

AUDIT AND RISK COMMITTEE

4 February 2020

WHISTLEBLOWING POLICY REVIEW

Report of the Strategic Director for Resources

Strategic Aim:	Sound Financial and Workforce Planning	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader and Portfolio Holder for Rutland One Public Estate & Growth, Tourism & Economic Development, Communications, Resources (other than Finance)	
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DECISION RECOMMENDATIONS

That the Audit and Risk Committee:

1. Consider the Whistleblowing Policy (Appendix A) and recommends to Cabinet for approval.

1 PURPOSE OF THE REPORT

- 1.1 To seek the views of the Audit and Risk Committee on the Whistleblowing Policy (in line with the functions of the Committee as set out in the Constitution) and a recommendation to Cabinet for approval of the Policy.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Rutland County Council is committed to ensuring that it, and the people working for it, complies with the highest standards of openness, honesty and accountability.
- 2.2 The term Whistleblowing has a specific legal definition i.e. a disclosure or allegation of serious wrongdoing made by an employee and a wider public definition i.e. any disclosure or allegation of serious wrongdoing made by anyone. UK Whistle Blowing legislation was introduced by the Public Interest Disclosure Act 1998, which sets out to protect individuals who make certain disclosures of information in the public

interest, to allow such individuals to bring action in respect of victimisation and for connected purposes.

- 2.3 The review of this Policy has taken place in accordance with the date set by Cabinet in February 2016. Since then this Policy has remained valid and compliant with the legislation.
- 2.4 The only changes that have been made are minor amendments to officer names and job titles in-line with the Councils current structure (page 6 of appendix A).
- 2.5 The key point of the Policy outlines that employees wishing to raise a concern should do so with their immediate manager, or one of the person referred to in the policy if they are not comfortable doing this. If however, they are a member of the public or feel that the issue should be raised at a higher level due to its severity or sensitively, the Policy provides contact details for members of senior management and an Independent Person who can be contacted.
- 2.6 On approval of the updated Policy the Councils website and internal intranet will be amended. Further communication will be made via the Councils website and social media to ensure the public are aware of the Whistleblowing Policy and how to raise concerns.

3 CONSULTATION

- 3.1 When the original Whistleblowing Policy was introduced, Trade Unions were consulted and supportive of the Policy. As this review has resulted in minor changes, extensive consultation has not been required but Unions have been updated.
- 3.2 The Councils Internal Audit department have been advised of this Policy review and support the changes that have been made.

4 ALTERNATIVE OPTIONS

- 4.1 As an employer and public body, it is good practice to create an open, transparent and safe working environment where employees feel able to speak up. To this end, it is essential that the Council continues to ensure all policies and procedures are legal and current. An alternative option would be not to review the original Policy therefore failing to recognise the required changes, which are fundamental to creating a culture of openness and support.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 Part 3 Section 6.3 (d) of the Councils Constitution provides for the Audit and Risk Committee to “advise on whistleblowing”. The report is brought to enable the Committee to provide its advice to Cabinet who are responsible for the determination of employment matters (other than those that relate to structure).

7 DATA PROTECTION IMPLICATIONS

- 7.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are no risks/issues to the rights and freedoms of natural persons.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

9 COMMUNITY SAFETY IMPLICATIONS

- 9.1 There are no Community Safety implications arising from this report.

10 HEALTH AND WELLBEING IMPLICATIONS

- 10.1 There are no specific Health and Wellbeing implications to this policy but the Council has an overall duty of care to its employees which means taking all steps which are reasonably possible to ensure the health, safety and wellbeing of staff.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 11.1 The Council's Whistleblowing Policy has been reviewed and updated to take account minimal changes to officer names and job titles.
- 11.2 It is therefore recommended that this Policy is approved and implemented immediately.

12 BACKGROUND PAPERS

- 12.1 There are no additional background papers to the report.

13 APPENDICES

- 13.1 Appendix A – Draft Whistleblowing Policy.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.