

**Open Report on behalf of Pete Moore, Executive Director, Resources and Community Safety**

Report to:	<b>Audit Committee</b>
Date:	<b>24 September 2012</b>
Subject:	<b>Whistleblowing Annual Report 2011/12</b>

**Summary:**

This report provides an overview of the Council's whistleblowing arrangements throughout the year 2011/12.

**Recommendation(s):**

To note the whistleblowing activity for 2011/12 and our plans promote awareness and increase understanding throughout the Council, our key partners and Lincolnshire residents.

**Background**

- 1 This report provides a summary of:
  - analysis of contacts (disclosures) April 2011 to March 2012
  - comparison of whistleblowing activity / emerging trends
  - work to improve the arrangements
- 2 This Council's whistleblowing arrangements have been running for a total of eleven years. It is a requirement under the Public Interest Disclosure Act for all Councils to operate a whistleblowing service which provides a safe and effective means of reporting concerns.
- 3 Whistleblowing activity has been relatively quiet throughout 2011/12. The number of disclosures received each year has tended to fluctuate although we have noted a more significant drop in this last year. We have experienced a 42% decrease in usage from the previous year – whilst this does not necessarily mean that our whistleblowing arrangements are any less effective, it may indicate a need to ensure that awareness levels remain high.
- 4 The whistleblowing policy was last updated in 2010 and is next due for review in 2013. The process, reporting arrangements and policy content have not significantly changed over the last 11 years and we do not anticipate any changes in the near future.

- 5 A large proportion of the referrals received in previous years have been from whistleblowers within the school environment. During the year we raised the profile of the whistleblowing arrangements at headteacher and school governor forums across the county – we continue to provide advice, guidance, model policies and the confidential reporting facility to those Lincolnshire schools still under Local Government control.
- 6 We will take the opportunity of improving awareness levels, wherever possible, throughout 2012/13 by:
- new leaflets and posters
  - website and GEORGE updates
  - County News and other publications
  - Staff awareness forums

### Whistleblowing disclosures 2011/12

- 7 We received 11 whistleblowing disclosures during 2011/12 compared with 19 in the previous year. Most of these disclosures came via the Council's dedicated whistleblowing hotline.
- 8 The analysis below shows the type of disclosures received this year compared with last year:

Type of concern	Number of concerns raised 10/11	Number of concerns raised 11/12
Dignity at Work – bullying & harassment	4	3
Grievance	0	2
Financial (including fraud)	8	6
Alleged breach of policy/procedure and/or poor practice	5	0
Alleged misconduct	1	0
Safeguarding	1	0
<b>TOTAL</b>	<b>19</b>	<b>11</b>

- 9 Out of the 11 disclosures only 1 has resulted in independent investigation by the Council's Investigation Team. We carried out preliminary enquiries in all 6 financial related disclosures but these did not lead to formal investigation. All dignity at work concerns were resolved without the need to follow formal employment processes.

10 Analysis of complaints by directorate:

Directorate	Number of concerns raised
Children's Services (mostly schools)	8
Adult Social Care	0
Communities	1
Resources	0
External	2
<b>TOTAL</b>	<b>11</b>

11 The majority of our whistleblowing disclosures relate to Children's Services and tend to involve schools. This is consistent with previous years. With an expanding commissioning role, it is important to gain assurance that the Council effectively promotes its whistleblowing arrangements with its providers and contractors. We will build this into our 2012/13 work plan and take action, where necessary.

12 The table below shows how we dealt with the concerns raised throughout 2011/12:

Action taken	Concerns dealt with
Counter Fraud & Investigations Team – Advice	1
Counter Fraud & Investigations Team – Independent investigation	1
Preliminary enquiries by Investigations Team – no further action	6
Preliminary enquiries and resolution by directorate management	3
No further action (unable to pursue due to lack of detail and anonymity of whistleblower)	
Investigation by external body	
<b>TOTAL</b>	<b>11</b>

Note: We do not officially close the case until we receive satisfactory feedback regarding resolution.

## **Organisational Learning**

- 13 The main finding related to the need to provide more assistance and training for managers around the application of the Council's investigations toolkit. This specifically relates to management led investigations.

## **Planned work to improve our arrangements**

- 14 We aim to assess whether there is scope to improve awareness of our whistleblowing arrangements with the Council's providers as well as boosting awareness throughout the authority by:

- a leaflet and poster campaign
- training sessions, where appropriate
- articles in the Council's publications
- signposting internal & external stakeholders to the "Audit Lincolnshire" website for more information

We will combine this with the re-launch of the Council's counter fraud policy to maximise impact.

## **Conclusion**

- 15 Over the last two years we have seen a decline in the number of whistleblowing contacts – a 35% drop in 2010/11 followed by the 42% fall last year. We know the number of contacts can fluctuate by as much as one third from one year to the next, however, as we now seem to have a sustained fall it is important to seek assurances around the levels of awareness.
- 16 In previous years the Council's whistleblowing mechanism has been the source of information which has led to the investigation of significant frauds. We need to ensure our arrangements remain effective for the future which is why we are proposing a strong campaign this year to increase awareness and provide the necessary assurances.

## **Consultation**

### **a) Policy Proofing Actions Required**

n/a

## **Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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