



## AUDIT AND GOVERNANCE COMMITTEE

Tuesday, 22 September 2020

### WHISTLEBLOWING POLICY

#### EXECUTIVE SUMMARY

1. The Chartered Institute of Public Finance and Accountancy (CIPFA) suggest a regular review of the organisation's Whistleblowing Policy.
2. The Council has a legal obligation to adhere to the Public Interest Disclosure Act, commonly known as Whistleblowing.
3. The Council's Whistleblowing Policy was last reviewed in January 2019. The main content of the Policy remains compliant with expected good practices with minor changes made to the structure and length of the Policy following a training session delivered by Protect, formally known as Public Concern at Work, which is a leading independent whistleblowing charity in the United Kingdom. One key point to note is the change in emphasis to 'whistleblowing in the public interest' from 'whistleblowing in good faith'. The policy has also been revised in line with the EU Whistleblowing Directive April 2019.
4. This report enables the Audit and Governance Committee to fulfil its terms of reference, which includes ... 'To review the Councils Whistleblowing Policy'.

Is the report Open or Exempt?	Open
<b>Wards Affected:</b>	All
<b>Cabinet Member:</b>	Councillor Maurice Cook Cabinet Member with responsibility for Resources
<b>Supporting Officer:</b>	Mrs Siobhan Martin Head of Internal Audit 01394 444254 <a href="mailto:siobhan.martin@eastsoffolk.gov.uk">siobhan.martin@eastsoffolk.gov.uk</a>

## **1 INTRODUCTION**

- 1.1 The term 'whistleblowing' is the common phrase given to the Public Interest Disclosure Act 1998.
- 1.2 The Whistleblowing Policy has been in existence for some time across previous partner Councils Suffolk Coastal and Waveney District Council. The Committee is asked to review and comment upon the updated Policy applicable to East Suffolk Council, which remains consistent with legislation and Council procedures.
- 1.3 Format changes have been made to the existing Policy to make the document clearer and less legalistic. Additionally, there has been a change in emphasis to 'whistleblowing in the public interest' from 'whistleblowing in good faith'. The Policy remains consistent with standards expected by the Public Interest Disclosure Act 1998, the British Standards Institution PAS 1998:2008, the Advisory, Conciliation and Arbitration Service (ACAS), and the EU Whistleblowing Directive 2019.
- 1.4 Promotion of the updated Policy will commence in October 2020 via the Intranet, at team meetings and on the East Suffolk website along with any communication medium advised by the Communications Team.

## **2 MONITORING AND REVIEW**

- 2.1 Any occurrences of Whistleblowing should be reported to the Head of Internal Audit and any leaning points will be reported in the Annual Internal Audit Report.

## **3 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?**

- 3.1 Application of the law is an essential feature of how East Suffolk is accountable for the public purse and therefore having an effective Whistleblowing Policy enables the delivery of the East Suffolk Strategic Plan.

## **4 FINANCIAL AND GOVERNANCE IMPLICATIONS**

- 4.1 Non-adherence to this Policy may facilitate serious financial and corporate governance weaknesses. It is a mandatory requirement that the Council adheres to the Public Interest Disclosure Act.

## **5 OTHER KEY ISSUES**

- 5.1 This report does not require an Equality Impact Assessment, a Sustainability Impact Assessment, or a Partnership Impact Assessment.

## **6 CONSULTATION**

- 6.1 The Cabinet Member with responsibility for Resources and the Chief Executive and Unison have been consulted.

## **7 OTHER OPTIONS CONSIDERED**

- 7.1 No further options have been considered. This Policy represents the Councils statutory responsibility to act in accordance with the Public Interest Disclosure Act.

## 8 REASON FOR RECOMMENDATION

- 8.1 By reviewing and considering the refreshed Whistleblowing Policy in accordance with best practice the Audit and Governance Committee will fulfil its responsibility within its terms of reference.

### RECOMMENDATIONS

That the Audit and Governance Committee comments upon the refreshed Whistleblowing Policy.

### APPENDICES

<b>Appendix A</b>	East Suffolk Council – Whistleblowing Policy (September 2020), V6
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### BACKGROUND PAPERS

Date	Type	Available From
January 2019	V5. Whistleblowing Policy	Head of Internal Audit <a href="mailto:siobhan.martin@eastsoffolk.gov.uk">siobhan.martin@eastsoffolk.gov.uk</a>
Dec 2018	Protect, previously known as Public Concern at Work (Charity)	<a href="http://www.protect-advice.org.uk">www.protect-advice.org.uk</a>