

REPORT TO:	ETHICS COMMITTEE 28 FEBRUARY 2018
SUBJECT:	ANNUAL WHISTLEBLOWING REPORT FOR YEAR ENDING 31 DECEMBER 2017
LEAD OFFICER:	DIRECTOR OF LAW AND MONITORING OFFICER
WARDS:	ALL
CABINET MEMBER:	CLLR SIMON HALL – CABINET MEMBER FOR FINANCE AND TREASURY
CORPORATE PRIORITY/POLICY CONTEXT: The Council has determined that the Ethics Committee shall be responsible for receiving and considering reports on matters of probity and ethics and to consider matters relating to the Code of Conduct.	
FINANCIAL IMPACT The recommendation contained in this report has no financial implications	
KEY DECISION REFERENCE NO: This is not a key decision.	

1. RECOMMENDATION

The Committee is asked to:

- 1.1 Note the use of the Council's Whistleblowing Procedure during the past calendar year.

2. EXECUTIVE SUMMARY

- 2.1 The Whistleblowing legislation under the Public Interest Disclosure Act 1998 requires employers to refrain from dismissing workers and employees, or subjecting them to any other detriment because they have made a protected disclosure ("whistleblowing"). Whistleblowing occurs when an employee or worker draws attention to a concern or concerns of wrongdoing in their organisation.

3. DETAIL

- 3.1 The Council uses Public Concern at Work, a third sector provider, (PCaW) to provide independent advice to those who may wish to either raise a concern with the Council to be considered under the Whistleblowing Policy or make a referral to another statutory body. This enables employees to call for confidential advice on whistle blowing and related issues.

- 3.2 A Whistleblowing situation occurs when an employee draws attention to a concern or concerns of wrongdoing in the organisation which pertains to matters of public interest often referred to as a “protected disclosure”.
- 3.3 The Council's Whistleblowing policies are aimed at fostering a climate of openness and transparency in which individuals in the workplace do not feel that they will be victimised if they raise concerns about wrongdoing, and provides the facility to raise these with PCaW an independent organization from whom they can seek advice.
- 3.4 A copy of the Council's Whistleblowing policy is attached as Appendix 1. Member's may wish to note the following sections of the policy which set out its aims and method of operation, as well as the safeguards for employees, who may wish to make use of its provisions.
- 3.5 A distinction is drawn between a situation where Council employees may wish to raise a grievance or a complaint of bullying and/or harassment which can be dealt with under the Employee Complaints Procedure. In order to make a protected disclosure, which would bring concerns specifically within the ambit of the Whistleblowing procedure rather than the Employee Complaints Procedure, the disclosure must be one which is made in the public interest. As such, it is likely that the appropriate route for some complaints which may in the past have been raised under the Whistleblowing procedure, is now via the Employee Complaints Procedure.
- 3.6 For the calendar year 2017 three disclosures were formally investigated under the Whistleblowing Policy. The outcomes and recommendations arising from these investigations have either required no further action or recommended actions have been taken forward by the Council.

4. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 4.1 There are no direct financial implications arising from this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal consequences arising from the contents of this report beyond those set out in the body of the report.

CONTACT OFFICER: Jacqueline Harris-Baker, Director of Law and Monitoring Officer (ext 62328)

BACKGROUND PAPERS: None