

Public Report
Standards and Ethics Committee

Committee Name and Date of Committee Meeting

Standards and Ethics Committee - 18 September 2019

Report Title

Proposed Amendments to the Whistleblowing Policy

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

N/A

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

A report setting out proposed amendments to the Whistleblowing Policy following a review of the Policy and the way in which it operates.

Recommendations

1. That the Committee considers and approves the proposed amendments to the Whistleblowing Policy.
2. That the Committee suggests any further amendments to the Whistleblowing Policy it considers appropriate.

List of Appendices Included

Appendix 1 - Whistleblowing Policy with proposed amendments
Appendix 2 – Whistleblowing Policy – full amended version

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public - No

Proposed Amendments to the Whistleblowing Policy

1. Background

- 1.1 As members will be aware, the oversight of the Whistleblowing Policy falls within the remit of the Standards and Ethics Committee. As part of this oversight and in accordance with good practice, the Whistleblowing Policy is kept under periodic review.
- 1.2 Following the latest review of the Whistleblowing Policy by officers, a number of minor amendments to the Policy, are proposed below. A full copy of the Whistleblowing Policy with suggested amendments in “tracked” version is at Appendix 1 and fully amended version for ease of reading at Appendix 2.
- 1.3 The suggested amendments include “administrative” changes to include the new post of the Head of Legal Services, and a change to the external Auditor.
- 1.4 The proposed amendments also include an additional way in which Whistleblowing concerns may be reported to the Council, by introducing a specific Whistleblowing Hotline number.
- 1.5 The proposed amendments also include nominating three senior officers, namely the Monitoring Officer, the Head of Internal Audit and the s. 151 Officer as the Council’s “Whistleblowing Officers”. These officers will be responsible for the oversight of the operation of the Whistleblowing Policy including oversight of receiving concerns, investigating concerns and providing appropriate information to the Whistle-blower as to the progress and outcome of any investigation. These Whistleblowing Officers will also be responsible for ensuring appropriate actions are taken following an investigation, and implementing any lessons learned following an investigation. This strengthens the resilience of the arrangements which previously only referred to the Assistant Director of Legal Services being responsible for these matters.
- 1.6 The proposed amendments also include amendments to the way in which concerns are allocated for investigation, due to the introduction of the Whistleblowing Officers. Again for this reason there are changes to the way in which the whistle-blower is kept informed about the investigation.

2. Key Issues

- 2.1 The proposed changes to the Whistleblowing Policy are set out in Appendix 1. It is considered that these changes will improve the operation of the Whistleblowing Policy.

3. Options considered and recommended proposal

3.1 Recommendations are set out above.

4. Consultation on Proposal

4.1 Relevant officers who will be undertaking roles as Whistleblowing Officers have been consulted about these amendments, and have had input into drafting the amended Whistleblowing Policy.

5. Timetable and Accountability for Implementing this Decision

5.1 The changes to the Whistleblowing Policy will be implemented immediately following the Standards and Ethics Committee meeting.

6. Financial and Procurement Advice and Implications

6.1 Any work undertaken by Legal Services in dealing with these matters is within the budget for Legal Services.

7. Legal Advice and Implications

7.1 The Council has a statutory duty to provide an appropriate Whistleblowing Policy and arrangements for dealing with concerns raised through the policy.

8. Human Resources Advice and Implications

8.1 None.

9. Implications for Children and Young People and Vulnerable Adults

9.1 None.

10. Equalities and Human Rights Advice and Implications

10.1 The Whistleblowing Policy is available to all employees, workers and contractors of the Council.

11. Implications for Partners

11.1 None.

12. Risks and Mitigation

12.1 There is a risk that if serious misconduct is not reported pursuant to the Whistleblowing Policy, serious issues will not be appropriately investigated and addressed.

13. Accountable Officer(s)

Bal Nahal, Head of Legal Services

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