

REPORT TO	ON
Governance Committee	18 April 2018

September 2017



TITLE	REPORT OF
Whistleblowing Policy	Interim Monitoring Officer

Is this report confidential?	No
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1. PURPOSE OF THE REPORT

An updated draft Whistleblowing Policy is submitted to the Governance committee for their approval.

2. RECOMMENDATIONS

2.1 That Committee consider and approve the draft Whistleblowing policy at Appendix A.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	√
Health and Wellbeing	
Place	

Projects relating to People in the Corporate Plan:

People	
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4. BACKGROUND TO THE REPORT

4.1 As members will be aware the council has a suite of corporate policies in place covering a wide range of governance issues – for example Money Laundering, Prosecutions and Combating Fraud. Periodically these documents need to be reviewed and updated.

4.2 The Whistleblowing Policy has not been properly reviewed since 2014. In 2017 there was a minor update to reflect the fact that the previous Monitoring Officer had left the council's employment. A copy of the previous Whistleblowing Policy can be found at Appendix B.

4.3 Members will recall that in 2017 Weightmans Solicitors carried out an investigation into the leaking of confidential licensing material. As part of their report they suggested an Action Plan for how we improve our handling of confidential material. As part of this process they suggested that we should review our Whistleblowing policy to make sure that it is still up to date.

4.4 A review of this policy has now been carried out. Policies elsewhere were compared and contrasted with our previous policy. Overall it was considered that our existing policy was essentially a sound document but that it could be clarified and simplified.

4.5 On the 13th of February 2018 the Governance Committee Working Group considered this draft policy. Following on from that meeting some changes have been made to the document. The front sheet has been changed so as to make it clear that it is not just employees who may use the whistleblowing procedures but also councillors, partners and members of the public. A new section has also been added entitled "Independent Advice" which explains that there are also other agencies where concerns can be raised.

4.6 Once the document has been eventually agreed and finalised then it is considered desirable that training for staff should be provided.

5. WHISTLE BLOWING POLICY

5.1 The main changes to note in the document are as follows:

Paragraph	Content	Justification
Forward	Essentially this is a statement of intent	Updates wording within current version
1. Introduction	A statement of the council's commitment and to what we expect from others – whether employees or not	Updates wording within current version – only minor changes
2. Aim and Scope	A statement of the aims of the policy and the scope of its application	The wording is simplified and hopefully more readable
3. Legal Background	It sets out in broad terms the statutory content to this – namely the Public Interest Disclosure Act 1998	This is a new section. The content was previously found in different parts of the old policy – see 7.3.

4. Raising a Concern	This sets out how a concern may be raised.	The wording is essentially the same to the previous section 3 in the old Policy
5. How the Council will respond	This sets out how the council will respond to any whistleblowing concerns	The wording is essentially the same to the previous section 4 in the old Policy
6. Support for Employees	This section sets out how the council will protect employees who have raised concerns	The wording is largely the same to the previous section 5 in the old Policy
7. Links to other Procedures	Contains details of other linked procedures – grievance, safeguarding, health and safety etc	The wording is essentially the same to the previous section 6 in the old Policy
8. Definitions and Explanation of Terms	Sets out key definitions	There is less information here now as some of the material is now covered by the new Section 3
9. Responsible Officer	Designates the Monitoring Officer as being the responsible Officer	The same wording as the previous section 8
10. Training, Review and Oversight	Provisions about review of the policy and assessment of its effectiveness	The wording is largely the same to the previous section 9 in the old Policy
11. Independent Advice	Essentially provides an explanatory note for the information contained in Appendix 2	Entirely new Section

6. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION

6.1 Comments of the Statutory Finance Officer

There are no financial implications arising directly from this report.

6.2 Comments of the Monitoring Officer

Every Council is required to have a written Constitution which is regularly reviewed and kept up to date.

Other implications:	
▶ Risk	There are no specific risk implications arising from this report
▶ Equality & Diversity	There are no specific equality implications arising from this report
▶ HR & Organisational Development	There are no specific HR implications arising from this report
▶ Property & Asset Management	There are no specific Property or asset management implications arising from this report
▶ ICT / Technology	There are no specific ICT implications arising from this report

7. BACKGROUND PAPERS

None

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