

13 June 2018**Agenda Item: 17****REPORT OF THE MONITORING OFFICER****ANNUAL WHISTLEBLOWING REPORT****Purpose of the Report**

1. To update Committee on whistleblowing concerns that have been reported during 2017/18.

Information

2. 'Whistleblowing' means the reporting by employees of suspected misconduct, illegal acts or failure to act within the Council. The aim of the County Council's Whistleblowing Policy is to encourage employees and others who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. Having effective whistleblowing procedures enables employees to raise serious concerns within the County Council rather than ignoring a problem or 'blowing the whistle' outside the County Council.
3. The County Council's Whistleblowing Policy is designed to ensure that employees can raise concerns without fear of victimisation, subsequent discrimination, disadvantage or dismissal. Employees who raise concerns under the Whistleblowing Policy have protection against victimisation and dismissal under the law.
4. Since the last report an update in the law means that reporting in relation to some whistleblowing disclosures is now mandatory. The Policy will be updated accordingly to reflect this.
5. The County Council logs concerns it receives centrally on its corporate register. All matters which fall under the Whistleblowing Policy are required to be reported to the Monitoring Officer.
6. During 2017, six concerns were reported under the Whistleblowing Policy. Given the confidential nature of the complaints this report can only refer to the general nature of the complaint; especially in the case of those investigations which are ongoing. The complaints can be summarised as follows: -

No.	Dept.	Nature of complaint	Status of complaint	Action taken
1.	Adult Social Care and Public Health	Concerns regarding internal staffing procedures of service provider commissioned by the Council	Closed	Investigation undertaken – complaints not substantiated but advice provided and regular visits to be undertaken by the Council in 2017/18
2.	Adult Social Care and Public Health	Concerns regarding clinical practice of service provider commissioned by the Council	Closed	Concerns related to same service provider as no. 1 above. Investigation and outcome as above.
3.	Adult Social Care and Public Health	Concerns regarding conduct of a team manager	Closed	Personal staffing issues referred to the Council's grievance procedure
4.	Adult Social Care and Public Health	Concerns regarding procedures of service provider commissioned by the Council, and potential financial abuse by service users	Closed	Investigation undertaken – complaints not substantiated but one service user investigation initiated. In future Internal Audit to seek regular updates on potentially fraudulent activity
5.	Childrens Families and Cultural Services	Bullying	Closed	Partial investigation undertaken; insufficient information provided to undertake full investigation. Complaint not upheld, but some refresher training on supervisions provided for managers
6.	Place	Bullying, health and safety concerns, concerns regarding recruitment process, allegations of theft	Closed	Investigation undertaken – complaints not substantiated, personal staffing issues referred to the Council's grievance procedure

7. It is important to ensure that the effectiveness of the Whistleblowing Policy is kept under review and that it is well publicised. The County Council's Whistleblowing Policy is published on the County Council's website. It is suggested that the Committee support publication of a Whistleblowing news article in the Council's staff news on the intranet and Team Talk (departmental news bulletin).

Other Options Considered

8. Publication of the details of certain concerns are now a statutory requirement. In relation to concerns relating to other areas there is no requirement to publish these. However, in the interests of transparency and openness it considered that all whistleblowing disclosures should be reported to Committee.

Reason/s for Recommendation/s

9. It is important to ensure employees are aware of the Whistleblowing Policy, and therefore it is considered worthwhile to continue promoting and publicising the Policy.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That members consider whether there are any actions they require in relation to the issues contained within the report .
- 2) That the Committee supports the publication of a Whistleblowing news article in the Council's Team Talk (departmental news bulletin).

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Monitoring Officer

For any enquiries about this report please contact:

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Constitutional Comments (KSK 04/06/2018)

11. The proposals in this report are within the remit of the Governance and Ethics Committee."

Financial Comments (RWK 04/06/2018)

12. There are no specific financial implications arising directly from the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- The Public Interest Disclosure (Prescribed Persons) Order 2014
- The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017

Electoral Division(s) and Member(s) Affected

- All