

## **Whistleblowing Policy**

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### **1. Summary**

- 1.1. This report is designed to familiarise the Committee with the Council's Whistleblowing Policy and to ask for support for a focused piece of work with Senior Leadership Team and other staff to assess awareness of the Policy and its use.

### **2. Recommendations**

- 2.1. **The Committee is asked to confirm support for the Policy and the action proposed within the report to review the operation of the Policy.**

### **3. Background**

#### **3.1 Whistleblowing Policy**

- 3.1.1 The Committee has overall responsibility for the Council's Whistleblowing Policy. The current policy dates from 2016 when updated and approved by the Standards Committee. Regular checks have been made over the years to ensure that the Policy is compliant with the legislation and the Policy agreed in 2016 met these requirements. As part of the work detailed in this report a further compliance check will be made to ensure that the Policy remains appropriate. There is no suggestion at this stage that the Policy is not compliant.
- 3.1.2 The changes made to the Policy in 2016 simplified the content. The Policy is available on the Council's Intranet site and is attached as the Appendix to this report.
- 3.1.3 The focus of the policy is to ensure that anyone working for the Council (and not just contracted members of staff) feels comfortable and protected in raising a complaint against an employee within the Council and without the need to 'blow the whistle' outside of the Council. The policy includes protections and guarantees to this effect. It also sets out the categories of complaints that can be raised under the Policy.
- 3.1.4 The Policy includes of avenues inside and outside of the Council whereby a member of staff can seek confidential advice when deciding if and how to make a complaint. It also sets out the process for how the Council will respond to the complaint including timelines and how the complaint will be dealt with which will depend on the circumstances of the complaint.

## 4. Operation of the Policy

### 4.1 Further work is required in the following areas:

1. Awareness of the Policy: It is proposed to undertake work with the Senior Leadership Team (SLT) to assess knowledge of the Policy amongst senior staff. Cases in which the Monitoring Officer has been involved and registered details of complaints have been properly handled under the Policy and have given no causes for concern. However, we need to ensure that we have a complete picture of whistleblowing complaints dealt with across the Council, hence the need for further work. Work will be undertaken with HR colleagues to put in place steps to ensure that the policy is advertised appropriately within the organisation to raise awareness amongst those working for the Council and linking with the work on the Leadership Competency Framework – see 3 below. This includes a review of the Council’s staff induction processes and the treatment of whistleblowing.
2. Numbers of complaints. Numbers of complaints made known to the Monitoring Officer are at a low level. This amounts to 7 over the last 3 years and includes 4 significant fraud cases. Further work needs to be done to establish that this is a true figure across the Council and ensure that adequate records are being kept of complaints to enable lessons to be learnt. It is possible that whistleblowing complaints have been dealt with within services and without the knowledge / involvement of the Monitoring Officer or HR. Learning from complaints is important and the recent cluster of fraud cases raised some important issues. In respect of the fraud cases there have been briefings for senior managers on the lessons coming out of these complaints.
3. This work will link well with the proposal to develop an Officers’ Code of Conduct for inclusion in the Constitution. We are also implementing a Leadership Competency Framework, which sets out the behaviours and attributes expected of staff at all levels of the organisation. This includes areas such as Self Awareness & Self-Management, Personal Integrity & Role Modelling, Leading Change Through People, Holding to Account, Empowering Others and Working Effectively with Others. This work will directly support greater awareness of standards of conduct required of staff, the whistleblowing policy and individual and organisational responses to cases.

## 4. Consultation

- 4.1 SLT and HR colleagues will be involved in the review. A further report will be made to the Committee upon the completion of the review outlined above.

## 5. Implications

- 5.1 **Financial:** There are no costs associated with the review proposed in this report beyond officer time required to undertake the work.
- 5.2 **Legal:** As detailed in the report.
- 5.3 **Impact Assessment:** The Council’s duty under Section 149 of the Equality Act 2010 is to have “due regard” to the matters set out in relation to equalities when

considering and making decisions on the provision of services. There are no direct impacts of the report's recommendations on the provision of services. There are no direct impacts on sustainability, health and safety, community safety or privacy aspects as a result of these proposals.

- 5.4 Business Risk:** There are no specific business risks arising to the Council from this report. Having an effective Whistleblowing Policy in place helps to reduce risks within the Council by allowing poor or fraudulent practice to be identified and dealt with.

## **6. Background papers**

- 6.1.** None

**Note:** For sight of individual background papers please contact the report author.