

## Regulatory and Other Committee

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

Report to:	<b>Audit Committee</b>
Date:	<b>25 January 2016</b>
Subject:	<b>Whistleblowing Annual Report 2014/15</b>

#### Summary:

This report provides an overview of the Council's whistleblowing arrangements throughout the year 2014/15.

#### Recommendation(s):

Items to note:

- a) whistleblowing activity for 2014/15
- b) ongoing work to raise awareness and provide assurance on the effectiveness of the Council's arrangements

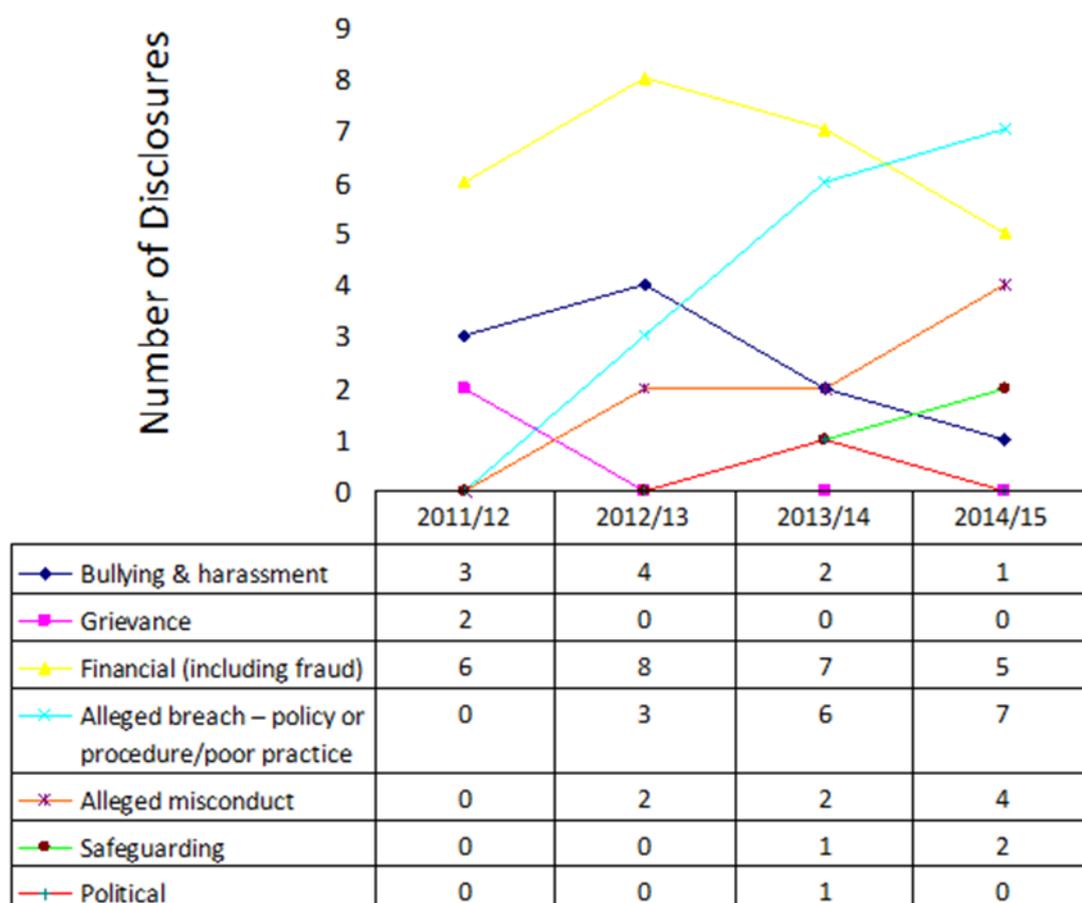
#### Background

- 1 This annual report provides a summary of:
  - analysis of contacts (disclosures) April 2014 to March 2015
  - comparison of whistleblowing activity and any emerging trends
  - measures taken to ensure the Council's arrangements provide an effective way of reporting concerns
  - any organisational learning arising from disclosures
- 2 Our last review of the Council's Whistleblowing Policy was in September 2013. This confirmed that the Council's policy complied with the recent changes in legislation and only minor amendments were required. The policy is subject to review every three years to ensure it remains up to date - the next review will take place in 2016/17.
- 3 Whistleblowing activity for 2014/15 was consistent with that recorded in previous years. The majority of whistleblowing disclosures originate from the school environment – this is a continuing trend with 58% of all contacts in 2014/15 relating to concerns in schools.

## Whistleblowing disclosures 2014/15

- 4 We received 19 whistleblowing disclosures throughout the year – this is consistent with 2013/14. All disclosures were submitted via the Council’s dedicated whistleblowing facility (telephone hotline, email or PO Box address). Six disclosures were submitted anonymously – although this is a slight increase on 2013/14, most whistleblowers did reveal their identity and provide contact details during the disclosure which is one indicator that they have confidence in the whistleblowing process and the protection it provides. The analysis below shows the type and number of disclosures received in comparison with the last three years:

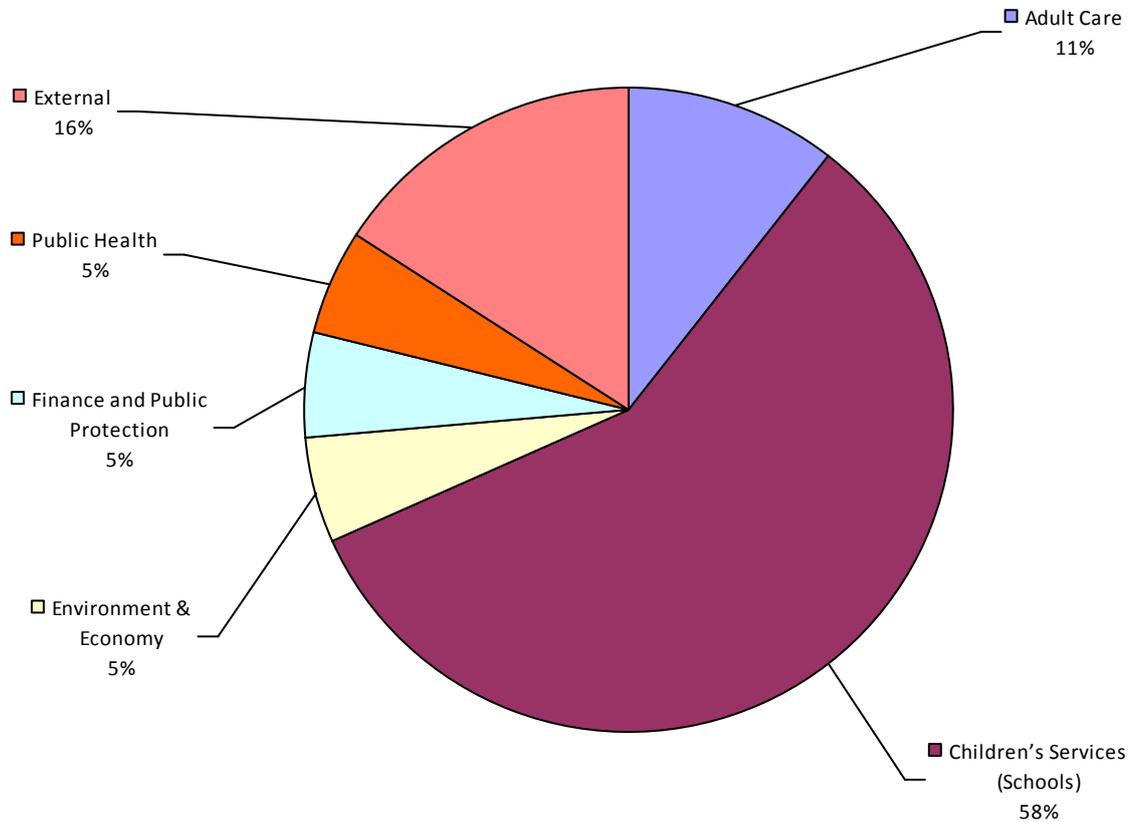
### Analysis of disclosures - type and number



- 5 The results demonstrate that there has been an increasing trend over the last four years of referrals relating to alleged breaches in policy and procedure and possible poor practice. A similar pattern has been identified for reports of alleged misconduct. However, it is also noted that disclosures of alleged bullying and harassment are decreasing.

6 The chart below provides an analysis of contacts by directorate:

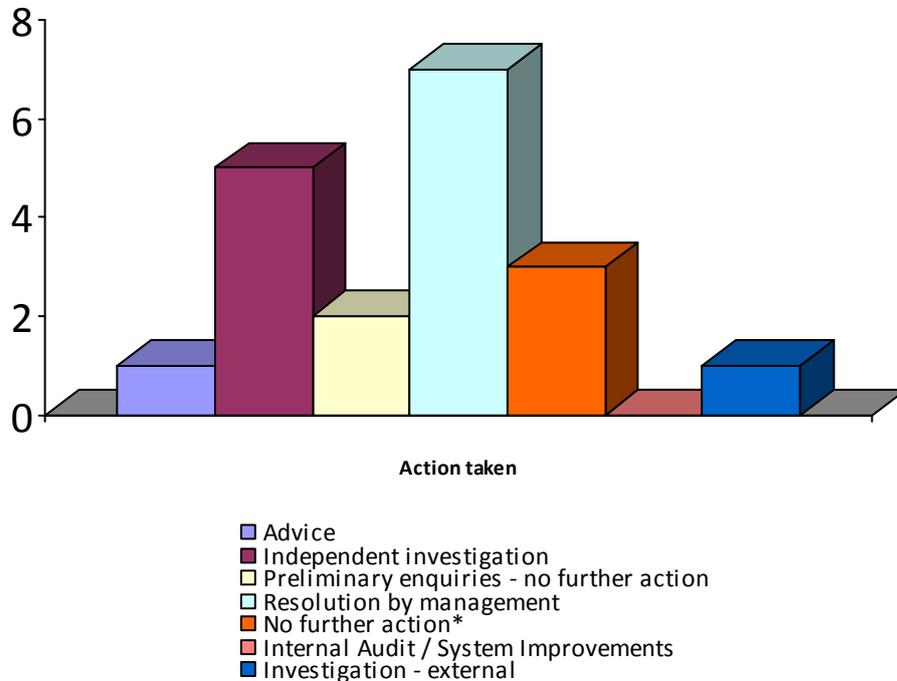
### Referrals by directorate



7 The highest number of whistleblowing disclosures relate to Children's Services – all those cases referred for this directorate in 2014/15 related to concerns raised about schools – this has been a consistent trend over the last few years.

8 The table below shows how we dealt with the concerns raised throughout 2014/15:

### Action taken where whistleblowing referrals made



9 Out of the 19 disclosures, 7 resulted in either preliminary enquiries or full independent investigation by the Council’s Investigation Team. The formal investigations were mainly around conduct or policy and procedural concerns although one referral involved a suspected fraud involving staff members.

10 Investigation outcomes:

Of the five investigations resulting from whistleblowing disclosures – management action was taken in two cases. Of the remaining 3 cases, 6 members of staff were subject to disciplinary proceedings with the following outcomes:

- 2 resignations
- 1 dismissal
- 3 written warnings

### Organisational Learning

11 Action plans are one of the key outcomes from any investigation work carried out – these are designed to promote organisational learning by assisting managers within schools and directorates to address issues that

are identified in the course of the investigation. We monitor action plans to ensure they are implemented within the agreed timescales.

- 12 Action Plans were produced following each of the five full investigations completed by the Counter Fraud and Investigation Team. Three of these investigations involved schools although there were no common themes arising from the root causes or nature of concerns. The team works closely with Human Resources and the Executive Director of Children's Services to ensure all other service/school specific matters are fully addressed.

### **Promotion of whistleblowing arrangements**

- 13 During 2014/15 we made extensive efforts to promote awareness of the Council's Whistleblowing arrangements. Working jointly with the Council's Communications Team our campaign involved posters and leaflets distributed throughout the county to all Council establishments and schools, plus articles in County News, daily staff e-bulletin (NewsLincs) and the Schools Bulletin.
- 14 We have also worked with procurement and contract management teams to promote awareness of the Council's whistleblowing mechanism with Council providers and contractors.
- 15 The Counter Fraud and Investigation Team also operate the Council's fraud reporting facility on behalf of the local authorities in Lincolnshire. In conjunction with the Lincolnshire Counter Fraud Partnership there has been significant recent media coverage with both internal and external stakeholders to promote reporting of concerns where potential fraud may have occurred. As reported to the Audit Committee in November 2015 this has resulted in a significant increase in traffic through the whistleblowing and fraud hotlines – where appropriate we pass the referrals to the relevant authorities to make further enquiries.

### **Conclusion**

- 16 We believe the number of concerns reported during 2014/15 provides continued assurance that the Council's whistleblowing arrangements remain effective.
- 17 Where disclosures result in preliminary enquiries or formal investigation we continue to produce action plans to ensure learning points are understood and implemented with subsequent improvements, where necessary.
- 18 As the majority of callers making disclosures in 2014/15 were willing to reveal their identity we were able to better explore and/or investigate their concerns – we believe this shows trust and confidence in our Whistleblowing arrangements. We do not officially close cases until we receive satisfactory feedback regarding resolution of the issues reported. Our view is that these features, together with the organisational learning,

continue to demonstrate the Council maintains a robust response to concerns raised via the whistleblowing mechanism.

- 19 The Investigation Team's work plan for 2015/16 and beyond ensures focus on promoting the Council's whistleblowing arrangements and should help provide the Committee with assurance that the Council continues to comply with its 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	Lincolnshire County Council website

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