

<b>Meeting:</b>	<b>Audit and Governance Committee</b>	<b>Date:</b>	<b>15 January 2024</b>
<b>Subject:</b>	<b>Updated Whistleblowing Policy</b>		
<b>Report Of:</b>	<b>Monitoring Officer</b>		
<b>Wards Affected:</b>	<b>All Wards</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
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<b>Appendices:</b>	<b>1. Draft updated Whistleblowing Policy</b>		
	<b>2. Comparison current Whistleblowing Policy and updated Whistleblowing Policy</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To consider the updated Whistleblowing Policy and subject to agreement with Trade Unions approve the updated Whistleblowing Policy.

### 2.0 Recommendations

- 2.1 Audit and Governance Committee is asked to **RESOLVE** to agree the updated Whistleblowing Policy as set out at Appendix 1.

### 3.0 Background and Key Issues

- 3.1 The Council's Whistleblowing Policy applies to all employees, Members, apprentices, consultants, contractors, volunteers, interns, casual workers, partner organisations and agency workers. It sets out the arrangements for anyone, including the public, to express and report any concerns they have about illegal or illegitimate practices involving the Council in the knowledge that their concerns will be taken seriously and investigated as appropriate and that their confidentiality will be respected. It is therefore good practice and indeed the current Whistleblowing Policy requires that the policy is review on an annual basis.
- 3.2 ARA's review of the Council's confidential reporting processes dated 15 April 2021 recommended that the Monitoring Officer consider best practice as set out in Appendix B of the report and consider improvements and the development of the Council's confidential reporting procedures. This action has been delayed for a number of reasons but the recommendation has been considered by the current Monitoring Officer and following a review of the current Whistleblowing Policy the Monitoring Officer was of the view that the policy should be updated to reflect experience in operating the policy and to ensure that it was fit for purpose.

- 3.3 The changes to the policy are shown as track changes in Appendix 2.
- 3.4 The proposed changes are believed to make the policy clearer for both those who may wish to raise a whistleblowing concern and managers to whom such concerns may be raised.
- 3.5 It is further proposed that a new mechanism to raise concerns is introduced to allow those who do not want to raise concerns with their manager, the s151 Officer, the Monitoring Officer or internal audit directly. The new route allows concerns to be raised through an intranet form rather than by telephone or email.
- 3.6 As the Whistleblowing Policy affects staff it is necessary for the Council to provide a copy of the updated policy to the trade union for comments which will need to be considered in the final version of the updated policy. A copy of the updated Whistleblowing Policy was provided to the trade unions on [ ] 2024 and their comments are to be provided by [ ] 2024.

#### **4.0 Social Value Considerations**

- 4.1 There are no Social Value implications as a result of the recommendations made in this report.

#### **5.0 Environmental Implications**

- 5.1 There are no Environmental implications arising from the recommendation made in this report.

#### **6.0 Alternative Options Considered**

- 6.1 Not to agree the updated Whistleblowing Policy. This is not recommended as the updates to the Whistleblowing Policy are supported by both an internal audit report on the Council's confidential reporting procedure and the Monitoring Officer having reviewed the operation of the current policy.

#### **7.0 Reasons for Recommendations**

- 7.1 The updated Whistleblowing Report will ensure that the Council's Whistleblowing Policy is up to date and well understood ensuring that anyone with a concern understands the process and procedure for raising such a concern and the action that will be taken following a concern being raised.

#### **8.0 Future Work and Conclusions**

- 8.1 An annual report on the operation of the Council's Whistleblowing Policy will be brought to the Committee is proposed that is scheduled for the March meeting of the Committee.

#### **9.0 Financial Implications**

- 9.1 There are no further financial implications arising from this report.

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

## **10.0 Legal Implications**

10.1 There is no legal requirement for the Council to have a whistleblowing policy but under the Public Interest Disclosure Act 1998 does require that whistleblowers are protected from unfair dismissal and detriment and this principal is included in the updated Whistleblowing Policy.

(The Monitoring Officer has been consulted in the preparation this report.)

## **11.0 Risk & Opportunity Management Implications**

11.1 Failure to have a suitable Whistleblowing Policy in place could leave the Council open to challenge with associated financial penalties and result in legal and reputation risks for the Council.

## **12.0 People Impact Assessment (PIA) and Safeguarding:**

12.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact; therefore a full PIA was not required.

## **13.0 Community Safety Implications**

13.1 There are no Community Safety implication as a result of recommendations made in this report.

## **14.0 Staffing & Trade Union Implications**

14.1 There are no Staffing implications as a result of the recommendation made in this report. Trade Unions will be consulted on the updated Whistleblowing Policy and any comments raised will be considered and addressed.

## **Background Documents:**