

## **Divisions affected – All**

### **COUNCIL**

**16 APRIL 2024**

## **AUDIT & GOVERNANCE COMMITTEE TERMS OF REFERENCE - WHISTLEBLOWING POLICY**

### **Report of the Director of Law & Governance and Monitoring Officer**

#### **RECOMMENDATION**

1. To amend the terms of reference for the Audit and Governance Committee to include the following addition:  
'To monitor whistleblowing arrangements and to approve the Whistleblowing Policy'.

#### **Background**

2. At the meeting on 13 March 2024 the Audit and Governance Committee received an updated Whistleblowing Policy and recommended that the terms of reference of the committee be amended to include 'To monitor whistleblowing arrangements and to approve the Whistleblowing Policy'.
3. Oversight of the Whistleblowing Policy fits well the committee's wider terms of reference around governance, risk and control.
4. In recent years, the Audit and Governance Committee has received an annual report that provides summary information on whistleblowing incidents without allowing individuals to be identified. To aid members' understanding, background information is also provided in the report. This includes the definition of a whistleblowing incident as confusion can arise with other types of complaint.
5. Areas for improvement have been reported to members and a new Whistleblowing Policy was presented to the Audit and Governance Committee on 13 March 2024.
6. The new policy provides greater clarity around the six categories set out in the Employment Rights Act 1996 that make a complaint a qualifying disclosure under the Public Interest Disclosure Act 1998. It recognises the importance of keeping an employee updated and an Investigating Officer reporting back to the Monitoring Officer on progress and if a complaint raised through the

whistleblowing route is investigated through another council policy, once that process has been concluded. It sets out how a complaint that does not fall within the strict definition of a whistleblowing incident may be investigated.

7. The Monitoring Officer intends to raise awareness of the new Whistleblowing Policy across the Council and will ensure that training is available for all Council employees.

### **Corporate policies and priorities**

8. The Whistleblowing Policy supports the Council's organisational values, most notably 'equality and integrity in all that we do' and 'taking responsibility'.

### **Financial implications**

9. There are no direct financial implications arising from the report

### **Legal implications**

10. Under the scheme of delegation in the Constitution, the Monitoring Officer has authority to agree and adopt the governance policies for the Council, including the Whistleblowing Policy, following consultation with the Leader, Deputy Leader and Director of Finance now the Executive Director of Resources.  
*Comments checked by: Anita Bradley, Director of Law & Governance and Monitoring Officer*

### **Equality and inclusion implications**

11. The Whistleblowing Policy is intended to give confidence to all who wish to raise an allegation of wrongdoing and not to disadvantage any individual that has one or more protected characteristic.

Anita Bradley

Director of Law & Governance and Monitoring Officer

Background papers: Report to the Audit and Governance Committee 13  
March 2024 – Whistleblowing Policy

Annual Whistleblowing Report to the Audit and  
Governance Committee – 28 November 2023

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