

TONBRIDGE & MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

16 January 2023

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Delegated

1 ANNUAL REVIEW OF WHISTLEBLOWING POLICY

This report informs Members of the outcome of the annual review of the Council's Whistleblowing Policy and Procedure, together with the external Whistleblowing Policy.

1.1 Introduction

- 1.1.1 The Whistleblowing Policy and Procedure provides employees and Members with information about how they may report concerns regarding breaches of laws, regulations, policies or procedures committed by other employees or Members of the Council. It also outlines how the Council will deal with those concerns once they have been reported.
- 1.1.2 The external Whistleblowing Policy provides the public and those that provide services to the Council who may witness wrongdoing by employees or Members about how to raise a concern.

1.2 Whistleblowing Policy

- 1.2.1 The Whistleblowing Policy and Procedure and external Whistleblowing Policy were last reviewed by the Committee in January 2022.
- 1.2.2 This latest review found that the procedures were duplicated in the policy document and have been removed. In addition, some of the language included in the policy has been changed to encourage staff to speak out. A copy of the Whistleblowing Policy and Procedure is attached at **[Annex 1]** and **[Annex 2]** respectively. The external Whistleblowing Policy is attached at **[Annex 3]**.
- 1.2.3 The intention in future is for these documents to be reviewed every two years. Any significant changes required due to changes in legislation or risks to be brought to the next available Committee.

1.3 Action Following Approval of the Policies

- 1.3.1 The policies, once approved, will be circulated to all staff with computer access using Netconsent and made available on the Council website as appropriate.

1.4 Legal Implications

These policies are not mandatory but do comply with best practice and refer to the relevant legislation where appropriate.

1.5 Financial and Value for Money Considerations

- 1.5.1 Providing clear guidelines to employees, Members and the public on how they may report concerns strengthen the Council's zero tolerance approach to inappropriate conduct or fraud.

1.6 Risk Assessment

- 1.6.1 While there is no statutory requirement to have an appropriate mechanism for dealing with whistleblowing, it is relevant to helping the Council comply with associated law. Failure to have an adequate whistleblowing mechanism carries significant reputational risk.

1.7 Equality Impact Assessment

- 1.7.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.8 Policy Considerations

- 1.8.1 Crime & Disorder Reduction

1.9 Recommendations

- 1.9.1 Members are asked to review and, subject to any required amendments, **recommend** that the Whistleblowing Policy [**Annex 1**] and Procedure [**Annex 2**] and external Whistleblowing Policy [**Annex 3**] are approved by the next General Purposes Committee.

Background papers:

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Nil

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