

# AUDIT, GOVERNANCE & STANDARDS COMMITTEE

18 January 2016

Is the final decision on the recommendations in this report to be made at this meeting?

**Yes**

## Whistleblowing Review

|                                       |   |
|---------------------------------------|---|
| <b>Final Decision-Maker</b>           | Audit, Governance & Standards Committee |
| <b>Lead Head of Service</b>           | Head of Audit Partnership               |
| <b>Lead Officer and Report Author</b> | Rich Clarke – Head of Audit Partnership |
| <b>Classification</b>                 | Public                                  |
| <b>Wards affected</b>                 | ALL                                     |

### **This report makes the following recommendations to this Committee:**

1. That the Committee request officers via the Corporate Governance Working Group to consider the findings of this review and report back to Members of this Committee on a proposed implementation to refresh the Council's approach to raising concerns at work.

### **This report relates to the following corporate priorities:**

- Keeping Maidstone Borough an attractive place for all -
- Securing a successful economy for Maidstone Borough -

The report considers effectiveness of the Council's governance and in particular its ability to identify and respond to concerns identified by members of staff. Consequently it affects both corporate priorities.

### **Timetable**

| <b>Meeting</b>                                      | <b>Date</b>     |
|---|-----------------|
| Committee (Audit, Governance & Standards Committee) | 18 January 2016 |

# Whistleblowing Review

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report follows a request from the Chairman of this Committee in September 2015 for internal audit to review and consider the effectiveness of the Council's arrangements for raising concerns at work
- 1.2 We agreed a detailed brief with the Chairman in late November 2015, by which time we had obtained agreement from s.151 and monitoring officers at Ashford BC and Tunbridge Wells BC to share our survey amongst their staff to provide a greater degree of comparative information.
- 1.3 The report's detailed findings are summarised within the "Summary Report" on its second page. While the report does identify a policy in place, and the survey confirms the willingness of staff to raise their concerns and a confidence in doing so it also make a number of comments that should be considered by officers to improve arrangements:
- Clearly establish overall responsibility for whistleblowing at an officer level, including amending the constitution and/or audit charter where necessary.
  - Revise and refresh the Whistleblowing charter with reference to Public Concern At Work's identified best practice.
  - The revised charter should in particular give staff clear expectations on the Council's response including investigation approaches and timescales.
  - Undertake relevant training and awareness raising periodically.
  - Report monitoring information to Members on progress towards raising awareness of whistleblowing, quantitative information on concerns raised and headline narrative on what the Council has learned from matters brought to its attention through whistleblowing.

---

## 2. INTRODUCTION AND BACKGROUND

- 2.1 All organisations are encouraged by the Public Interest Disclosure Act 1998 to create and maintain procedures to facilitate their staff raising concerns and to protect them from detrimental treatment.
- 2.2 Maidstone BC's own procedure was most recently set out in a whistleblowing charter. This charter, and whistleblowing arrangements generally, represent a key line of defence for an organisation in its ability to identify and correct problems in its operation.

---

## 3. AVAILABLE OPTIONS

- 3.1 The Council's arrangements have not been reviewed for some considerable time and in particular do not reflect changes in the Council's structure or developments in regulations around whistleblowing.

- 3.2 Consequently it is advisable for a review of the arrangements to take place if only to refresh and restore currency.
- 3.3 A more wide ranging review, as noted by the report, could be conducted through the Corporate Governance Group of officers, with detailed proposals to be brought before Members.
- 

#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 Revising whistleblowing arrangements, particularly where there may be additional training needs, will require detailed consideration to ensure effective implementation. The scope of the audit review was not to recommend any particular approach but the recommendation of this report is that work is taken forward by an appropriate officer group.
- 

#### **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 This is the first detailed review of whistleblowing arrangements .
- 

#### **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 6.1 The Corporate Governance Group meets quarterly and may consider this at its next meeting in March. Consequently, we suggest that the June meeting of this Committee might be the most appropriate point at which to consider more detailed proposals (and, if required, make recommendations onward to Policy and Resources Committee if a new or revised policy results).
- 

#### **7. CROSS-CUTTING ISSUES AND IMPLICATIONS**

The key recommendation of this report is that further, detailed, proposals will be developed. Consequently the cross cutting issues and implications are more appropriately considered once those proposals are developed.

#### **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Whistleblowing review
- 

#### **9. BACKGROUND PAPERS**

None.

