

Executive 15/06/21
Standards and Ethics 17/06/21

CONFIDENTIAL REPORTING (WHISTLEBLOWING) POLICY

EXECUTIVE MEMBER: Mayor Mike Starkie (Portfolio Holder for Strategic Leadership to include audit, corporate reputation and risk);

LEAD OFFICER: Sarah Pemberton, Director of Corporate Resources and Commercial Strategy; and

REPORT AUTHOR: Peta Leigh, Corporate Policy Officer.

REPORT SUMMARY: This report recommends the approval of a revised Confidential Reporting (Whistleblowing) Policy to show how the Council will respond to disclosures of wrongdoing by the Council.

RECOMMENDATIONS:

(a) That, subject to recommendation (b), the Executive approves the Confidential Reporting (Whistleblowing) Policy attached as an appendix to this report; and

(b) That the Director of Corporate Resources and Commercial Strategy, in consultation with the Mayor, be delegated with authority to make the final approval to the said Confidential Reporting (Whistleblowing) Policy following its consideration and/or amendment by the Standards and Ethics Committee.

1.0 INTRODUCTION

1.1 Whistleblowing refers to when a worker passes on information concerning wrongdoing by the Council. By law a worker making such disclosure is protected by law in that it provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle' on wrongdoing.

- 1.2 The Department for Business, Innovation and Skills has issued Guidance for Employers and a Code of Practice on Whistleblowing. In respect of policy making that guidance states that “As an employer it is good practice to create an open, transparent and safe working environment where workers feel able to speak up. Although the law does not require employers to have a whistleblowing policy in place, the existence of a whistleblowing policy shows an employer’s commitment to listen to the concerns of workers. By having clear policies and procedures for dealing with whistleblowing, an organisation demonstrates that it welcomes information being brought to the attention of management”.
- 1.3 The DBIS’s Guidance is available via this link - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf . The Guidance promotes the adoption of a policy as it will recognise workers as the valuable ears and eyes of the authority, creates the right open and supportive culture, allows a prompt and proper response to disclosures as well as the control of wrongdoing and provides a means to resolving issues quickly.

2.0 REVISED POLICY/PROCESS

- 2.1 The Council has had a whistleblowing code in place for a number of years. This current review formalises it as a policy. The proposed policy is attached as an appendix to this report. Consultation has taken place with the STUGG. In terms of process the policy does not form part of the policy framework nor the constitution. By law approval of the policy is therefore an executive function.
- 2.2 The Standards and Ethic Committee is delegated the task of monitoring ‘the operation of the Council’s whistle-blowing policy’. That Committee’s views should be sought on the proposed policy and recommendation (b) allows for this.
- 2.3 The Executive is asked to consider the attached policy and to approve it subject to the Chief Executive providing final approval in consultation with the Mayor following consideration by the Standards and Ethic Committee.

3.0 FINANCIAL, LEGAL AND OTHER COMMENTS

3.1 Monitoring Officer/Legal comments are: Process and legal comments are included within the report.

3.2 Section 151 Officer's comments are: No financial implications arise from this report.

3.3 EIA Comments: No issues arise from this report.

3.4 Policy Framework: Not applicable.

3.5 Other Consultee Comments, if any: None.

4.0 HOW WILL THE PROPOSALS BE PROJECT MANAGED AND HOW ARE THE RISKS GOING TO BE MANAGED?

Not applicable. The Policy sets out how disclosures of wrongdoing will be dealt with and who they should be reported to.

5.0 WHAT MEASURABLE OUTCOMES OR OUTPUTS WILL ARISE FROM THIS REPORT?

Not applicable.

Appendices:

Confidential reporting (whistleblowing) policy.

List of Background Documents:

Guidance as referred to in paragraph 1.3 above.