

TONBRIDGE & MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

07 April 2015

Report of the Director of Finance & Transformation

Part 1- Public

Delegated

1 ANNUAL REVIEW OF WHISTLEBLOWING CHARTER

Summary

This report informs Members of the outcome of a review of the Whistleblowing Charter. The review has identified a number of amendments required to bring the charter into line with best practice and this report recommends that these changes are adopted.

1.1 Introduction

1.1.1 The Whistleblowing Charter 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. The document is reviewed annually and the updates proposed are summarised in this report.

1.2 Whistleblowing Charter

1.2.1 The Charter was last reviewed and approved by the General Purposes Committee in June 2013. The recent review has identified a number of changes required to bring the document into line with best practice, specifically to provide potential whistleblowers with more information on how their concerns will be dealt with to demonstrate that they will be treated fairly. The proposed revised Policy document is attached at **[Annex 1]** to this report with proposed deletions scored through and additions shown in red italics for ease of reference.

1.2.2 It is proposed that the document be referred to as the Whistleblowing Policy rather than a Charter. This brings it into line with other Council policy documents.

1.2.3 Section 2 has been added with a definition of whistleblowing to assist those reading the document.

1.2.4 Section 3 has been amended to show the aims and scope of the policy.

1.2.5 Section 4 'Who can use the charter?' has been replaced with 'Who does the policy cover?' which has been shortened and made clearer for ease of reading.

- 1.2.6 Section 5 has been added to explain what support the Council will provide to individuals raising their concerns. This section gives a clear explanation of what the whistleblower can expect and aims to give people more confidence to come forward.
- 1.2.7 Section 6, which provides details on how to raise a concern, has been expanded with more information on how to report concerns, what avenues are available and what is expected from the individual.
- 1.2.8 Section 7 outlines how the council will respond when a concern is raised. This has been expanded to provide employees and members with information about what they can expect once they have reported their concerns.
- 1.2.9 Section 8 provides further assurance by advising individuals how they can progress the matter if they are not satisfied with the response received from the Council as the employer.

1.3 Action Following Approval of Policies

- 1.3.1 Once approved by Members, the revised Policy will be circulated to all staff with computer access using Netconsent and will be updated on the Council website.

1.4 Legal Implications

- 1.4.1 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 staff on how they may report concerns of inappropriate conduct or fraud strengthen the Council's zero tolerance approach to fraud 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 risks.

1.7 Equality Impact Assessment

- 1.7.1 The recommendations in this report do not have any adverse impact or discriminate against any different groups in the community. The specific guidelines that have been added to the policy regarding harassment and victimisation make a positive contribution towards promoting equality.

1.8 Recommendations

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

Background papers:

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Nil

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