

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

24 January 2024

Report of the Interim Chief Executive

Part 1- Public

Delegated

1 REVIEW OF WHISTLEBLOWING POLICY

This report informs Members of the outcome of the review of the Council's Whistleblowing Policy.

1.1 Introduction

1.1.1 The Whistleblowing Policy 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.

1.2 Whistleblowing Policy

1.2.1 The Whistleblowing Policy was last reviewed by the Committee in January 2022. This latest review found that, other than some minor amendments, no changes are required to bring it up to date with best practice.

1.2.2 The Audit Committee is due to consider this policy at its meeting on 15 January 2024. If there are any recommendations for amendment made, Members of this Committee will be advised at the meeting.

1.2.3 It is noted the Government have started a review of the whistleblowing framework with the evidence gathering stage concluding in the Autumn of 2023. This may take into account the EU Whistleblowing Directive and will be part of the forthcoming Whistleblowing Bill, however this has yet to make its way through parliament.

1.2.4 A copy of the updated internal Whistleblowing Policy is attached at **[Annex 1]**.

1.2.5 The Whistleblowing Procedure can be found at **[Annex 2]**.

1.2.6 In addition, and in line with best practice it is recommended that an external policy is made available to support those working externally to TMBC who may witness

wrongdoing by officers and councillors. This policy will provide the details on who and how to raise concerns a copy of the policy is attached at **[Annex 3]**.

1.3 Action Following Approval of the Policy

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

1.4 Legal Implications

1.4.1 A Whistleblowing Policy is not mandatory, but does 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 of inappropriate conduct or fraud strengthen the Council's zero tolerance approach to fraud, bribery and corruption.

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 **approve**, subject to any required amendments, the Whistleblowing Policy **[Annex 1]** and accompanying Whistleblowing Procedure **[Annex 2]** and external Policy **[Annex 3]**.

Background papers:

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Nil

Adrian Stanfield
Interim Chief Executive