



AUDIT & GOVERNANCE COMMITTEE

Monday, 08 January 2024

Subject	Whistleblowing Policy
Cabinet Member	Councillor Vince Langdon-Morris Cabinet Member with responsibility for Resources and Value for Money Councillor Tim Wilson Assistant Cabinet Member for Resources and Value for Money
Report Author and Head of Service	Siobhan Martin Head of Internal Audit siobhan.martin@eastsoffolk.gov.uk 01394 444254
Chief Executive	Chris Bally Chief Executive chris.bally@eastsoffolk.gov.uk 01502 523210

Is the report Open or Exempt?	OPEN
-------------------------------	------

Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not Applicable.
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

To provide a strategic overview to Members of the Audit and Governance Committee of the updated Whistleblowing Policy and to acknowledge the confidential protected disclosure procedures to be undertaken within the council when dealing with a "Whistleblower". To ensure Members are aware of the procedures etc.

Options:

No alternative options are presented in relation to this Policy

Recommendation/s:

That having commented upon its contents, the Audit and Governance Committee approves the refreshed Whistleblowing Policy.

Corporate Impact Assessment

Governance:

This refreshed Whistleblowing Policy supports the Council's governance framework by setting out how the council will respond to anyone reporting a protected disclosure. Protected disclosures may identify breaches of law or the proper practices that are expected for a well-governed local authority.

ESC Fraud policies and strategies that directly apply to the proposal:

This report has links to the Council's:

- Anti-Fraud and Corruption Strategy
- Anti Bribery Policy
- Corporate Fraud Policy and response Plan
- Code of Corporate Governance

Environmental:

This report does not include direct links to the Council's strategic environmental aims.

Equalities and Diversity:

This report does not require the completion of an Equalities Impact Assessment.

Financial:

This report has some potential financial implications due to its purpose in providing a legal gateway in which the Whistleblower can report confidentially any irregular activity within the Council and/or partnerships that may have financial implications and/or affect the Health and Safety of the public etc.

Human Resources:

Currently this report does not have any direct staffing implications.

ICT:

This report does not have any direct ICT (Information Communications Technician) implications.

Legal:

This report addresses how the Council will meet the statutory responsibilities set out in the Public Interest Disclosure Act 1998.

Risk:

This Whistleblowing policy sets out how the Corporate Fraud Service will reduce the risk of irregularities within the council and/or its partnerships, by enabling workers to report concerns confidentially. This may impact any risk affecting the council, including but not limited to financial loss, health and safety of staff and the public, or legal non-compliance.

External Consultees: No external parties were consulted in the preparation of this report.

Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		

P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>How does this proposal support the priorities selected?</p> <p>The updated Council’s Whistleblowing Policy is the Council’s response to handling Protected Disclosures under the Public Interest Disclosure Act. Nationally it is a key element in any Council’s governance framework, designed to reduce the risk of fraud, corruption, and abuse in the delivery of local services</p>			

Background and Justification for Recommendation

1 Background facts	
1.1	As a local authority, East Suffolk Council has a responsibility to hold itself to the highest standards of governance in the performance of its duties.
1.2	<p>People who work for the council, or are involved in the council’s work, are often the first to know if anything goes wrong and can therefore play a key role in identifying issues and preventing problems.</p> <p>The Public Interest Disclosure Act 1998 provides legal protection to encourage workers who are willing to come forward with legitimate concerns. The term ‘whistleblowing’ is the common phrase given to disclosures made under the Public Interest Disclosure Act 1998. Regardless of the law, the Councils position is, and always has been, that we want to know if something is going wrong.</p>
1.3	The Council’s Whistleblowing Policy was last reviewed in January 2019 by the Audit and Governance Committees of Suffolk Coastal District Council and Waveney District Council.

2 Current position	
2.1	The Audit and Governance Committee’s terms of reference include the responsibility to “Review the Council’s Whistleblowing Policy”.
2.2	The previous Whistleblowing Policy dated 2019 has been fully refreshed. The refreshed Policy continues to encourage staff to report concerns and sets out how East Suffolk Council will respond.

3 How to address current situation	
3.1	The council needs to ensure its corporate policies are up to date in order to maintain good corporate governance. A refreshed Whistleblowing Policy is necessary to ensure it provides appropriate advice to staff and other stakeholders.

4 Reason/s for recommendation	
--------------------------------------	--

4.1	To fulfil the Audit and Governance Committee’s responsibility to review the council’s Whistleblowing Policy.
-----	--

Appendices

Appendices:

Appendix A	East Suffolk Council Whistleblowing Policy
-------------------	--

Background reference papers:

None