

## Regulatory and Audit Committee

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<b>Title:</b>	<b>Whistleblowing Policy – Incidents and Effectiveness</b>
<b>Date:</b>	October/November 2018
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<b>Local members affected:</b>	John Chilver, Cabinet Member for Resources Mike Appleyard, Cabinet Member for Education

*For press enquiries concerning this report, please contact the media office on 01296 382444*

### Summary

The Council's Whistleblowing Policies (for both Services and Schools) were updated in 2017 following the previous Regulatory & Audit (R&A) Committee's request that consideration be given to including wording to specifically prohibit employees from attempting to identify the source of the whistleblowing complaint.

The policy is brought to the attention of new joiners to the Council through the County Wide Confidentiality Statement, attached to Contracts of Employment. The Whistleblowing Policy is highlighted in the Employee Handbook and is available to all employees on the Council's intranet and Schoolsweb. The policy also appears on the Council's internet for access by those working with the Council who do not have access to the intranet.

There were no outstanding cases from 2016/17.

There have been fourteen whistleblowing complaints from 1 April 2017 to 30<sup>th</sup> September 2018, ten Service based and four schools based:

- Three of the schools based complaints were in relation to safeguarding concerns, these were passed to the Local Area Designated Officer (LADO) for initial consideration. We are awaiting the outcome of these cases.
- The remaining schools based complaint was in relation to financial management, an internal audit visit was undertaken and an audit report was issued highlighting issues for the school to address. A follow-up audit is due to be undertaken as part of the 2018/19 audit plan.



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- One of the services based complaints was in relation to safeguarding and referred to the LADO. This has subsequently been passed to the Service Area for consideration and we await the outcome.
- There was one complaint relating to Health & Safety Processes/HR Processes following a work related H&S incident. The matter was investigated by H&S/HR and the process reviewed.
- One complaint was in relation to the recruitment to a position within CHASC, this was investigated by internal audit, and the outcome was communicated as part of the fraud progress reports.
- Two complaints were in relation to the BCC Sports and Social Club and the allegations were investigated by HR at an informal level. No formal action was taken as it was decided there was insufficient information to take forward.
- One complaint was in relation to the conduct of an employee within CHASC and was referred to HR to investigate. HR advice was given and the Service made the decision to deal with this through the informal conduct and discipline process.
- One complaint was concerning the use of the Community Leader's Fund, investigated by internal audit, and the outcome was communicated as part of the fraud progress reports.
- One complaint was in relation to the conduct of an employee within TEE, investigated by HR and resolved as there was no evidence of misconduct. Neither was there evidence to suggest that the raising of the issue had been malicious.
- One complaint was in relation to a conflict of interest within TEE and the internal audit investigation is ongoing.

Updates to legislation:

The Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2018 (SI 2018/795) amends the list of prescribed persons to whom workers may make a protected disclosure under the Employment Rights Act 1996, however, this does not require an update to BCC Services and Schools Whistleblowing Policies and Procedures.

Process

In compiling this report it became evident that the process could be made slicker, as cases were not always being held on a central register. This has been addressed, and the register will be held by the Business Assurance Team on behalf of the Monitoring Officer.

## **Recommendation**

**That the Regulatory and Audit Committee approve the Whistleblowing policies for Services and Schools.**

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