

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet 14 September 2006
AUTHOR/S: Chief Executive / Assistant Solicitor, HR Manager and Finance
Project Officer

WHISTLEBLOWING POLICY

Purpose

1. The purpose of this report is to request Cabinet to approve the adoption of a revised Whistleblowing Policy for the Council.

Executive Summary

2. The Council's Whistleblowing Policy needed to be updated. A working group of nominees from Standards Committee and officers reviewed the policy. Standards Committee have recommended to Cabinet that the revised Policy be adopted.

Background

3. The Council's Whistleblowing Policy ("the Policy") was previously approved by the Finance, Resources and Staffing Committee in April 2000 and updated in 2002. The Council has instigated several significant changes since then and it had been considered an appropriate time to review the Policy and update it as necessary.
4. Standards Committee considered the Policy at its meeting on 21 November 2005 and, following correspondence between the Chairman and the then Finance and Resources Director, appointed Mr P Brindle and Councillor RF Bryant as Standards Committee's representatives on a working group to review the Policy.
5. Research was carried out on other councils' whistleblowing policies in order to identify best practice and the following guidance documents from Unison and Public Concern at Work were reviewed and have been incorporated as appropriate into the proposed revised Policy:
 - (a) "Speaking out without fear" - this guide from Unison provides advice on whistleblowing procedures;
 - (b) "Whistleblowing Best Practice" - this guide from Public Concern at Work summarises the most up to date best practice, drawing on recommendations from the UK Committee on Standards in Public Life and the Code of Corporate Governance.
6. Standards Committee commended the proposed revised Policy at its meeting on 9 August 2006 and supported subscribing to the Public Concern at Work "starter package", costing approximately £310 per annum, which provided a compliance toolkit, helpline subscription, posters to promote the policy and a newsletter. The Committee decided to recommend to Cabinet that the revised Whistleblowing Policy be adopted. Standards Committee members were asked to submit any comments to the Deputy Monitoring Officer for consideration by the working group and inclusion in the revised policy as appropriate.

Considerations

7. The review has suggested that, while the structure of the Policy was basically sound, some amendments were required in order to bring it up to date and comply with best practice. The amendments made can be summarised as:
 - (a) taking into account the provisions of the Public Interest Disclosure Act 1998;
 - (b) extra clarification to individuals considering invoking the Policy;
 - (c) giving examples of the types of concerns people may wish to raise;
 - (d) mentioning the availability of independent, confidential advice;
 - (e) identifying the Council's Monitoring Officer as the first point of contact;
 - (f) specifying what the whistleblower must not do;
 - (g) expanding previous guidance on:
 - (i) how to raise a concern;
 - (ii) how the Council will respond; and
 - (iii) how the matter can be taken further, if necessary;
 - (h) streamlining the process for monitoring and review and incorporating the Standards Committee in this.
8. The full text of the proposed revised Policy is provided with the agenda papers for Members' information.
9. The revised Policy would be re-launched to existing staff and Members, through briefing sessions, promotion on In-Site, the Council's intranet, and a series of posters and handouts. The Policy would be brought to the attention of new staff and Members through the Council's induction processes. Periodic reminders would be issued, regarding this and other associated policies. The annual monitoring report would be made available to staff and Members.

Options

10. Cabinet could decide not to change the current Policy; however, this would mean that the Policy would not be entirely up to date, nor fully compliant with best practice.
11. Cabinet could decide to approve the proposed revised Policy and recommend to Cabinet that it be adopted.
12. Cabinet could decide to make other changes to the Policy.

Implications

13.

Financial	The advice Public Concern at Work gives is free of charge to those who seek it; however, it does ask those organisations that refer their staff directly to them to consider a subscription, which helps to meet the costs of providing the helpline service. Their "Starter Package" comprises a copy of their compliance toolkit and revised editions, a helpline subscription with posters to help promote our Policy and internal contacts and a newsletter with updates on developments in whistleblowing. This package would be for a minimum of three years, at an annual cost of £250 plus 10p per employee (i.e. approximately £310 per annum). There is no current budget for this, but it could be incorporated in the revised estimates for 2006/07 and in the budget for 2007/08.
Legal	Any matters brought to the Council's attention under this Policy would be dealt with by the procedures outlined in it.

Staffing	Some of the amendments reflect responsibilities attributable to particular posts and officers. Staff raising concerns under this Policy will be aware of the safeguards available to them.
Risk Management	The Policy is part of the Council's arrangements for ensuring that proper standards of financial conduct are maintained, and that fraud and corruption are prevented and detected. By revising the Policy as recommended, the Council will be complying with best practice.
Equal Opportunities	The Policy is available for any member of staff, or contractors or Members to access.

Consultations

14. At the outset of the review, the working group met to receive the suggestions made by the Standards Committee. The draft revised Policy was provided to Councillor Bryant and Mr Brindle for their consideration and further comments were incorporated. Following its meeting on 9 August 2006, some Standards Committee members submitted comments which the working group has considered and included in the final document as appropriate. (Any further comments received will be reported verbally to the meeting.)
15. The proposed revised Policy has been provided to Unison and GMB for their consideration. (Any comments received will be reported verbally to the meeting.)

Effect on Annual Priorities and Corporate Objectives

16.	<table border="1"> <tr> <td>Affordable Homes</td> <td rowspan="7">South Cambridgeshire District Council is committed to the highest possible standards of openness, honesty and accountability. The Whistleblowing Policy encourages Council employees, contractors and Members with concerns about any aspect of the Council's work, to report such matters without fear of intimidation or reprisal.</td> </tr> <tr> <td>Customer Service</td> </tr> <tr> <td>Northstowe and other growth areas</td> </tr> <tr> <td>Quality, Accessible Services</td> </tr> <tr> <td>Village Life</td> </tr> <tr> <td>Sustainability</td> </tr> <tr> <td>Partnership</td> </tr> </table>	Affordable Homes	South Cambridgeshire District Council is committed to the highest possible standards of openness, honesty and accountability. The Whistleblowing Policy encourages Council employees, contractors and Members with concerns about any aspect of the Council's work, to report such matters without fear of intimidation or reprisal.	Customer Service	Northstowe and other growth areas	Quality, Accessible Services	Village Life	Sustainability	Partnership
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Conclusions/Summary

17. Some amendments are required in order to bring the Policy up to date and comply with best practice. Standards Committee have recommended that Cabinet approve the adoption of the revised Whistleblowing Policy.

Recommendations

18. Cabinet is recommended to approve the adoption of the revised Whistleblowing Policy and to support subscribing to the Public Concern at Work "starter package".

Background Papers: the following background papers were used in the preparation of this report:

The Council's current Whistleblowing Policy
Whistleblowing policies from a range of other councils
"Speaking out without fear", Unison's guide to whistleblowing
"Whistleblowing Best Practice", Guidance from Public Concern at Work

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