

Meeting:	Audit and Governance Committee	Date:	19th November 2018
	Cabinet		5th December 2018
Subject:	The Confidential Reporting Procedure (Whistleblowing Policy)		
Report Of:	Head of Audit Risk Assurance (Chief Internal Auditor)		
Wards Affected:	Not applicable		
Key Decision:	No	Budget/Policy Framework:	No
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Appendices:	A: Confidential Reporting Procedure (Whistleblowing Policy)		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 The purpose of this report is for the Audit and Governance Committee to consider and approve the Council's refreshed Confidential Reporting Procedure (Whistleblowing).
- 1.2 The Audit and Governance Committee's role is to provide independent assurance on the adequacy of the Council's Anti Fraud and Corruption response and framework. The Confidential Reporting Procedure (Whistleblowing) plays a key role within this.

2.0 Recommendations

- 2.1 Audit and Governance Committee is asked to **RESOLVE** to:
- (1) Approve the Confidential Reporting Procedure (Whistleblowing) and recommend endorsement to Cabinet; and
 - (2) Agree that the Procedure, once endorsed by Cabinet, is implemented and disseminated to managers with immediate effect.
- 2.2 Cabinet is asked to **RESOLVE** to:
- (1) Endorse the Confidential Reporting Procedure (Whistleblowing); and
 - (2) Agree that the Procedure is implemented and disseminated to managers with immediate effect.

3.0 Background and Key Issues

- 3.1 The Council's Confidential Reporting Procedure (Whistleblowing) was last approved by Audit and Governance Committee in January 2017. This was completed as part of Committee approval of a suite of refreshed anti fraud and corruption relevant policies including the Council's Anti Fraud and Corruption Policy Statement and Strategy (capturing the Anti Bribery Policy, Anti Money Laundering Policy 2017-2019 and the Confidential Reporting Procedure (Whistleblowing)).
- 3.2 The January 2017 update focus was to re-affirm the Council's anti-fraud culture and objectives; and ensure adherence to the Local Government Counter Fraud and Corruption Strategy 2016 - 2019: Fighting Fraud and Corruption Locally, which is supported by the Chartered Institute of Public Finance and Accountancy (CIPFA) Counter Fraud Centre.
- 3.3 The updated Council's Confidential Reporting Procedure (Whistleblowing) at **Appendix A** is a stand alone document. It has been drafted with the goal to raise the profile of the Council's defined whistleblowing approach and maintains the good practice principles as referred to in paragraph 3.2.
- 3.4 Following Procedure approval, a communications plan will be used to promote the Confidential Reporting Procedure (Whistleblowing) within the Council. This will include upload onto the NetConsent policy management system.

4.0 Asset Based Community Development (ABCD) Considerations

- 4.1 There are no ABCD implications as a result of the recommendation made in this report.

5.0 Alternative Options Considered

- 5.1 No other options have been considered. In order to further enhance current arrangements, the attached revised Confidential Reporting Procedure (Whistleblowing) is proposed, which has been developed in line with relevant national public sector codes of practice. Procedure implementation and promotion via a communications plan will raise awareness and help the Council to further reduce the risk of fraud.

6.0 Reasons for Recommendations

- 6.1 The Audit and Governance Committee has a specific role in relation to fraud and irregularity, which is to monitor the adequacy and effectiveness of the arrangements in place for combating fraud and corruption.

7.0 Future Work and Conclusions

- 7.1 The aims of the Council's anti fraud and corruption relevant policies, including the Confidential Reporting Procedure (Whistleblowing), are to protect the Council's valuable resources by ensuring they are not lost through fraud but are used for improved services to Gloucester's residents and visitors.
- 7.2 The implementation of the Confidential Reporting Procedure (Whistleblowing) will be monitored by the Senior Management Team and the relevant assurances provided to the Audit and Governance Committee.

8.0 Financial Implications

- 8.1 There are no financial implications arising directly from this report. Implementation and delivery actions will be met from existing resources.

(Financial Services have been consulted in the preparation this report).

9.0 Legal Implications

- 9.1 Nothing specific arising from the report recommendations. In general terms, the existence and application of an effective fraud risk management regime assists the Council in effective financial governance which is less susceptible to legal challenge.

(One Legal have been consulted in the preparation this report).

10.0 Risk and Opportunity Management Implications

- 10.1 Non compliance with legislation/mandatory professional standards / Codes of Practice.
- 10.2 Failure to fight fraud and implement an effective Anti Fraud and Corruption culture means that for every pound lost through fraud cannot be spent on providing public services.

11.0 People Impact Assessment (PIA):

- 11.1 A requirement of the Accounts and Audit Regulations 2015 is for the Council to *'ensure that it has a sound system of internal control which facilitates the effective exercise of its functions and the achievement of its aims and objectives, ensures that the financial and operational management of the authority is effective and includes effective arrangements for the management of risk.'* The implementation of the Confidential Reporting Procedure (Whistleblowing) will ensure compliance with the Council's equality policies.
- 11.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

12.0 Other Corporate Implications

Community Safety

- 12.1 There are no 'Community Safety' implications arising out of the recommendations in this report.

Sustainability

- 12.2 There are no 'Sustainability' implications arising out of the recommendations in this report.

Staffing & Trade Union

12.3 There are no 'Staffing and Trade Union' implications arising out of the recommendations in this report.

Background Documents:

Accounts and Audit Regulations 2015

Delivering Good Governance in Local Government: Framework 2016 (CIPFA/SOLACE)

Gloucester City Council's Constitution

Fighting Fraud and Corruption Locally – The Local Government Counter Fraud and Corruption Strategy 2016 – 2019