

SLOUGH BOROUGH COUNCIL

REPORT TO: Audit & Corporate Governance Committee **DATE:** 20 September 2018

CONTACT OFFICER: Sushil Thobhani, Service Lead (Governance) & Deputy Monitoring Officer

(For all enquiries) (01753) 875036

WARD(S): All

PART 1 **FOR INFORMATION**

SCHEDULE OF ACTIVITY – WHISTLEBLOWING COMPLAINTS

1 **Purpose of Report**

The purpose of this report is to update members of the Committee on the activity undertaken by the Council's Monitoring Officer in relation to Complaints received under the Confidential Whistleblowing Code.

2 **Recommendation(s)/Proposed Action**

The Committee is requested to note this report.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

The delivery of all these strategic priorities is dependent on the highest possible standards of openness, honesty and accountability. This is underpinned by The Confidential Whistleblowing Code and good governance arrangements being in place.

4 **Other Implications**

(a) **Financial**

There are no financial implications arising from this report.

(b) **Human Rights Act and Other Legal Implications**

The law relating to Whistleblowing is contained in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998).

(c) **Equalities Impact Assessment**

There is no identified need for an EIA arising from the subject matter of this Report.

5 Supporting Information

- 5.1. The Committee at its meeting on 8 March 2018 received a report on the number and status of recent and current whistleblowing complaints and investigations. An update is provided at paragraph 5.1.4 below.
- 5.2 The Confidential Whistleblowing Blowing Code was reviewed and a revised code was incorporated into the Constitution in May 2017. “Whistleblowing” is the tem used when an employee passes on information concerning wrongdoing. The Council’s Whistleblowing Code also applies to members of the public.
- 5.3 The Code aims to encourage people to use the process with confidence so that legitimate concerns can be raised and addressed by the Authority so that standards can be improved within the organisation.
- 5.4 The following table sets out summary details of whistleblowing complaints since the last report to the Committee on this matter on 8 March 2018, their subject matter, actions taken and the outcome.

| Ref | Complainant | Subject Matter | Action | Outcome |
|------------|--|--|---|---|
| 2017/F | Anonymous complaint . This matter was on the Activity Report to the Committee at its meeting on 8 March 2018 when it was reported that investigations were being conducted at the time. | Complaint alleges financial irregularities at a maintained school | The Council have carried out a full investigation into the financial affairs of the School which was the subject of the complaint | The investigation did not find any evidence to substantiate the complaint. |
| 2018/A | Former employee of company to whom Council proposed to award a contract following a formal procurement process. | Complaint alleges that the Contractor may be employing someone who may not have the right to work in the UK. | The Council’s Head of Procurement and the Contract Manager investigated the matter with the Contractor. | Found no evidence to substantiate the complaint. Council satisfied that the Council had power to terminate the Contract if any such activity was substantiated at any time. |
| 2018/B | A Member and an Election Agent. | The Complaint alleges that the Council published its magazine to residents in breach of the Ministerial code | Matter was investigated by the Interim Chief Executive and the Monitoring Officer. | It was found that the publication did not breach the Ministerial Code of Practice on |

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|--------|-------------------------|--|--|----------------------------|
| | | on Council publicity | | Council publicity. |
| 2018/C | Anonymous Complaint | The Complaint alleged that the Council had employed a consultant on a six month contract at a high rate of payment who was known to the Officer who arranged the Employment | No Action was taken as the anonymous letter did not enable either the Officer or the alleged Consultant to be identified. | No Action Taken. |
| 2018/D | Resident of the Borough | The Complaint alleges that the Council could be aiding and abetting suspected criminals being investigated by the Serious Fraud Office in connection with the proposed purchase of a property by the Council and that the matter was being investigated by the Police. | The Monitoring Officer responded to indicate that he would await outcome of complaint to the Police before considering whether any further investigations by him were necessary. | Not determined at present. |
| 2018/E | Member of the Council | Verbal allegation that a payment was offered with the implication that the person who offered the payment would secure a favourable decision from the Council on a planning matter. | The Monitoring Officer is conducting further enquiries to establish whether the circumstances require a report to the Police first and further investigations following any police investigation if merited. | Not determined at present. |

6. **Conclusion**

The Committee is asked to note the contents of this Report.

7. **Background Papers**

None.