



**AUDIT & GOVERNANCE COMMITTEE**  
**25 January 2023**

**ITEM 07**

Report sponsor: Emily Feenan, Director of  
Legal, Procurement and Democratic Services  
and Monitoring  
Report author: Paul McMahon, Principal Lawyer

## **Whistleblowing Policy**

### **Purpose**

- 1.1 The Public Interest Disclosure Act 1998 (“PIDA”) amended the Employment Rights Act 1996 to give workers the right not to be subjected to any detriment by any act, or any deliberate failure to act, by their employers done on the ground that the worker has made a protected disclosure.
- 1.2 The Council has had a Whistleblowing Policy in place since July 1999 to:
  - a) encourage colleagues to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
  - (b) provide colleagues with guidance as to how to raise those concerns.
  - (c) reassure colleagues that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 1.3 This report proposes an update to that policy and seeks approval for that update.

### **Recommendations**

- 2.1 That the Audit & Governance Committee approves the updated policy

### **Reasons**

- 3.1 The Audit and Governance Committee is responsible for providing assurance to the Council on the effectiveness of its governance arrangements, its risk management framework and the internal control environment.

### **Supporting information**

- 4.1 Although the law protecting whistleblowers applies whether or not the Council has a policy, a policy can help colleagues understand what is and what isn't a disclosure in the public interest, and encourage colleagues to report wrongdoing without fear of reprisal.

- 4.2 This review brings the policy up to date with developments in the law and makes the reporting process (ultimately to the Monitoring Officer) clearer.

### **Public/stakeholder engagement**

- 5.1 This redraft was approved by the Policy Working Group (2 December 2022)

### **Other options**

- 6.1 It is good practice (and the duty of the Committee) to oversee the review of this policy.

### **Financial and value for money issues**

- 7.1 None directly, although the policy may encourage colleagues to report financial/value for money abuses.

### **Legal implications**

- 8.1 None beyond the legal duties that already exist.

### **Climate implications**

- 9.1 None directly, although the policy may encourage colleagues to report climate-related matters.

### **Socio-Economic implications**

- 10.1 None

### **Other significant implications**

- 11.1 None

**This report has been approved by the following people:**

<b>Role</b>	<b>Name</b>	<b>Date of sign-off</b>
<b>Legal</b>	Olu Idowu, Head of Legal Services	12 January 2023
<b>Finance</b>	Janice Hadfield, Head of Finance	17 January 2023
<b>Service Director(s)</b>	Emily Feenan, Director of Legal, Procurement and Democratic Services and Monitoring Officer	16 January 2023
<b>Report sponsor</b>		
<b>Other(s)</b>		

<b>Background papers:</b>	
<b>List of appendices:</b>	Appendix 1 - Whistleblowing Policy