

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2017/18

COMMITTEE:

AUDIT COMMITTEE

30th April 2018

Item No. 6
Whistleblowing Annual Report 2017/18

REPORT OF:-

DIRECTOR OF HUMAN RESOURCES

Author: Peter Cushion (Head of Employee Relations)

(01443) 444503

1. PURPOSE OF THE REPORT

1.1 The purpose of this report is to present a copy of the Council's Annual Whistleblowing Report 2017/18 in accordance with the Prescribed Persons (Reports on Disclosures of Information) Regulation 2017 (the '2017 Regulation').

2. RECOMMENDATIONS

It is recommended that Members:

2.1 Review the Annual Report (Appendix 1) to determine if it complies with the requirements placed upon the Council by the 2017 Regulation. If compliance is determined, approve the report.

2.2 If deemed necessary, consider whether any changes or improvements to the current whistleblowing arrangements are required.

3. THE COUNCIL'S WHISTLEBLOWING POLICY

3.1 A copy of the Council's Whistleblowing Policy & Procedure was reported to the Council's Audit Committee at its meeting held on the [31st October 2016](#).

3.2 The purpose of the Policy is to provide a means by which complaints of malpractice or wrongdoing can be raised by those who feel that other avenues for raising such issues are inappropriate. The Policy confirms that so far as possible, those raising concerns under the Policy will be treated confidentially.

4. **AN ANNUAL WHISTLEBLOWING REPORT**

4.1 The 2017 Regulation came into effect on the 1st April 2017 and requires specified employers (known as relevant prescribed persons) to report annually on the whistleblowing arrangements in place.

4.2 The 2017 Regulation also requires prescribed persons to include in annual reports information on the number of disclosures made and states that the annual report be published on the employer's website or by other means appropriate for bringing the report to the attention of the public.

4.3 A copy of the 2017 Regulation is provided at the following link:

http://www.legislation.gov.uk/ukxi/2017/507/pdfs/ukxi_20170507_en.pdf

4.4 AUDIT COMMITTEE

4.5 The Terms of Reference for Audit Committee state:

Statement of Purpose

The purpose of the Audit Committee is to monitor the adequacy of the risk management framework and the associated control environment; provide independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment; and to oversee the financial reporting process.

As a key element of new arrangements for corporate governance, designed to ensure openness, integrity and accountability, the Committee will assist the Authority in discharging its responsibility for ensuring financial probity, without taking any action which might prejudice it. The Committee will [specifically in relation to overseeing a culture of zero tolerance towards serious wrongdoings]:-

L Receive ad hoc reports on any significant matters involving fraud, theft or other appropriate matters in breach of the Authority's Financial Procedure Rules and Contract Procedure rules, as part of the development of an anti-fraud culture.

N Promote and review any measures designed to raise the profile of probity within the Authority.

4.6 In line with the above Terms of Reference, the Council's Whistleblowing Annual Report 2017/18 is included at Appendix 1 for Audit Committee's review and to determine if the Report is in line with the 2017 Regulation.

4.7 Subject to Audit Committee's consideration and feedback, an approved Whistleblowing Annual Report 2017/18 will be made available on the Council's website.

5. SUMMARY

- 5.1 The Annual Report provided at Appendix 1 has been written in accordance with the responsibilities placed upon the Council by the 2017 Regulation.
- 5.2 The Annual Report provides an overview of the arrangements in place and also summarises the reported instances received, whilst protecting the confidentiality of the whistleblowers.
- 5.3 Overall, the Annual Report concludes that the *'Council's whistleblowing arrangements are appropriate'* and that *'further work will take place during 2018/19 to raise awareness of the arrangements in place'*.

LOCAL GOVERNMENT ACT, 1972

as amended by

THE ACCESS TO INFORMATION ACT, 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

AUDIT COMMITTEE

30th April 2018

Report of the Director of Human Resources

Author: Peter Cushion (Head of Employee Relations)

Item

6. Whistleblowing Annual Report 2017/18

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Appendix 1 – Whistleblowing Annual Report 2017/18

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**RHONDDA CYNON TAF COUNTY BOROUGH
COUNCIL**

**WHISTLEBLOWING ANNUAL REPORT
2017/18**

1. Introduction

- 1.1 Members of staff are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council and they may also fear harassment or victimisation. In these circumstances, it may appear to be easier to ignore the concern rather than report it.
- 1.2 For the purpose of the Whistleblowing Policy & Procedure (reported to Audit Committee at the meeting held on [31st October 2016](#)), 'workers' refer to all those that deliver services on behalf of the Council and also those organisations that provide services to the Council i.e. Employees, Contractors and Suppliers.
- 1.3 The Council is committed to achieving the highest possible standards of service. In line with that commitment, workers with serious concerns about any aspect of the Council's work are encouraged to come forward and voice those concerns. The Council encourages workers to participate without fear of reprisals.
- 1.4 The Whistleblowing Policy & Procedure aims to encourage and enable workers to raise serious concerns within the Council rather than overlooking a problem.
- 1.5 The Director of Human Resources has overall responsibility for the maintenance and operation of the Policy and has ensured that a record of all cases reported along with the outcomes has been compiled during 2017/18.

2. Raising an Issue

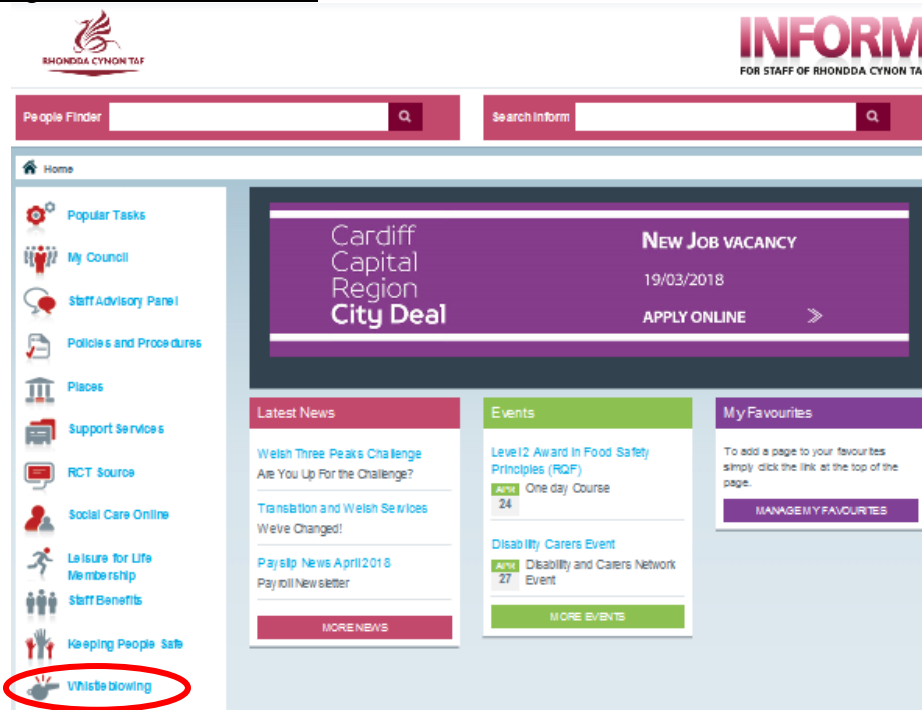
- 2.1 Initially workers should raise their concern with their immediate Line Manager / Head of Service / key contact within the Council, who will be able to determine whether they can deal with the concern or if it requires escalation. This can depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in the matter.
- 2.2 In some instances the direct contacts may be the individuals where concerns relate, in which case, concerns can be raised in writing via the [Get Involved](#) section of the Council's Website. Individuals should include as much information as possible such as relevant dates, incidents and witnesses. If individuals wish to leave contact details then this is encouraged as quite often the ability to fully investigate necessitates contact to be made by an investigating officer should they have supplementary questions.
- 2.3 The Whistleblowing Policy & Procedure provides guidance in respect of anonymity and keeping the identity of a Whistleblower confidential.

3. What's been done to raise awareness?

3.1 Work has taken place during 2017/18 with the aim of raising awareness of the Council's Whistleblowing arrangements, as follows:

- The Council's Intranet site was developed whereby a dedicated section was put in place on the homepage – see Figure 1 below. This was developed with the aim of providing summarised information in respect of the Council's Whistleblowing arrangements, a copy of the Policy and the specific individuals to contact if a whistleblower required to do so.

Figure 1 – Intranet site



- A payslip insert was developed and provided to all staff during May 2017. This was issued with the aim of ensuring that all staff (specifically those without day to day access to a Council computer) were made aware of the Council's arrangements.

4. Whistleblowing activity during 2017/18

Disclosure Summary	Method Disclosure	Action Taken
<p>It was alleged that an office manager at a school had employed a close relative in the office without an interview or DBS check.</p>	<p>Online submission</p>	<p>Human Resources investigated this allegation, in consultation with the Chair of Governors and Headteacher of the school.</p> <p>The alleged information was confirmed to be inaccurate.</p> <p>Although the employee's close relative was employed (albeit in another capacity), DBS clearance was in place.</p>
<p>It was alleged that 5 members of staff at a home for the elderly were sleeping on duty and using the facilities to do their laundry and to bake.</p>	<p>Letter received by Human Resources.</p>	<p>Human Resources investigated this allegation in consultation with the Service Manager, the allegations were found to be correct and this resulted in 5 members of staff being dismissed.</p>
<p>It was alleged that a member of staff at a school stole goods from a gift shop whilst overseeing school trip.</p>	<p>Online submission</p>	<p>Human Resources investigated this allegation, in consultation with the Chair of Governors and Headteacher of the school.</p> <p>It was confirmed that the individual had paid for the goods and this was supported by the production of the individual's bank statements.</p>
<p>It was alleged that an individual working at a civic amenity site was taking televisions placed there by members of</p>	<p>Online submission</p>	<p>Human Resources investigated this allegation, in consultation with the Service Manager.</p>

Disclosure Summary	Method Disclosure	Action Taken
the public and selling them for personal gain.		No evidence could be obtained to support the allegations; therefore no further action was possible.
It was alleged that Council staff were using vehicles for their personal use.	Online submission	<p>Human Resources investigated this allegation, in consultation with the Service Manager.</p> <p>Given the detailed nature of the allegations received, numerous requests were made to the whistleblower to provide further information; unfortunately no further engagement was noted.</p> <p>Tracking information was obtained regarding vehicle usages and legitimate reasons were given for the journeys identified.</p> <p>No further action was taken.</p>

5. Concluding comments

- 5.1 Whilst all staff are required to follow relevant Policies and Procedures put in place by the Council, unfortunately there are a very small number of instances where some individuals decide to contravene these arrangements.
- 5.2 In such instances, it is absolutely necessary that the Council has the appropriate arrangements in place for individuals to report potential serious wrongdoings.
- 5.3 It is difficult to fully ascertain how effective the Council's whistleblowing arrangements are in respect of awareness across all workers and indeed whether all workers feel comfortable to report potential concerns. However, the fact that whistleblowers have come forward during 2017/18 indicates a general awareness.
- 5.4 Whilst in an ideal world there would be no instances of whistleblowing because all staff would conform with the relevant policies and procedures, I think that the work undertaken during 2017/18 to raise awareness and also the fact that workers have come forward and felt comfortable to blow the whistle is a positive indication of the culture in place within this Council.
- 5.5 All occasions of whistleblowing have been fully investigated and where appropriate, the necessary action has been taken.
- 5.6 Based upon the information contained within this report, I conclude that overall the Council's whistleblowing arrangements are appropriate, however further work will take place during 2018/19 to raise awareness of the arrangements in place.

Richard Evans – Director, Human Resources