

Report To:	STANDARDS AND PERSONNEL APPEALS COMMITTEE
Date:	23 MARCH 2022
Heading:	WHISTLEBLOWING ANNUAL UPDATE
Portfolio Holder:	NOT APPLICABLE
Ward/s:	NOT APPLICABLE
Key Decision:	NOT APPLICABLE
Subject to Call-In:	NOT APPLICABLE

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 and recommends some amendments to the Whistleblowing Policy

Recommendation(s)

Committee is asked to:

- 1. Approve the minor changes to the Whistleblowing Policy in accordance with the draft attached to the report at Appendix 1; and**
- 2. Note how the Whistleblowing Policy has operated during 2021/22.**

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. To ensure the Whistleblowing Policy is reviewed regularly and kept up to date.

Alternative Options Considered

The Committee may consider alternative changes to the draft policy which must be in accordance with the law and Council procedures.

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.”

A review of the policy has been undertaken and some minor changes to the policy are recommended. The revised draft policy is attached at Appendix 1; the changes are highlighted in yellow. The recommended changes are largely to ensure clarity, in particular regarding:

- what type of complaints the policy covers;
- who can make complaints under the policy;
- how to make a complaint and to whom.

In relation to the final bullet point, the revised version updates some of the contact and link details and also removes the option of reporting complaints to the Monitoring Officer at Mansfield District Council in advance of the exit from the Shared Legal Service which will take place at the end of June 2022.

The Audit Committee will receive a Whistleblowing Update report at its meeting on 28 March 2022.

Application of Policy during the Preceding 12 Months

During the period starting April 2021 to the present, there have been **no** reported incidents of whistleblowing drawn to the Monitoring Officer’s attention.

Previous Application of Policy

The following table sets out the application of the Whistleblowing Policy for the past 7 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
2021	0	0	0	0
2022 to date	0	0	0	0

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: [PH 15/03/22].

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. [KB 15/03/2022]

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

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