

Report To:	STANDARDS AND PERSONNEL APPEALS COMMITTEE	Date:	24 MARCH 2021
Heading:	WHISTLEBLOWING ANNUAL UPDATE		
Portfolio Holder:	NOT APPLICABLE		
Ward/s:	NOT APPLICABLE		
Key Decision:	NO		
Subject to Call-In:	NO		

Purpose of Report

The report provides the Committee with an annual update in relation to how the Whistleblowing Policy has operated in the preceding 12 months.

Recommendation(s)

Committee is asked to note:

- 1. That no changes to the Whistleblowing Policy are required; and**
- 2. How the Whistleblowing Policy has operated during 2020/21.**

Reasons for Recommendation(s)

To ensure the Committee is adequately informed to enable it to monitor the operation of the Whistleblowing Policy in accordance with the Committee's Terms of Reference as set out in the Constitution.

Alternative Options Considered

None as the report is for noting and comment.

Detailed Information

Whistleblowing Policy

The Council has in place a Whistleblowing Policy which sets out a process for people to confidently report concerns, such as fraud. This policy makes it clear that people can report their concerns without fear of reprisals.

Paragraph 8.1 of the Whistleblowing Policy states that: "The Monitoring Officer has overall responsibility for the maintenance and operation of this policy. This Officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report these to the Standards and Personnel Appeals Committee and the Audit Committee once a year. The Whistleblowing Policy will also be reviewed on a bi-annual basis."

This Committee approved minor changes to the Policy at its meeting in July 2020. A review of the policy has been undertaken and no changes are necessary at this time.

The Audit Committee will receive a Whistleblowing Update report at its meeting on 29 March 2021.

Application of Policy during the Preceding 12 Months

During the period starting April 2020 to the present, there has been 1 reported incident of whistleblowing drawn to the Monitoring Officer's attention.

Given the confidential nature of the complaints this report can only refer anonymously and in high level terms. A summary of the complaint received during 2020/21 is set out below:

COMPLAINT REFERENCE	NATURE OF COMPLAINT	STATUS OF COMPLAINT	OUTCOME/ACTION TAKEN
2020-01	Anonymous complaint received via UNISON. The complaint related to the work of the Environment Section and included allegations of environmental crime, fraud, corruption and bribery.	Closed.	A lengthy investigation was carried out by the Monitoring Officer in conjunction with the Chief Executive. There was no evidence of environmental crime, fraud, corruption and bribery. No disciplinary action was taken in relation to individual officers. Both Trade Unions have been debriefed along with the Director of Place and Communities.

			Management recommendations were made to improve and document procedures.
--	--	--	--

Previous Application of Policy

The following table sets out the application of the Whistleblowing Policy for the past 6 years to the present date:

YEAR	TOTAL NUMBER OF COMPLAINTS	NO FURTHER ACTION	MANAGEMENT RECOMMENDATIONS	DISCIPLINARY/GRIEVANCE INVESTIGATION
2015	2	1	1	0
2016	2	0	1	1
2017	3	1	1	1
2018	3	1	0	2
2019	4	3	1	0
2020	1	0	1	0

All complaints made in 2018, 2019 and 2020 were made anonymously. The Policy encourages complainants to put their name to complaints and take advantage of the protections the Public Interest Disclosure Act 1998 afford such complainants. Concerns raised anonymously are much less powerful but are considered at the discretion of the Monitoring Officer in consultation with the Chief Executive. The Monitoring Officer and Chief Executive have had discussions with both Unions in relation to this to consider how to encourage complainants to come forward.

Implications

Corporate Plan:

To ensure we deliver high-quality public services we have adopted a set of corporate values which underpin the successful delivery of our priorities. How we work is as important as what we do. The Council's values are:

- People Focussed
- Honest
- Proud
- Ambitious

It is important that the Council has the most effective infrastructure and support to enable:

- The delivery of the Corporate Plan
- Financial sustainability to continue to deliver key services
- A productive workforce that delivers services well

Legal:

The policy has been written to take account of the Public Interest Disclosure Act 1998 which protects workers making disclosures in good faith.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
Failure to maintain integrity and confidence in the policy and its applications.	Annual reporting to the Audit Committee and Standards and Personnel Appeals Committee. Annual update on the application of the policy. Update reporting in accordance with the policy to the Whistleblower (if identified). Identification of trends in disclosure to inform Management.

Human Resources:

Regular review, maintenance and consistent application of the Whistleblowing Policy infers good employment practices. As such it is important to maintain the integrity of the policy.

Environmental/Sustainability

There are no Environmental/Sustainability issues identified in the report or the policies reviewed.

Equalities:

There are no equalities issues identified as a direct result of the report. Equalities issues would be considered as part of any whistleblowing investigation.

Other Implications:

None

Report Author and Contact Officer

Ruth Dennis
DIRECTOR OF LEGAL AND GOVERNANCE
(Monitoring Officer)
r.dennis@ashfield.gov.uk
01623 457009