



**General Purposes Committee**  
21 January 2014

**Report from the HR Director**

Wards affected:  
ALL

**Whistleblowing Policy and Procedures**

**1.0 Summary**

Human Resources is currently reviewing all of the council's employment policies and procedures. The revised Whistleblowing policy is part of this review. There are no proposals to make any significant changes to the existing policy. However, the opportunity has been taken to clarify the purpose of the policy and to ensure that it accords with current legislation and best practice.

**2.0 Recommendations**

2.1 The General Purposes Committee is asked to:

- a. Agree the new Whistleblowing Policy and Procedures
- b. Authorise the HR Director, in consultation with the Leader and then consultation with the relevant trade unions, to make such other changes as may be necessary from time to time to the Whistleblowing Policy and associated procedures to ensure they remain relevant and 'fit for purpose'.

**3.0 Detail**

3.1 The council regularly reviews its HR policy framework to align its policies and procedures to the organisational objectives, incorporate legislative changes and to reflect current modern HR practice.

3.2 The current Whistleblowing Policy and Procedures have been reviewed in light of improvements identified in the application of the policy and changes to the legal framework which supports the policy. The policy document is attached to the report for the Committee to consider.

3.3 Key points to note in the new policy are:

- Clarification of the policy to ensure there is no confusion between whistleblowing and other council policies.

- Emphasis has been placed on the parameters which define a legitimate whistleblowing disclosure to counteract concerns raised that the current policy lacked clarity and that inappropriate disclosures, such as employment grievances, were being brought under the Whistleblowing Policy.
- In line with changes to the legal framework, the new policy specifies that all disclosures must be made in good faith, and in the public interest.

#### **4.0 Implementation Date**

4.1 It is recommended that the policy becomes live on 17<sup>th</sup> February 2014. This is to allow time for feedback from the managers briefing distributed on February 11<sup>th</sup>.

#### **5.0 Financial Implications**

5.1 There are no specific financial implications.

#### **6.0 Legal Implications**

6.1 The policy is underpinned by the Employment Rights Act 1996 and Enterprise and Regulatory Reform Act 2013.

#### **7.0 Diversity Implications**

7.1 The policy and procedure is applicable to all staff and provides a framework that encourages and enables employees to raise serious concerns in the workplace. It also makes clear that the council will not tolerate harassment and victimisation and will take action to protect employees when a concern is reported in good faith. Whistleblowing action in this regard is consistent with the council's duties under the equalities legislation protecting employees who may raise concerns. The application of the policy will be continually monitored to ensure it remains fit for purpose.

#### **8.0 Staffing/Accommodation Implications**

8.1 The council is committed to the highest standards of openness, probity and accountability. The Whistleblowing Policy and Procedure provides a framework to help employees express concerns on practices which they, in good faith, perceive to be improper, unethical, inappropriate or illegal. There are no other implications in addition to those otherwise set out in the report. CMT and the HR Improvement Group have been consulted on the policy and procedure and have endorsed the changes. The trade unions have also been consulted and their feedback has been taken into consideration in reviewing the policy.

#### **Background Papers**

Existing Whistleblowing Policy and Procedure  
Enterprise and Regulatory Reform Act 2013  
Benchmarking with other local authorities.

#### **Contact Officers**

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