

Regulatory and Other Committee

Open Report on behalf of Pete Moore, Executive Director Finance and Public Protection

Report to:	Audit Committee
Date:	24 November 2014
Subject:	Whistleblowing Annual Report 2013/14

Summary:

This report provides an overview of the Council's whistleblowing arrangements throughout the year 2013/14.

Recommendation(s):

Items to note:

- a) whistleblowing activity for 2013/14
- b) ongoing work to raise awareness and provide assurance on the effectiveness of the Council's arrangements

Background

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- 1 This annual report provides a summary of:
 - analysis of contacts (disclosures) April 2013 to March 2014
 - comparison of whistleblowing activity / emerging trends
 - measures taken to ensure the Council's arrangements provide a safe and effective way of reporting concerns
 - any organisational learning arising from disclosures
- 2 In September 2013 the Council's Whistleblowing Policy was reviewed and amended to account for changes to employment law affecting the qualifying "protected status" for whistleblowers. We found that the Council's policy was generally compliant with the new legislation and so very few changes were made. The revised policy was promoted and circulated via the Council's intranet and website – this has been supported by a more recent poster and leaflet campaign.
- 3 Whistleblowing activity for 2013/14 was consistent with the previous year and is similar to numbers received in earlier years. In line with previous

years, the largest number of whistleblowing disclosures originated from the school environment – 41% of all contacts related to concerns in schools.

Whistleblowing disclosures 2013/14

- 4 We received 17 whistleblowing disclosures throughout the year which is consistent with the previous year. One of the disclosures involved three different concerns – the table below therefore shows a total of 19 disclosures. All of these disclosures came via the Council’s dedicated whistleblowing hotline – only four were reported anonymously which is encouraging and represents a significant drop. The analysis below shows the type of disclosures received this year compared with the last two years:

Type of concern	Number of concerns raised 10/11	Number of concerns raised 11/12	Number of concerns raised 12/13	Number of concerns raised 13/14
Dignity at Work – bullying & harassment	4	3	4	2
Grievance	0	2	0	0
Financial (including fraud)	8	6	8	7
Alleged breach of policy/procedure and/or poor practice	5	0	3	6
Alleged misconduct	1	0	2	2
Safeguarding	1	0	0	1
Political	0	0	0	1
TOTAL	19	11	17	19*

* 1 disclosure involved 3 different issues

- 5 Out of the 17 disclosures, 7 resulted in either preliminary enquiries or full independent investigation by the Council’s Investigation Team. The formal investigations involved conduct or policy and procedural concerns.

- 6 Investigation outcomes:

Of the three investigations, management action was taken in two cases and the other investigation resulted in a resignation.

7 Analysis of contacts by directorate:

Directorate	Number of concerns raised
Children's Services (mostly schools)	9
Adult Care	1
Economy & Culture	0
Finance and Public Protection	4
External	3
TOTAL	17

8 The highest number of whistleblowing disclosures relate to Children's Services – the majority involved schools. This is consistent with previous years.

9 The table below shows how we dealt with the concerns raised throughout 2013/14:

Action taken	Concerns dealt with
Counter Fraud & Investigations Team – Advice	5
Counter Fraud & Investigations Team – Independent investigation	3
Preliminary enquiries by Investigations Team – no further action	4
Preliminary enquiries and resolution by directorate or school management	3
No further action (unable to pursue due to lack of detail and anonymity of whistleblower)	0
Internal Audit / System Improvements	2
Investigation by external body	0
TOTAL	17

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

Organisational Learning

10 We have continued to produce action plans (7 in total) to assist managers within schools and directorates address issues which fall out of our enquiries – implementation of agreed actions is monitored in the same way as audit recommendations, unless the action is person specific.

- 11 There were no particular common themes arising out of the disclosures received last year – the largest set of recommendations related to an audit of the Coroner Service that was already underway at the time we received the whistleblowing contact. We expanded the scope of our ongoing audit work to incorporate the administrative concerns raised in that disclosure – the outcome of this audit was reported to the September Audit Committee.

On-going work to continuously improve the whistleblowing arrangements

- 12 Whistleblowing posters and leaflets have been distributed throughout the county, including schools. The Council's Communications Team have assisted in the promotion of the revised whistleblowing policy and have helped reinforce the Council's confidential arrangements for raising concerns.
- 13 Work is continuing with our human resources staff, procurement and contract management teams to ensure the Council's whistleblowing policy and arrangements are understood and that the promotional material reaches Council providers, contractors, key partners and where appropriate, service users.

Conclusion

- 14 We believe the number of contacts received during 2013/14 provides continued assurance that the Council's whistleblowing arrangements remain effective.
- 15 A very small number of those disclosures resulted in formal investigation – these cases were complex and resource intensive but illustrate the Council's commitment to putting things right.
- 16 The Council is able to demonstrate a robust response to concerns which are raised via the whistleblowing mechanism. Over this last year we have also noted an increase in the number of whistleblowers who have been willing to share their identity with us – this greatly improves our ability to review the concerns and increases the chances of a satisfactory resolution. It also shows that the majority of whistleblowers have confidence in our process.
- 17 The team's work plan for 2014/15 ensures continued focus on promoting the Council's whistleblowing arrangements and should help provide the Committee with the assurances on continued compliance with the Council's Whistleblowing Policy and the Public Interest Disclosure Act.

Consultation

a) Policy Proofing Actions Required

n/a

Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Whistleblowing Policy	LCC Connect

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