

Divisions Affected – N/A

AUDIT AND GOVERNANCE COMMITTEE

27 November 2024

WHISTLEBLOWING POLICY

Report by the Director of Law & Governance and Monitoring Officer

RECOMMENDATION

1. To note the number of incidents of Whistleblowing during the 2023-24 financial year.
2. To note that training on Whistleblowing is currently being rolled out within the organisation.

Background

3. A new Whistleblowing Policy was presented to the Audit and Governance Committee on 13 March 2024. A copy of the policy is attached to the report.
4. 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.
5. The Monitoring Officer was tasked with providing training on the Whistleblowing policy and procedure and this is currently being rolled out.

Incidents of whistleblowing during 2023-24

6. Thirteen whistleblowing allegations were received. Nine were assessed by the Monitoring Officer as requiring action under a different council policy (e.g. Grievance Procedure) and four were accepted as requiring investigation under the Whistleblowing Policy. Summary of allegations and status of investigation are provided below:

- a) Health and Safety concerns in a residential home setting – investigation completed.
 - b) Improper practices in awarding contracts in a service area - investigation completed.
 - c) Breach to the Council's procurement policy - investigation completed.
 - d) Lack of health and safety considerations in a Children's Services setting - investigation completed.
7. Three of the allegations were reported by Council employees and one was from a contractor to the Council.
8. For the first six months of 2024-25, 1 April to 30 September 2024, six whistleblowing allegations were received. Of these, three were assessed by the Monitoring Officer as requiring action under a different Council policy. Three have been accepted as requiring investigation under the Council's Whistleblowing Policy.
9. A single point of confidential contact is available at whistleblowing@oxfordshire.gov.uk and overseen by the Monitoring Officer and Chief Internal Auditor. The policy gives the contact details of senior managers and external organisations in case a person wishes to raise matters that way in the first instance.

Corporate policies and priorities

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

Financial implications

11. There are no direct financial implications directly relating to, or arising from, the recommendation in this report.

Checked by: Drew Hodgson, Strategic Finance Business Partner
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Risk management implications

12. Without clear arrangements for employees to raise whistleblowing concerns safely, it is difficult for an organisation effectively to manage the risks it faces.

Legal implications

13. 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.
14. The Public Interest Disclosure Act 1998 sets out a framework for a worker to make disclosure (whistleblowing) about categories of wrongdoing, if there is a public interest in doing so. A person raising such a concern has a right not to suffer any detriment. The Council's Whistleblowing Policy is consistent with the expected framework, and other best practice guidance, and sets out the expected protections.

Checked by: Paul Grant, Head of Legal, & Deputy Monitoring Officer
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Equality and inclusion implications

15. 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

Annex: Whistleblowing Policy

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November 2024