

Subject: Internal Audit Review of Whistleblowing Arrangements

Date of Meeting: 9 March 2010

Report of: Director of Finance and Resources

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Wards Affected: All

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 23, Access to Information Rule 5 and Section 100B (4) of the Local Government Act as amended (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that there was delay in receiving sufficient information from other local authorities for reasonable comparison purposes.

1. SUMMARY AND POLICY CONTEXT:

1.1 Members have previously received a report from the Director of Strategy & Governance on the operation of the Whistleblowing function within the council, in November 2009. This referred to a planned internal audit review in quarter 4 of Whistleblowing arrangements. The recommendation was agreed for this to be carried out and reported back at the March meeting in particular whether the Whistleblowing arrangements are considered to be fit for the purpose.

2. RECOMMENDATIONS:

2.1 That the findings, key issues and agreed actions arising from the internal audit report at Appendix 1 be noted and in particular the audit opinion that gives reasonable assurance and concludes there are no significant weaknesses, whistleblowing arrangements compare well with other local authorities examined.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:

3.1 Whistleblowing is the popular term used when an employee, agency worker or contractor raises a concern they may have about alleged malpractice. They do this in that knowledge that questions will be asked, appropriate action taken and they will not suffer victimisation from having disclosed confidential information in the public interest.

3.2 The Public Interest Disclosure Act 1988 provides that employers should not victimise any employee who blows the whistle in one of the ways set out in the legislation.

3.3 It is therefore important for the council to operate effective Whistleblowing arrangements that are robust and have the confidence of employees.

4. CONSULTATION

- 4.1 The Director of Strategy & Governance, Head of Law, Assistant Director of Human Resources and Policy & Projects Manager (Human Resources) have been consulted on this audit and their comments incorporated.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no direct financial implications associated with this report. However, effective whistleblowing arrangements are a key safeguard against financial malpractice in particular counter fraud thereby ensuring the council's resources are used appropriately.

Finance Officer Consulted: Patrick Rice

Date: 03/03/10

Legal Implications:

- 5.2 The council's Whistleblowing Policy and the recommendations in this report are consistent with the requirements of the Public Interest Disclosure Act 1998.
- 5.3 The operation of the scheme will be kept under review through the Officer Governance Board to ensure compliance with the law as well as good practice. Any changes necessary to improve its operation will be brought to the Standards Committee and/or the Governance Committee.

Lawyer Consulted: Abraham Ghebre-Ghiorghis

Date: 02/03/10

Equalities Implications:

- 5.4 The policy applies to all employees.

Sustainability Implications:

- 5.5 The policy and guidance is published on our intranet and hard copy information is only circulated to those staff not connected to the internet.

Crime & Disorder Implications:

- 5.6 The whistleblowing policy is designed to encourage reporting of allegations so that they can be properly investigated and, where they are founded, appropriate action can be taken.

Risk and Opportunity Management Implications:

- 5.7 Effective whistleblowing arrangements will contribute to a climate of trust, probity and safety at work. It is also a safeguard against the council unknowingly harbouring malpractice.

Corporate / Citywide Implications:

- 5.8 It is vital that a public body has in place a mechanism for its staff and others who work on its premises such as contractors and agency workers to be able to raise concerns about alleged malpractice, secure in the knowledge that something will be done and that they will not suffer victimisation from having raised the issue.

SUPPORTING DOCUMENTATION

Appendices:

1. Internal Audit Report on Whistleblowing Arrangements (Final)

Documents In Members' Rooms

None

Background Documents:

1. Whistleblowing Arrangements Code of Practice 2008 (British Standards Institute)

