

TONBRIDGE & MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

16 June 2014

Joint Report of the Chief Executive and the Director of Finance & Transformation

Part 1- Public

Delegated

1 WHISTLEBLOWING CHARTER (CONFIDENTIAL REPORTING CODE)

This report highlights suggested changes to the Charter and requests Members to recommend approval by General Purposes Committee.

1.1 Introduction

1.1.1 This charter was reviewed by Members at their meeting of January 2014 and it was recommended that it was approved by General Purposes Committee. However, there has not been a General Purposes Committee meeting since and therefore it is still at draft stage.

1.1.2 Following the January review there were some minor changes requested by Personnel & Customer Services Manager.

1.1.3 In addition one of the officers named in the charter has married and changed her surname.

1.2 Changes

1.2.1 In paragraph 1.3 of the charter the legal reference has been changed to the Enterprise & Regulatory Reform Act 2013.

1.2.2 In paragraph 4.1 the first sentence has been expanded to apply to the "actions or behaviours of" all employees.

1.2.3 In paragraph 4.2 the word reasonably has been added and reference is made to "in the public interest".

1.2.4 In paragraph 4.3 a sentence has been added to clarify the Council position. "It recognises that co-workers are personally liable for acts of victimisation, and will take all reasonable steps to prevent this happening."

1.2.5 In paragraph 5.4 the name of Katey Durkin has been changed to Katey Arrowsmith.

1.3 Legal Implications

- 1.3.1 The Enterprise & Regulatory Reform Act 2013 includes reference to disclosures and this Charter reflects those changes and the duty that the Council has to protect those making disclosures.

1.4 Financial and Value for Money Considerations

- 1.4.1 The Charter gives staff a framework for raising concerns. The early reporting of any concern may enable prompt action to be taken minimising any potential financial cost to the Council.

1.5 Risk Assessment

- 1.5.1 Having a sound "whistleblowing" code in place enables staff to be confident of how concerns will be dealt with and encourages staff to raise concerns.

1.6 Equality Impact Assessment

- 1.6.1 This code is available to all irrespective of any equality issues and is designed to ensure a consistent approach to dealing with any concern raised. It has provision for dealing with any vexatious allegations.

1.7 Recommendations

- 1.7.1 Members are asked to review the draft code and subject to any required amendments to **RECOMMEND** that it is endorsed by the next General Purposes Committee.

Background papers:

contact: David Buckley

Nil

Julie Beilby
Chief Executive

Sharon Shelton
Director of Finance & Transformation

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	Not applicable

Screening for equality impacts:		
Question	Answer	Explanation of impacts
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	Not applicable
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		Not applicable

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.