



<b>Audit &amp; Governance Committee</b>		Agenda Item
<b>17 November 2023</b>		<b>9</b>
Title:	Whistleblowing Policy	
Report of:	Edwina Adefehinti	
Lead Member:	Cllr Edna Murphy- Governance	
Public Report:	Yes	
Key Decision:	No	
Voting Arrangements:	Majority	

#### Recommendations:

A	<i>That the Committee notes the report and comments on any aspect of the report and whistleblowing policy</i>
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#### Strategic Objective(s):

The proposals within this report fit under the following strategic objective(s):

X	This will enable improvements to the Combined Authority's governance.
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#### 1. Purpose

1.1	This report provides this committee with an update on the changes to the whistleblowing policy, lessons learnt, and action taken to improve the policy and its operation.
1.2	

#### 2. Proposal

2.1	That this committee makes comments and recommendations on improvements to the whistleblowing policy and the operation of the policy
2.2	

#### 3. Background

3.1	In May 1995 the Nolan Committee issued a report on the Standards in Public Life: Local Public Spending Bodies. This report made a number of recommendations, some sector specific and others more general in nature. The Nolan Committee recommended that Local Authorities
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	<p>should institute Codes of Practice on Whistleblowing, which would enable concerns to be raised confidentially inside and if necessary outside the organisation.</p> <p>A Whistleblowing commission was established in February 2013 by the charity Protect to review the effectiveness of existing arrangements for workplace Whistleblowing and make recommendations for change.</p> <p>They issued a report in November 2013 with recommendations to the secretary of state at the time and a recommended Code of Practice. This code sets out practical guidance for the raising, handling, training and reviewing Whistleblowing arrangements.</p> <p>An effective and positive whistleblowing culture has the following advantages:</p> <ul style="list-style-type: none"> <li>• Detects and deters wrongdoing;</li> <li>• Provides information to managers so they can make decisions and contain the risk;</li> <li>• Demonstrates to stakeholders that the CPCA is serious about good governance;</li> <li>• Reduces the chance of anonymous or malicious leaks;</li> <li>• Reduces the chance of Legal claims against the CPCA; and</li> <li>• Clear whistleblowing arrangements are likely to help with a defence under the Bribery Act 2010.</li> </ul> <p>CIPFA's guide on delivering good governance, recommends the following is considered as part of its Annual Governance Statement: "Ensure that effective arrangements for Whistleblowing are in place to which officers, staff and all those contracting with or appointed by the authority have access. That a Whistleblowing policy exists and is reviewed on a regular basis. The policy is made available to members of the public, employees, partners and contractors."</p>
3.2	<p>The Whistleblowing Policy and Procedure was reviewed and updated for approval in March 2023 by the Employment committee now called the Human Resources Committee. This policy forms part of the CPCA's Anti Fraud and Anti Corruption arrangements and is included with the Employee Code of Conduct. The revised Whistleblowing Policy and Procedure is attached at Annex 1 to this report.</p>
3.3	<p>The CPCA last received a whistleblowing complain in October 2021. This complaint was anonymous and, further to an investigation, the complaint was considered in light of the Member Code of Conduct.</p> <p>No whistleblowing complaints have been received by the Monitoring Officer and HR is unaware of any whistleblowing complaints in the last 12 months. Following the complaint received in 2021, the CPCA reviewed. The last update was in September 2023.</p> <p>The content of the current policy has therefore been reviewed and compared to best practice and other Local Authority's Whistleblowing Policies and has been updated, with clearer explanations. As part of the review, the CPCA received comments from an external Consultant to ensure the policy met national standards and was strengthened. The old version of the whistleblowing policy contained 11 pages and our current version now contains 7 pages. Part of that is linked to the current template that we use, and so the layout/sections have changed. The reduction does not in any way diminish the rigor of the new policy.,</p> <p>Looking line-by-line in the new Policy, some detail was removed around a long list about examples of types of concerns so as not to limit the concerns that can be raised. In addition, the type of language in the new policy is more plain-speaking. Sections were removed in relation to untrue allegations/malicious allegations/unfounded allegations and consolidated from approximately a page to a short section on untrue allegations. However, the process</p>

	<p>hasn't changed. There is more information on our independent helpline as well, which wasn't included in the original document.</p> <p>As a result of lessons learnt, the role of the Monitoring Officer in this process is new but provides an additional level of oversight to ensure that investigations are undertaken correctly and in a timely way. Going forward, the Monitoring Officer will maintain a central register of all whistleblower allegations. This register will record a summary of the original allegation and the actions taken. Where an allegation has been received by other departments in the CPCA and involves a non-financial issue, this must still be reported to the Monitoring Officer who may decide where the investigation should sit and appoints a manager to investigate the issue.</p> <p>As a result of lessons learnt, where appropriate a summary of whistleblowing allegations will be reported to this Committee. The whistleblower's identity will, however, always remain confidential if known, unless the whistleblower makes it public.</p> <p>As a result of lessons learnt, training on whistleblowing and how to handle whistleblowing is now covered in management induction and general staff induction. The link to the policy is well signposted on the internal HR hub.</p>
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## 4. Appendices

### 4.1 *Appendix 1 – Whistleblowing report*

## 5. Implications

### Financial Implications

5.1	There are no direct financial implications from this proposal, but an effective whistleblowing policy supports financial propriety and helps to demonstrate Best Value
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### Legal Implications

6.1	These are contained within the report and reflect the requirements of the Public Interest Disclosure Act 1998. Human Rights implications are considered in the conduct of all investigations, e.g, if directed surveillance is felt necessary this will be carried out in accordance with the Regulation of Investigatory Powers Act 2000. Furthermore, the Whistleblowing Policy provides a mechanism where concerns regarding the welfare of individuals can be raised and therefore helps protect their Human Rights. Investigations will take into consideration Equality and Diversity implications. Investigations may reveal weaknesses in financial management and other monitoring systems. Ensuring action is then taken in respect of these weaknesses plays a role in ensuring that CPCA Resources are used to enable fair access to quality services.
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### Public Health Implications

7.1

### Environmental & Climate Change Implications

8.1

### Other Significant Implications

9.1

### Background Papers

