

WHISTLEBLOWING POLICY AND ANTI FRAUD STRATEGY

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1. Purpose

- 1.1 To provide the Committee with an opportunity to consider and comment on the revised Whistleblowing Policy (Annex A) and Anti Fraud Strategy (Annex C) and the protections these policies provide.

2. Recommendations

- 2.1 That the revised Whistleblowing and Anti Fraud policies be submitted to Cabinet for approval.

3. Issues and Choices

- 3.1 The Whistleblowing Policy was presented to Audit Committee alongside the Anti Fraud Strategy in November 2012.

- 3.2 The Committee requested some amendments to the Whistleblowing policy and set up a working group was set up to review this. The most significant changes are:

- The number of contacts has been reduced as the large number of options caused confusion.
- Where possible the contact details include named individuals.
- Job titles in the document have been updated.
- Section 4.1.6 has been enhanced to address concerns of contractors victimising whistleblowers.
- The timescale by which the Council must provide an initial response to the whistleblower has reduced from 7 to 10 days (section 5.4).
- The whistleblower will be informed of the date by which they will receive a final response or further update (sections 5.4 and 5.9).
- Section 6.3 has been inserted to cover referrals to the Police
- Section 8.2.3 has been inserted to cover the LLP's.

- 3.3 In light of the concerns raised regarding 'gagging' clauses to prevent whistleblowing in NHS compromise agreements, a copy of the Council's compromise agreement is provided at Annex B.

3.4 Section 8.3 of the Council's compromise agreement specifically states "These restrictions are not intended to exclude or restrict the Employee's right to make a protected disclosure under the Public Interest Disclosure Act 1998".

3.5 The Anti-Fraud Strategy was agreed at the Committee meeting in November 2012 and has been included at Annex C for completeness.

4 Implications

4.1 Policy

Adoption of the policy is part of the Council's improvement agenda to demonstrate that corporate governance arrangements are kept under regular review and are fit for purpose.

4.2 Resources and Risk

Whistleblowing referrals often involve concerns of fraudulent activities taking place.

Risks relate to the reluctance of potential whistleblowers to raise issues due to concerns that they may suffer adverse treatment or their concerns not being treated with the level of confidence and sensitivity that they require.

x	Capital	y	Revenue	x	Accommodation
x	IT	y	Medium Term Plan	x	Asset Management

4.3 Legal

The policy seeks to provide the process by which the Council delivers the duties prescribed by the Public Interest Disclosures Act.

4.4 Other Implications

y	Equalities/Diversity	x	Sustainability	y	Human Rights
x	E-Government	y	Stakeholders	x	Crime and Disorder

Background Papers: Draft Whistleblowing Policy (Annex A)
 Compromise Agreement (Annex B)
 Anti Fraud Strategy (Annex C)