

REPORT TO CABINET

Open/Exempt Open		Would any decisions proposed:			
Any especially affected Wards	None	Be entirely within Cabinet's powers to decide		NO	
		Need to be recommendations to Council		YES	
		Is it a Key Decision		NO	
Lead Member: Cllr Parish E-mail: Cllr.Terry.Parish@West-Norfolk.gov.uk			Other Cabinet Members consulted: N/A		
			Other Members consulted: N/A		
Lead Officer: James Arrandale E-mail: james.arrandale@west-norfolk.gov.uk Direct Dial: 01553 616 653			Other Officers consulted: Becky Box		
Financial Implications NO	Policy/ Personnel Implications YES	Statutory Implications NO	Equal Impact Assessment NO: Pre-screening provided	Risk Management Implications YES	Environmental Considerations NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 15 January 2024

UPDATE OF WHISTLEBLOWING POLICY

Summary

The Council maintains a Whistleblowing Policy which sets out the protections given to staff, Members and relevant third parties where they report wrongdoing to the Council.

The Policy was drafted in 2017. It has now been reviewed and revised, taking into account matters raised by the Audit team. Key revisions include clarifications in a number of areas, a more robust structure for the assessment of whistleblowing reports, and a monitoring programme.

The Policy is also now supplemented by a Procedure, which addresses (i) how whistleblowing reports should be made, escalated and assessed, and (ii) the protections (in terms of employment rights) that whistleblowers will receive.

The revised Policy requires the approval of Full Council to be adopted.

For completeness, the Procedure does not require Full Council approval. It will be reviewed and approved by officers following consultation with UNISON.

Recommendation

Cabinet Resolves:

To make the below recommendation to Full Council

Recommendations to Full Council:

That the revised Whistleblowing Policy be approved and adopted

Reason for Decision

To ensure that the Policy is kept up-to-date and takes account of Audit recommendations.

1 Background

The Council adopted a Whistleblowing Policy in 2017. It has not since been revised.

Audit Recommendations were made in February 2021, and as with all Council policies, periodic review is also required.

The revised Policy takes into account the Audit Recommendations, and has been reviewed against other Local Authority policies. It makes various improvements including (i) a monitoring programme involving annual reports to Audit Committee, and (ii) provision to ensure continuing staff awareness.

The Policy is also now accompanied by a Procedure (staff-facing and therefore not requiring Council approval), which clarifies roles and responsibilities around the initial making of a report, how managers should address and escalate those reports, and how reports should be assessed. The Procedure appoints a team of three Whistleblowing Reporting Officers (Monitoring Officer, Senior Internal Auditor, AD Central Services) to assess whistleblowing reports and manage the actions required to deal with them.

2 Options Considered

None. The Policy requires revision.

3 Policy Implications

As set out in the revised Policy.

4 Financial Implications

None.

5 Personnel Implications

None. For completeness, UNISON will be consulted on any staff issues might arise on the Procedure; however, no issues are anticipated as the policy is designed to protect employment rights.

6 Environmental Considerations

None.

7 Statutory Considerations

The original Policy and the revised Policy take account of relevant Employment law (the Employment Rights Act 1996, as amended by the Public Interest Disclosure Act 1998), which protects employees against any retaliation by their employer as a result of reporting a concern, provided that the employee has a reasonable belief that it is in the public interest to report that concern. This is known as making a “protected disclosure”.

8 Equality Impact Assessment (EIA)

Pre-Screening Attached

9 Risk Management Implications

The amendments to the Policy should improve risk management.

10 Declarations of Interest / Dispensations Granted

N/A

11 Background Papers

Whistleblowing Procedure
Audit Recommendations 2021

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



Name of policy/service/function	Whistleblowing Policy and Procedure				
Is this a new or existing policy/service/function?	Update of pre-existing policy				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>The policy and procedure explain the mechanism whereby reports of types of wrongdoing can be reported to the Council under the Public Interest Disclosure Act.</p> <p>As above, statute applies to the underlying protections, but the detail of the policy is not constrained by statute</p>				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age	X			
	Disability	X			
	Gender	X			
	Gender Re-assignment	X			
	Marriage/civil partnership	X			
	Pregnancy & maternity	X			
	Race	X			
	Religion or belief	X			
	Sexual orientation	X			
	Other (eg low income)	X			

Question	Answer	Comments
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No	The Policy and Procedure are not expected to have any material effect on equalities issues. To a limited extent they may assist in the achievement of equalities objectives by facilitate reporting of any equalities breaches. No negative impact is foreseen.
3. Could this policy/service be perceived as impacting on communities differently?	No	See above
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	See above
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	Actions:
		Actions agreed by EWG member:
If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary: Decision agreed by EWG member:		
Assessment completed by:		
Name	James Arrandale	
Job title	Principal Solicitor & Deputy Monitoring Officer	
Date	XX 2023	