

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
INTERNAL AUDIT	AUDIT AND STANDARDS COMMITTEE	22 SEPTEMBER 2016	6
WHISTLEBLOWING POLICY UPDATE			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The Audit and Standards Committee is responsible for monitoring the Council's Whistleblowing Policy. The policy has recently been reviewed and updated and needs to be formally endorsed.

RECOMMENDATION

The Committee approves the Whistleblowing Policy attached as an Appendix to this report.

SUMMARY OF PREVIOUS DECISIONS

The former Audit Committee approved the present Whistleblowing Policy on 21 March 2013.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	
Promoting Fylde as a great destination to visit (A Great Place to Visit)	

REPORT

1. The Audit and Standards Committee's areas of responsibility as defined in the Constitution include monitoring council policies on Whistleblowing. The Council has had such a policy in place since 2003, but the most recent version was originally approved by the former Audit Committee in March 2013.
2. The Whistleblowing Policy focuses on workplace whistleblowing and covers employees raising concerns about actual or potential wrongdoing either within the Council or externally with, for example, regulators. When someone blows the whistle they are raising a concern about danger or illegality that affects others such as customers, members of the public, or the Council.
3. Periodically the Whistleblowing Policy is revisited to ensure it reflects prevailing legislation and current best practice. It has now been refreshed to reflect the new corporate arrangements and has also been reviewed against the Whistleblowing Commission's Code of Practice, which sets out the key principles and practices of effective whistleblowing. In addition, the former Business, Innovation and Skills Department recently published a revised list of prescribed persons or bodies to which a whistleblowing issue may be referred.
4. Taking account of the above, the following changes to the policy have been made:
 - Paragraph 4.3 - addition of seven potential detriments or retaliations a worker may suffer for having raised a concern
 - Paragraph 9.12 - sets out arrangements for record keeping and reporting of concerns raised
 - Paragraph 9.13 - requires the Annual Governance Statement to include the number and type of whistleblowing concerns raised
 - Paragraph 10.1 - removal of references to the Audit Commission (now abolished)
 - Paragraph 10.2 - includes a link to the full list of prescribed persons to whom a whistleblower may report a concern issued by the government
 - Paragraph 11.2 - makes reference to Public Interest Disclosure Act 1998 (PIDA) included, explaining legal protections due to workers raising concerns
 - Paragraph 11.2.2 - sets out the types of disclosure covered by PIDA
 - Paragraph 11.3 - precludes anti-gagging provisions in settlements with workers in terms of protected disclosures
 - Paragraph 12.1 - identifies person with overall responsibility for whistleblowing within the Council
 - Paragraph 12.2 - requires a periodic audit of the effectiveness of the Policy
5. Other minor amendments to the Whistleblowing Policy have been made but these make no significant difference to the meaning or substance.
6. The policy is attached as an Appendix to this report.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report
Legal	The Whistleblowing Policy assists in good governance and the probity of Council actions and decision-making.
Community Safety	No specific implications
Human Rights and Equalities	No specific implications
Sustainability and Environmental Impact	No specific implications
Health & Safety and Risk Management	No specific implications

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LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Whistleblowing Commission Code of Conduct		http://www.pcaw.org.uk/files/PCaW_COP_FINAL.pdf

Attached documents

1. Appendix: Whistleblowing Policy