

Report To: Council
Date of Meeting: 12th April 2016
Lead Member / Officer: Councillor Barbara Smith
Report Author: Catrin Roberts / Andrea Malam
Title: **Whistleblowing Policy**

1. What is the report about?

The Whistleblowing Policy has been reformatted, updated and revised in line with legislation.

2. What is the reason for making this report?

To gain Council agreement to adopt this policy.

3. What are the Recommendations?

For Council to adopt this policy.

4. Report details

Whistleblowing Policy

The policy has been updated and reformatted to include clearer roles and responsibilities and the legislative changes. The Enterprise and Regulatory Reform Act (2013) brought about a number of changes which impact on whistleblowing. The three key changes are the following:

- a) Only disclosures made 'in the public interest' are protected. Employees now have to show that they 'reasonably believe' that the disclosure they are making is in the 'public interest.'
- b) The removal of the requirement for disclosures to be made in 'good faith' in order to be protected.
- c) Making employers liable for the acts of employees (such as harassing a colleague who has raised a concern) and making employees personally liable.

Please refer to policy contained within the appendix.

The policy will be communicated to all employees, including schools, via the intranet, training, power hours/workshops and also taken to management meetings via HR Business Partners. Schools can adopt a corporate policy if they so wish and we will be encouraging schools to adopt this policy.

5. How does the decision contribute to the Corporate Priorities?

The Whistle blowing Policy will assist the Corporate Priorities by helping to modernise the council by ensuring that managers and employees are aware of their obligations in line with legislation and good practice.

6. What will it cost and how will it affect other services?

Additional resources are not required, therefore there won't be any costs attached to implementing this policy. There will be no particular impact on a particular department. This policy will apply to all staff (where stated).

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report

Please find the EQiA attached. There are no fundamental issues highlighted with the EQiA's.

8. What consultations have been carried out with Scrutiny and others?

The policies have all been to Corporate Joint Meeting on Thursday 17th September and Wednesday 4th November for comments and have been emailed to CJM for feedback from the members of CJM who did not attend those meetings and so all members have been given an opportunity to feedback. The Policy went to LJCC on 10th February 2016 and was agreed in principle, however the meeting was not quorate and was also take for information to Corporate Governance on 23rd March 2016.

9. Chief Finance Officer Statement

Not applicable.

10. What risks are there and is there anything we can do to reduce them?

The risks are only associated with not implementing the attached policy. The current versions of the policy is very out of date in terms of legislation and we must ensure the policy is being applied correctly and consistently.

11. Power to make the Decision

Not applicable.