

Audit Committee

30 November 2023



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 Whistleblowing provides a process for concerns to be raised in the workplace. This report seeks to advise and update members on the outcome of the annual review of the Confidential Reporting Code by the Monitoring Officer and to provide an update on the number of whistleblowing cases raised under the Code in the last year.

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 2022 a review of the Code was reported to the Audit Committee.
- 2.5 An internal audit was carried out on the Code in November 2022 and 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 was given by the Monitoring Officer at a staff meeting in November 2022.
- 2.7 A compulsory training module on the Code has been added to Workrite, the Council's training platform, requiring all staff to complete the module every 12 months.
- 2.8 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.
- 2.9 Since the Code was last reviewed, one matter has been raised which did not result in any further action. A more recent matter has been raised under the Code which is in the process of being considered.

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. Following the internal audit of the Code carried out last year, the Monitoring Officer has established a central register to support improved logging and measurement, which will also highlight any recurrent concerns being raised that require attention.

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