

Meeting of:	Audit Committee
Date of Meeting:	Monday, 03 February 2020
Relevant Scrutiny Committee:	All Scrutiny Committees
Report Title:	Whistle Blowing Update
Purpose of Report:	To provide Audit Committee with a summary of Whistleblowing incidents recorded
Report Owner:	Monitoring Officer
Responsible Officer:	Monitoring Officer
Elected Member and Officer Consultation:	There are no matters in this report which relate to an individual ward
Policy Framework:	This is a matter for executive decision
<p>Executive Summary:</p> <ul style="list-style-type: none"> • The council adopted the current Whistle Blowing Policy in 2014. • The purpose of the Policy is to ensure that employees of the Council are aware of their responsibility to the public and to protect individuals who may need to disclose information concerning any 'malpractice' within the council, including any confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of the employee or a fellow employee. • In February 2019 Audit Committee received an update on outcomes from a staff survey designed to assess awareness of the policy. . • As a review of the policy and process for reporting whistle blowing incidents is under review. Further promotional and marketing work will be undertaken to tie in with raising staff awareness of the revised policy. • Although the number of reported incidents dropped from 7 in 2018/19 to 2 for the year to date, this year's number is in line with the average for previous years. • A total of 18 incidents have been reported over past 5 years (including 2019/20 to date), with only 2 incidents having been reported in 2019/20 to date. 	

Recommendations

1. That Audit Committee note the contents of the report
2. That Audit Committee continue to receive an annual report in relation to policy implementation and incidents.

Reasons for Recommendations

1&2 To ensure the effective monitoring of whistleblowing incidents is undertaken.

1. Background

- 1.1 The council adopted the current policy in 2014
- 1.2 The purpose of the Policy is to ensure that employees of the Council are aware of their responsibility to the public and to protect individuals who may need to disclose information concerning any 'malpractice' within the council, including any confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of the employee or a fellow employee.
- 1.3 The Policy and procedures apply to employees of the Vale of Glamorgan Council (excluding those employed at a school by a School Governing Body), temporary employees, trainees and independent contractors as well as those engaged through an external agency.
- 1.4 The Policy confirms the standards expected from employees and sets out a framework within which staff can make a "protected disclosure" without fear that they will be subjected to victimisation or dismissal as long as the disclosure is made in the public interest in accordance with the Public Interest Disclosure act 1998 (the Act).
- 1.5 The Act identifies the circumstances in which staff can make a "protected disclosure" as if in the reasonable belief of the member of staff making the disclosure intends to show one or more of illegal practices, a failure to comply with legal obligation, the health and safety of an individual (member of public or staff) being endangered, damage to the environment, a miscarriage of justice and/or the deliberate concealment of any of these.
- 1.6 The Operational Manager Customer Relations is responsible for the registration and maintaining a central record of all Whistleblowing concerns and to monitor progress and outcome of each investigation.
- 1.7 Directors are responsible for the receipt and populating the whistleblowing central register and for the effective operation of the policy within their own directorate. This includes ensuring that each employee is aware of the policy and how to use it, managers are effectively trained in the use of the policy and whistleblowing concerns are appropriately recorded and managed.
- 1.8 The Audit Committee acting through the Monitoring Officer has within its terms of reference overall responsibility for the maintenance and operation of the Whistleblowing Policy. The Monitoring Officer is responsible for reporting to Audit Committee in a confidential format.

- 1.9 The central register of Whistleblowing concerns is maintained on the Council's Oracle Customer Relationship Management (CRM) database and access to records is strictly controlled by user access permissions. The information in this report has been produced using CRM reporting functionality.

2. Key Issues for Consideration

- 2.1 Since the last report the Policy has been publicised on Staffnet and posters have continued to appear on staff notice boards at main operational sites. Further, regular meetings are held by the Monitoring Officer with senior officers from Human Resources, Internal Audit, Finance and the Operational Manager for Customer Relations to ensure that incidents are being recorded on the Central Register and to identify any trends in the reporting of incidents.
- 2.2 Following the introduction of a revised Policy which is now anticipated for early 2020/21, further promotion will focus on informing staff of their legal protections followed by a further staff survey to assess effectiveness.
- 2.3 Over the past 5 years (including 2019/20 to date) a total of 18 whistleblowing incidents have been reported and recorded, peaking in 2018/19 at 7 (Appendix A)
- 2.4 With the exception of the Managing Director and Resources Directorate (0 reports) all Directorates showed an increase in reported incidents during 2018/19. However, only the Managing Director and Resources Directorate has had incidents reported (2) during 2019/20 so far.
- 2.5 Of the 18 reported incidents across the authority 13 were not upheld, 3 have been partially upheld, 1 has been upheld (Social Services) and 1 is yet to be determined.
- 2.6 A total of 10 incidents related to Illegal Practices, including Fraud, 4 to failure to meet legal obligations and 3 to Health and Safety concerns.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1 The Policy provides opportunity for staff to highlight concerns regarding the way the council works, ensuring resources are used sustainably and in a way that best benefits residents.

4. Resources and Legal Considerations

Financial

- 4.1 The Policy helps ensure that Council funds and resources are used appropriately.

Employment

- 4.2** There is a resource impact in relation to the investigation and resolution of concerns under the Policy. The impact is borne by Directorates and Internal Audit.

Legal (Including Equalities)

- 4.3** The Policy helps to ensure that crime committed by Council employees in undertaking their duties can be detected and addressed.

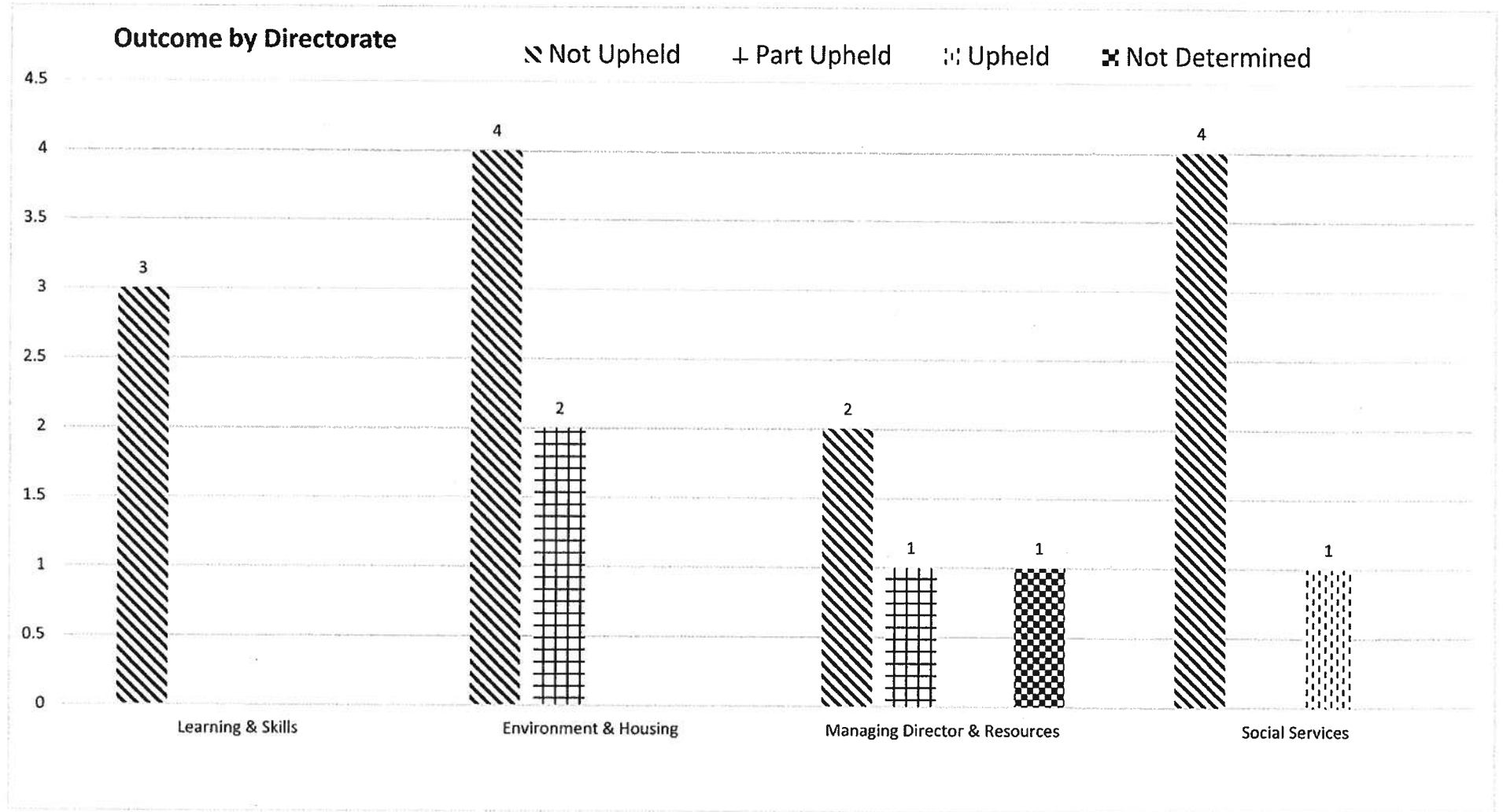
5. Background Papers

None

Whistle Blowing Report Summary 2019 / 20 to date**Appendix A**

Reporting Period	Total	Learning & Skills	Environment & Housing	Managing Director & Resources	Social Services
2015/16	4	1	0	1	2
2016/17	3	0	0	1	2
2017/18	2	0	1	1	0
2018/19	7	2	4	0	1
2019/20 (to date)	2	0	0	2	0

Whistle Blowing Report Summary 2019 / 20 to date



CONCERNS BY CATEGORY

	Illegal Practices	Failure of Legal Obligations	Health & Safety	Damage to Environment	Miscarriage of Justice
2015/16	2	1	1	0	0
2016/17	2	0	1	0	0
2017/18	0	1	1	0	0
2018/19	6	1	0	0	0
2019/20 to date	1	1	0	0	0