

COUNTY COUNCIL

Date of Meeting	Tuesday, 10 th December 2019
Report Subject	Whistleblowing Policy
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The Whistleblowing Policy enables employees, members, and third party individuals (partners, consultants, volunteers, suppliers, contractors, including their employees) of the Council to raise any concerns that they have and gives assurance about confidentiality and protection. It details the procedure to follow in raising a concern and details how the Council will respond. The policy provides examples of the types of concerns that can be raised.

RECOMMENDATIONS

1	Council is requested to consider and approve the revised Whistleblowing Policy.
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REPORT DETAILS

1.00	EXPLAINING THE WHISTLEBLOWING POLICY
1.01	Flintshire County Council has had a Whistleblowing Policy since 2002 and it was last reviewed and approved by Audit Committee in 2015. There is a need to review the policy periodically to ensure that it reflects any changes in working practices, legislations and other regulations.
1.02	This document has been reviewed and updated by Internal Audit in conjunction with Chief Officer, Governance, Democratic Services, and Human Resources and Organisation Development.
1.03	<p>The 2015 review of the Whistleblowing policy brought it in line with the requirements of the Enterprise and Regulatory Reform Act 2013. As a result, there have been very few changes to the policy from the 2019 review, apart from bringing it up to date with current terminology, contact details and the movement of some sections within the policy.</p> <p>One aspect of the policy that has been expanded on is to reflect the actions the Council has committed to regarding Welsh Government's Ethical Procurement Practices.</p> <p>The policy clearly informs third party individuals (partners, consultants, suppliers, volunteers, contractors and employees of Council suppliers and contractors, who are employed to deliver a service / goods to the Council) of:</p> <ul style="list-style-type: none">• their responsibilities to report any concerns whether this is against the Council or the supplier / contractor (sections 5.5, 5.7, and 13.3 of the policy);• the process to follow to raise any concerns (section 8.2 of the policy); and• examples of the types of concerns that may be raised e.g. unethical employment practices. (Appendix A of the policy). <p>Following discussions with the Audit Committee, Trade Union and Democratic Services Committee further amendments were made to the policy. These include:</p> <ul style="list-style-type: none">• signpost to other related policies e.g. Corporate Anti-Fraud & Corruption Strategy and Fraud & Irregularity Response Plan (section 3.4 of the policy);• incorporate 'Volunteers' as an example of a Third Party Individual (sections 1.2, 5.5 and 13.3 of the policy);• provide a definition for Irregularity (section 4.5 of the policy);• enhance the policy to confirm members are inclusive of the policy (sections 5.3, 5.4, 8.2, 12.3 and 13.2);• reference to adult and children safeguarding referral numbers (section 5.8 and appendix B of the policy);• clarified the internal / external reporting procedures (section 8 and Appendix D of the policy);• inclusion of Assembly Members (Appendix C of the policy) and

	<ul style="list-style-type: none"> introduction of a Flow Chart (Appendix D of the policy). <p>Since attending the Constitution and Democratic Services Committee, Appendix C of the policy has been updated to include Local Members as a 'prescribed person' for reporting a concern. This change has been made to respond to the recommendations set out in the 'Local Governments Ethical Standards – A review by the Committee on Standards of Public Life' report (January 2019).</p>
1.04	To aid clarity and transparency, two copies of the Whistleblowing Policy are included. Appendix A shows where the changes have occurred, using tracked changes, whilst Appendix B shows the revised Whistleblowing Policy without tracked changes, which is an easier read.
1.05	The Whistleblowing Policy has been shared with the Chief Executive, Chief Officer - Governance, Senior Officer – Human Resources & Organisational Development and the Trade Union for review.
1.06	This policy forms part of the Council's Constitution. The County Council is asked to consider the proposed changes to the Whistleblowing Policy, as agreed by the Audit Committee and the Constitution and Democratic Services Committee. If approved, the Constitution will be updated.
1.07	It is intended to publicise the Whistleblowing Policy to all employees, members. The Policy will also be made available on both the Council's website and Infonet and shared with suppliers and contractors as part of future procurement exercises.

2.00	RESOURCE IMPLICATIONS
2.01	None from the report itself.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Consultation of the revised Whistleblowing Policy has been undertaken with Constitution and Democratic Services Committee, Audit Committee members, the Chief Executive, the Council's Monitoring Officer and Chief Officer, Governance, Trade Unions and the Senior Manager, Human Resources and Organisational Development.

4.00	RISK MANAGEMENT
4.01	None from the report itself.

5.00	APPENDICES
5.01	Appendix A – Whistleblowing Policy (with tracked changes) Appendix B – Whistleblowing Policy (without tracked changes)

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None. Contact Officer: Lisa Brownbill, Internal Audit Manager Telephone: 01352 702231 E-mail: Lisa.brownbill@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
	<p>Corporate Governance: the system by which local authorities direct and control their functions and relate to their communities. It is founded on the basic principles of openness and inclusivity, integrity and accountability together with the overarching concept of leadership. It is an inter-related system that brings together the underlying set of legislative requirements, governance principles and management processes.</p> <p>Risk Management: the process of identifying risks, evaluating tier potential consequences and managing them. The aim is to reduce the frequency of risk events occurring (wherever this is possible) and minimise the severity of their consequences if they occur. Threats are managed by a process of controlling, transferring or retaining the risk. Opportunities are managed by identifying strategies to maximise the opportunity or reward for the organisation.</p> <p>Internal Control: appropriate procedures and processes are in place to mitigate any risk which may prevent the organisation from achieving its objectives and service delivery.</p> <p>Financial Management: the planning, organising, directing and control of the financial activities of the Council to ensure sufficient resources are available to delivery its intended outcomes.</p>