terms of reference of the Standards Committee includes a responsibility to oversee the whistleblowing regime.
- 5.5 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).
- 5.6 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.
- 5.7 Officers worked with the Charity Public Concern at Work (now Protect), who were identified as being able to support best practice in this area. As a consequence the Council was able to access guidance, resources and support from Public Concern at Work to develop a new Whistleblowing Policy reflective of guidance and regulations.
- 5.8 Additionally the Council has access to an ongoing facility provided for employees to access the confidential support helpline provided by Protect. This enables individuals to make contact in a confidential manner, should they wish to seek independent advice.
- 5.9 In line with the findings of the Commission, the Council's Policy was reviewed and an amended policy adopted by the Council in December 2015. The policy was 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.

- 5.10 Following the adoption of the revised policy by the Council it was uploaded to HR Support Portal and a communication plan undertaken to increase awareness across the wider organisation. Communication with regard to this policy continues across the Council.
- 5.11 The Policy is being reviewed again this year and advice will be sought from Protect with regard to best practice. The revised Policy will be communicated to all staff and will be subject to ongoing communication.
- 5.12 Recommendations from whistleblowing investigations are monitored for implementation by the Council's Monitoring Officer.
- 5.13 There were no investigations undertaken in line with the Council's Whistleblowing Policy during the period 1st April 2021 to 31st March 2022.

6. ASSUMPTIONS

- 6.1 There are no assumptions made within this report.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 An Integrated Impact Assessment has not been completed as this report is an information item.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications to this report.

9. PERSONNEL IMPLICATIONS

- 9.1 There are no personnel implications to this report.

10. CONSULTATIONS

- 10.1 The consultation responses have been incorporated in the report.

11. STATUTORY POWER

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

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