

Audit Committee

24 November 2022



Title	Review of the Confidential Reporting Code (Whistleblowing policy)
Purpose of the report	To note
Report Author	Farida Hussain, Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires reporting to Committee.
Recommendations	Committee is asked to: Note that the review of the Confidential Reporting Code by the Monitoring Officer has taken place and agree to retain the current policy.
Reason for Recommendation	The current code is fit for purpose and covers all relevant matters.

1. Summary of the report

1.1 This report seeks to advise and update members on the outcome of the annual review of the Confidential Reporting Code by the Monitoring Officer.

2. Key issues

2.1 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.

2.2 There is a requirement for the Confidential Reporting Code to be reviewed annually by the Council's Monitoring Officer and this is then reported to the Audit Committee.

2.3 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)
- 2.4 In November 2020 a review of the Code was reported to the Audit Committee with proposed amendments following a benchmarking exercise. The amendments to the Code were agreed and have been in place since adoption by the Council.
- 2.5 The benchmarking exercise also identified improvements in
- (a) testing staff awareness of and confidence in the whistleblowing arrangements and the mechanisms by which they can raise concerns; and
 - (b) regular training for all staff on the arrangements, and line managers on their role in relation to handling concerns raised by staff.
- 2.6 The whistleblowing arrangements are currently communicated via different media: indirectly through the intranet and posters on staff boards, as well as directly via presentations at staff meetings. This level of communication is considered appropriate for the size and limited variance in work cultures of staff at the Council. A presentation is due to be provided by the Monitoring Officer at the next staff meeting in November 2022.
- 2.7 An anonymous survey is being compiled for release in January 2023, to test staff on their awareness of and confidence in the whistleblowing arrangements. The results will be reported back to the Audit Committee at a future meeting.
- 2.8 The Monitoring Officer has made enquiries about providing a training module through the Council's existing staff training platform and will provide an update on progress with this at the Committee meeting.
- 2.9 The Monitoring Officer has concluded that the Council's current whistleblowing arrangements are effective and do not require amendment. The current Confidential Reporting Code is at Appendix A. It includes minor amendments to reflect staffing changes and inclusive language.

3. Options analysis and proposal

- 3.1 The Audit Committee can agree to continue with the current code or can recommend suggested amendments. If there are suggested amendments these will need to be recommended to the Council for consideration.

4. Financial implications

- 4.1 Not applicable.

5. Risk considerations

- 5.1 The number of concerns raised under the Confidential Reporting Code are considered to be fairly low. The Monitoring Officer is establishing a central register going forward to support improved logging and measurement, which will also highlight any recurrent concerns being raised that require attention.
- 5.2 This report sets out planned approaches for promoting awareness and understanding of the Confidential Reporting Code to encourage officers to feel comfortable about raising concerns.

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6. Procurement considerations

6.1 Not applicable.

7. Legal considerations

7.1 The Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998) provides protection to employees who raise awareness about malpractice in the workplace.

7.2 The Confidential Reporting Code is a key document found at Part 5 of the Council's Constitution.

8. Other considerations

8.1 There are none.

9. Equality and Diversity

9.1 The Code is accessible by all.

10. Sustainability/Climate Change Implications

10.1 There are none.

11. Timetable for implementation

11.1 If the Audit Committee agree that no changes are required, the policy will continue to apply. If amendments are recommended, these would not come into effect until adopted by Council.

12. Contact

12.1 Farida Hussain f.hussain@spelthorne.gov.uk.

Background papers: There are none.

Appendices:

Appendix A – current Confidential Reporting Code