

SLOUGH BOROUGH COUNCIL

REPORT TO: Audit & Corporate Governance Committee

DATE: 29th July 2021

CONTACT OFFICER: Hugh Peart, Monitoring Officer

WARDS: All

PART I **FOR COMMENT & CONSIDERATION**

WHISTLEBLOWING CODE AND GUIDANCE

1. **Purpose of Report**

As part of the agreed internal audit plan for 2020/21, the Council's auditors, RSMUK, undertook a review of whistleblowing practices within the Council. A number of actions were proposed and this report outlines how those proposals that are the responsibility of the Monitoring Officer have been implemented.

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

The Committee is requested to:

- Approve the revised Whistleblowing Code, including new guidance, for incorporation into the Council's constitution; and
- Note the revised Schedule of Activity and the new arrangements for record keeping and formalised reviews of whistleblowing.

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, the Councillors' Code of Conduct and good governance arrangements being in place.

4. **Other Implications**

(a) **Financial**

There are no financial implications of proposed action.

(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 this Report.

5. INTERNAL AUDIT RECOMMENDATIONS

- 5.1 Internal audit made 5 recommendations in respect of the Monitoring Officer's responsibilities. These are set out below with details of implementation.

Whistleblowing Code update

- 5.2 It was recommended that the Code should be updated as some information, for example, in addresses and contact details, was out of date.
- 5.3 The Code has been updated and a tracked change version is at Appendix 1

Whistleblowing Procedure – guidance

- 5.4 It was recommended that a formalised process should be developed along with a guidance document based on the process. Guidance has been added to the Code as Schedule 5.

Schedule of activity

- 5.5 It was recommended that the Schedule of Activity be updated to include a column for lessons learned and that this should be presented to the Committee every 6 months to allow for complete committee oversight. A copy of the revised Schedule is at Appendix 2.
- 5.6 There have been no whistleblowing complaints in the last 6 months and the next report, using the new Schedule if appropriate, will be in December 2021.

Case Management system / record keeping

- 5.7 It was recommended that a bespoke case management system be set up to keep records, including those created by investigators, to allow proper reporting of complaints and their outcome.
- 5.8 The Monitoring Officer considers that a specific case management system would be expensive and would not be cost effective. Individual investigators, who would differ from case to case, would need to be trained on the system and provided with a licence. An administrator of the system would be required.
- 5.9 The number of whistleblowing complaints currently received does not justify the expenditure and organisation required. Whilst improvements to record-keeping are required, this can be achieved through a simple shared drive system. IT have been asked to set this up with access provided to the Monitoring Officer and Deputy Monitoring Officer.
- 5.10 Advice to investigators to provide all the documents to the Monitoring Officer at the end of the case is included in the guidance document.

Formalised whistleblowing review

- 5.11 It was recommended that a formalised review of whistleblowing be completed on a regular basis and presented to this Committee for consideration. The first review will take place in April 2022, to allow changes to be made.

Appendices

Appendix 1 – Whistleblowing Code with track changes

Background Papers

None