



## Audit Committee Report

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**Report of:** Laraine Manley, Executive Director of Resources

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**Date:** 1 August 2012

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**Subject:** Whistle-blowing Policy

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**Author of Report:** Cheryl Blackett, Head of HR – Specialist & Advisory Services  
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### Summary:

This report

- Provides The Audit Committee with information on activity under the Whistleblowing Policy since the revised policy was introduced in April 2010;
- Sets out the revised policy and procedure which incorporates feedback on its operation;
- Informs the Committee of the recruitment and training of additional contact advisors to support employees who raise concerns under Whistleblowing and Dignity and Respect.

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### Recommendations:

It is recommended that the Audit Committee:

- Note the information on activity under Whistleblowing since the revised policy was introduced in April 2010;
- Note the the changes to the Whistleblowing policy and procedure;
- Note the activity on the recruitment and training of contact advisors;

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**Background Papers:** N/A

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**Category of Report:** OPEN

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**If Closed add – ‘Not for publication because it contains exempt information under Paragraph... of Schedule 12A of the Local Government Act 1972 (as amended).’**

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\* Delete as appropriate

## Statutory and Council Policy Checklist

<b>Financial Implications</b>
YES/NO      Cleared by:
<b>Legal Implications</b>
YES/NO      Cleared by:
<b>Equality of Opportunity Implications</b>
NO      Cleared by: Cheryl Blackett
<b>Tackling Health Inequalities Implications</b>
NO
<b>Human rights Implications</b>
NO:
<b>Environmental and Sustainability implications</b>
NO
<b>Economic impact</b>
NO
<b>Community safety implications</b>
NO
<b>Human resources implications</b>
YES
<b>Property implications</b>
NO
<b>Area(s) affected</b>
<b>Relevant Cabinet Portfolio Leader</b>
<b>Relevant Scrutiny Committee if decision called in</b>
Not applicable
<b>Is the item a matter which is reserved for approval by the City Council?</b>
NO
<b>Press release</b>
NO

# REVIEW OF THE WHISTLEBLOWING POLICY AND PROCEDURE

## 1. INTRODUCTION

The Public Interest Disclosure Act 1998 protects workers who, out of a sense of public duty, reveal serious employer misconduct. Workers who make 'protected disclosures' - referred to as 'Whistleblowing' - who suffer detriment through victimisation, or disciplinary proceedings are entitled, under this legislation, to bring a claim against their employer. Dismissal for a reason connected with a disclosure would be automatically unfair.

The Whistleblowing Policy provides a route for a Whistleblower to disclose concerns and an opportunity for the Council to investigate and endeavour to manage concerns internally in the first instance, rather than there being external public disclosure. The Council's current Whistleblowing Policy was introduced in April 2010.

## 2. SUMMARY

This report:

- Provides The Audit Committee with information on activity under the Whistleblowing Policy since the revised policy was introduced in April 2010;
- Sets out the revised policy and procedure which incorporates feedback on its operation;
- Informs the Committee of the recruitment and training of additional contact advisors to support employees who raise concerns under Whistleblowing and Dignity and Respect.

## 3. MAIN BODY OF THE REPORT

### 3.1 Activity under Whistleblowing

Since the new policy and procedure was introduced there have been 8 complaints (3 in the financial year to April 2012) relating to the following issues:

- Malpractice relating to service users – possible safe-guarding issues;
- Malpractice relating to commercial issues;
- Harassment, discrimination, victimisation and bullying;
- Breach of Health and Safety regulations;
- Malpractice relating to compliance with Standing Orders, annual leave, sickness, time recording and overtime claims;
- Financial mismanagement.

### **3.2 Reason for the review and proposed changes**

A number of improvements to the policy and procedure have been proposed following feedback from managers and complainants who have been involved in recent investigations. These are incorporated in the attached revised document at Appendix 1.

In addition, since the introduction of a central register of Whistleblowing complaints, it is evident that the policy is under-utilised. This may be because the policy is not widely known about. In order to address this, the revised policy will be implemented with an accompanying communications campaign.

Key changes are as follows:

- Support to parties during an investigation – contact advisors;
- Clarity over handling complaints under other procedures during a Whistleblowing investigation;
- Management guidance is being developed to support managers involved in commissioning and conducting investigations under this procedure;
- Clarity about the governance and ownership of an investigation and resulting report and recommendations.

### **3.3 The Contact Advisor Scheme**

The Contact Advisor Scheme was introduced as part of the Dignity and Respect Policy and Procedure. The role of Contact Advisor is to enable employees to access relevant advice and information and to help them to explore and understand various routes to resolving the issues.

Feedback on the Whistleblowing policy has identified a need to have similar support for people using this procedure or people who are subject to Whistleblowing investigations. We have therefore broadened the Contact Advisor role to include support in these circumstances.

The number of active Contact Advisors had reduced as people have left the Council or given up this additional responsibility. We have therefore recently recruited a further 8 Contact Advisors who will undergo training shortly.

### **3.4 Conclusions**

This review has been undertaken following feedback on activity in the year since the revised procedure was introduced.

## **4. RECOMMENDATIONS**

It is recommended that the Audit Committee:

- Note the information on activity under Whistleblowing since the revised policy was introduced in April 2010;

- Note the changes to the Whistleblowing policy and procedure;
- Note the activity on the recruitment and training of contact advisors.

**Cheryl Blackett**  
**Head of HR – Specialist and Advisory Services**