

# Audit Committee

26 November 2020



<b>Please Enter Title</b>	<b>Review of the Confidential Reporting Code (Whistleblowing policy)</b>
<b>Purpose of the report</b>	To note; and To make a decision and a recommendation to Council
<b>Report Author</b>	Victoria Statham
<b>Cabinet Member</b>	Councillor John Boughtflower
<b>Confidential</b>	No
<b>Corporate Priority</b>	This item is not in the current list of Corporate Priorities
<b>Recommendations</b>	<b>The Audit Committee is asked to:</b>  <b>Agree the amendments to the Confidential Reporting Code (Whistleblowing policy) and recommend these to the Council.</b>  <b>Note the other actions taken/planned on the previous benchmarking exercise.</b>
<b>Reason for Recommendation</b>	<b>To demonstrate that the Council is committed to the highest possible standards of openness, probity and accountability. To encourage and enable all staff to raise any serious concerns they have, within the Council.</b>

## 1. Key issues

- 1.1 The Confidential Reporting Code forms part of the Council's Constitution and sets out how to raise serious concerns about any aspect of the Council's work. It also sets out legal protection against reprisals under the Public Interest Disclosure Act.
- 1.2 The Audit Committee is required to review the Code annually.
- 1.3 The Code details:
  - (a) The nature of concerns which may be reported. (Section 2)
  - (b) Other policies such as the Grievance Procedure which exist to deal with employment issues including bullying or harassment. (Section 2)
  - (c) Safeguards against harassment or victimisation as a result of raising a concern. (Section 3)

- (d) Processes for raising and dealing with concerns including the various officers and organisations who could be contacted. (Sections 7 to 10)
- 1.1 In order to facilitate the review in 2019 officers used a benchmarking tool to help evaluate the Code against three core elements which are central to a successful whistleblowing programme. These elements are:
- Governance:** Accountability, Written Policy and Procedures, Review and Reporting  
**Engagement:** Communications and Training  
**Operations:** Support and Protection, Recording and Investigations, and Resolution and Feedback.
- 1.2 Within each of the elements above, the tool suggests a set of standards to aim for, on a scale ranging from 0-3. Officers identified where we believe our Code and whistleblowing processes measured against these standards and provided a narrative on the evidence we have relied upon to satisfy ourselves that the score is accurate.
- 1.3 In undertaking this review, it was recognised that some areas of the code could be improved upon.
- 1.4 The suggested improvements were agreed at the 7 November 2019 Audit Committee and it was requested that the Head of Corporate Governance amend the policy and bring this back to a future Audit Committee. Since that time there has been a change in the Head of Corporate Governance and there have been the pressures of dealing with the Covid-19 pandemic so unfortunately these amendments are just being presented now and have been unable to be presented sooner.
- 1.5 It is considered that all of the recommendations in the benchmarking exercise are still relevant and should be implemented as soon as possible. I attached to this report as **Appendix 1** a tracked changed version of the current Whistleblowing Policy with suggested amendments as a result of the benchmarking exercise.
- 1.6 Also attached to this report as **Appendix 2** is the benchmarking exercise highlighting the suggested improvements and the actions taken/planned.
- 1.7 In light of the different way of working, with most staff working from home, it is being considered how to best highlight the updated policy to staff and to promote this. The use of the Council's intranet is the most effective tool to reach the majority of staff but discussions will be held with services who's staff do not have ready access to that.
- 2. Options analysis and proposal**
- 2.1 The Audit Committee can recommend the suggested amendments to the Confidential Reporting Code (Whistleblowing), which is recommended as this directly addresses the suggested improvements previously accepted by the Audit Committee. The Audit Committee could make alternative amendments to recommend to Council.
- 3. Financial implications**
- 3.1 Not applicable.
- 4. Other considerations**

4.1 There are none.

**5. Sustainability/Climate Change Implications**

5.1 There are none.

**6. Timetable for implementation**

6.1 The updated policy to be recommended to the 10 December 2020 Council meeting. The other recommendations in the **Appendix 2** are to be implemented in the spring.

**Background papers: There are none**

**Appendices:**

**Appendix 1** - Tracked changed updated Confidential Reporting Code (Whistleblowing)

**Appendix 2** – Benchmarking report with suggested improvements with actions taken/planned highlighted.