

Audit and Standards Committee – 15th April 2015

Report of the Monitoring Officer

Whistleblowing Policy

Purpose of Report

1. To monitor the operation of the Council's Whistleblowing Policy.

Background

2. Within its terms of reference the Audit and Standards Committee is responsible for advising the Council on its Whistleblowing reporting (formally known as Confidential Reporting) policy and monitoring its operation.
3. The Policy was first introduced in July 1999 and was last updated in March 2015. A copy of the current policy is attached at Appendix 1.

Over the past year there have been a number of significant developments in relation to whistle blowing in the public sector including the National Audit Office review into Government whistle blowing policies published January 2014 and a subsequent report produced by the Westminster Public Accounts Committee (PAC) on whistle blowing in July 2014. In light of these developments, the Council's existing Policy has been extensively reviewed to ensure it is written in accordance with those developments and recommended good practice guidelines.

In summary, the key changes are:

- Change of title from Confidential Reporting Policy to Whistle blowing Policy to accurately reflect its purpose
- Policy is extended to provide opportunity for anyone to disclose or make allegations of serious wrongdoings to the Council including members of the public
- Provides a more comprehensive Policy including clarity on when to use the Whistle blowing Policy and the process for reporting wrongdoings including timescales and who they should be reported to and where to obtain support and guidance
- A new section 5 for individuals employed or working in Schools including Foundation, Voluntary Aided, Academies, Sixth Form Colleges and Free Schools
- Updated Council contacts and job titles in accordance with new senior management structure
- Provides a list of other organisations where a protected disclosure can be made if an employee feels uncomfortable about making a disclosure to the Council
- Outlines the Nolan Principles of Conduct Underpinning Public Life as a new Appendix A.

- Embeds the principles of recommended good practice to ensure that all workers have the confidence to raise genuine concerns and are encouraged to do so without fear of reprisal
4. In my capacity as Monitoring Officer I regularly monitor the Policy by surveying each Directorate and asking a number of standard questions. The latest survey was undertaken during March 2015 and the results are set out below.

Are you aware of any use of the Policy by your staff and, if so, please supply appropriate details?

5. In the People Directorate (Children's Services) there have been two cases that have been reported using the previous confidential reporting policy during 2014/15. In both cases, the complaints related to the conduct of individual managers and are part of wider concerns that have been raised, using channels other than the confidential reporting policy. In both cases the allegations against the individuals are now subject to further investigations which are being supported by HR Services, but no final conclusions have yet been reached.

There have been no other incidents of use of the Policy by staff reported this year for any of the other Directorates.

How are your staff reminded of the existence of the policy e.g. newsletters and briefings?

6. Generally Directorates make use of briefings, emails, newsletters, events, management meetings, posters on noticeboards, annual reminders and the induction process.

Are there regular checks of posters and leaflets to make sure that they are up to date and readily available?

7. All Directorates report that regular (i.e. at least annually) checks do take place and any missing or out-dated posters are replaced. Where posters are not used, the policy itself is made available to managers or is displayed on a prominent notice board. Posters will need to be updated to reflect the new structure.

What is the outcome of your Directorate's review of the policy?

8. The new Policy is more detailed, particularly in relation to children and educational establishments. Managers are fully informed with regard to the Policy and apply it in line with corporate guidance.

Finance

9. There are no financial implications arising from this report.

Law

10. The relevant legislation is contained in the Public Interest Disclosure Act 1998 which affords some statutory protection for whistle-blowers.

Equality Impact

11. This report takes into account the Council's policy on equality and diversity and an Equality Impact Assessment has been produced.

Recommendation

12. It is recommended that the Committee note the outcome of the recent monitoring of the Whistleblowing Policy.



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List of Background Papers

Various emails from Directorates