

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CONSTITUTION COMMITTEE**

DATE: **WEDNESDAY, 9 JULY 2014**

REPORT BY: **HEAD OF LEGAL & DEMOCRATIC SERVICES**

SUBJECT: **WHISTLEBLOWING POLICY**

1.00 PURPOSE OF REPORT

1.01 To consider amending the Constitution to reflect the updated Council Whistleblowing Policy.

2.00 BACKGROUND

2.01 The Enterprise and Regulatory Reform Act 2013 introduced changes to the statutory protection given to whistleblowers that needs to be reflected in the Council's policy.

2.02 The Council's Whistleblowing Policy forms part of the Council's Constitution and the committee is in the last year of its 3 year programme to review all parts of the Constitution.

2.03 A report on this matter was presented to the committee's last meeting on the 26 March 2014. Consideration of the item was deferred because the Audit Committee at its meeting on the same day had deferred its consideration to allow points raised at that meeting by the Wales Audit Office to be pursued.

2.04 The points raised by the Wales Audit Office were pursued and a revised Whistleblowing Policy presented to the Audit Committee at its meeting on the 7 May 2014. The committee agreed the revised policy subject to minor amendments which have been incorporated into the proposed policy shown as Appendix 1.

3.00 CONSIDERATIONS

3.01 The Enterprise and Regulatory Reform Act 2013 came into effect in June last year introducing changes to the statutory protection to whistleblowers. These changes have been incorporated into this revised policy. The main changes which come into effect are:-

- For employees to have protection under the Act they need to reasonably believe that they are making disclosures in the public interest. The previous requirement for disclosures to be protected was for them to be made in good faith.

- Greater protection for workers who blow the whistle, particularly against suffering detriment in the work place.

3.02 The Whistleblowing Policy enables employees to raise any concerns that they may have and gives assurances about confidentiality and protection. It details the procedure to be followed in raising a concern either internally or externally. For internal cases it explains how the Council will respond. There are also examples of the types of concerns that can be raised.

4.00 RECOMMENDATIONS

4.01 The committee is requested to consider and approve the updated policy attached as Appendix 1.

5.00 FINANCIAL IMPLICATIONS

5.01 None as a result of this report.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 With relevant officers in Legal & Democratic Services, Finance and HR & OD. It has also been considered by the Audit Committee and the Wales Audit Office.

11.00 CONSULTATION UNDERTAKEN

11.01 With relevant officers in Legal & Democratic Services, Finance and HR & OD. It has also been considered by the Audit Committee and the Wales Audit Office.

12.00 APPENDICES

12.01 Appendix 1 – Whistleblowing Policy.

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

None

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