

Title: Whistleblowing Policy

Committee: Finance & Assets Committee

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1.0 Issue

To consider and approve the Council's revised Whistleblowing Policy.

2.0 Recommendations

2.1. Members are requested to approve the revised Whistleblowing Policy.

3.0 Background/Options

- 3.1. A report was presented to the Finance & Assets Committee in March 2024 with a revised Whistleblowing Policy for approval. At the meeting, it was resolved unanimously that the Whistleblowing Policy was approved, subject to the Director Legal & Monitoring Officer, in consultation with the Chair, be authorised to make minor textual amendments in the interests of clarity. Further, the Director Legal & Monitoring Officer and Internal Audit be requested to undertake an investigation into the possible facilitation of an assessment of the Policy by the independent charity Protect and a report on the outcome be submitted to the June meeting of the Committee.
- 3.2. The Director Legal approached Protect to enquire what services they offer, and which services would be more suitable for the Council. The Director Legal provided a verbal report to the June committee that she had ascertained that the Scanner procedure would be more suitable for the Council, given that the Council has less than 250 employees. The purpose of the Scanner is to provide smaller organisations with a convenient and efficient way to assess their whistleblowing culture and ensure they are doing enough to support whistleblowing.
- 3.3. At the time of the verbal report at June committee, the fee for the Scanner had been paid and the link received, but the Director Legal had not completed the Scanner procedure. The Director Legal therefore confirmed that a report would be brought to a later committee.
- 3.4. The Scanner procedure consisted of a series of 50 questions, which were answered by the Director Legal, and the Council scored a total of 81%. The purpose of the Scanner is to identify areas for improvement across the areas of governance, engagement and operations that aligns with best practices and EU Whistleblowing Directive.

- 3.5. Once the Scanner had been completed and the results received, it was felt that, without seeking a proper review of the Council’s Whistleblowing Policy by Protect, the results of the Scanner could be viewed as meaningless. Therefore, the Director Legal requested Protect to carry out a review of the Whistleblowing Policy in order that both the Scanner results and the outcome of the review of the Whistleblowing Policy could be considered together.
- 3.6. The review has been received and several key recommendations for revisions to the Council’s Whistleblowing Policy have been made with proposed improvements (Appendix 4). The comments on the results of the Scanner procedure were that the Council should concentrate on those areas of the scanner where the Council answered “no”. Protect also highlighted a few key points, particularly around staff awareness, confidence and manager training. They were of the view that it is essential to regularly check that staff understand and trust the whistleblowing process, as this can significantly impact their willingness to raise concerns and enhancing and testing staff confidence will help ensure they feel supported and safe when coming forward.
- 3.7. In addition, Protect advised that managers, as first point of contact in most whistleblowing cases, are crucial in determining how concerns are handled. If they are not adequately trained or supported, there is a risk of mishandling concerns, which could lead to breaches of confidentiality or a loss of trust in the process. Protect recommend reviewing and enforcing these areas to maintain a strong and trusted whistleblowing framework. Accordingly, the Director Legal will be working with HR to roll out some training for Service Leads in the next few months on whistleblowing.
- 3.8. The options are therefore to approve the further revised Whistleblowing Policy attached which has been revised to incorporate the comments and advice provided by Protect, or alternatively, not to approve the revised policy. If Members resolve not to approve the revised Policy, the Policy approved in March 2024 by the committee would remain as the approved policy.

4.0 Arguments/Conclusions

- 4.1. Arguments for making the amendments suggested by Protect are that the Council has sought the advice of a specialist external charity for whistleblowing, taken their advice and amended our policy accordingly.
- 4.2. Arguments against changing it are that Members already resolved to adopt a revised policy at the Finance & Assets Committee in March 2024.

5.0 Additional Implications Assessment

5.1 In the table below, please put Yes or No in each box:

Financial Implications	Legal Implications	Human Resources (HR) Implications
No – the fees for the Scanner and policy review have already been met from the Legal Services budget	No	No

Equality Impact Assessment (EIA) No	Carbon Impact Assessment (CIA) No	Data Protection Impact Assessment (DPIA) No
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6.0 Appendices

Appendix 1 – Revised Whistleblowing Policy

Appendix 2 – Clean copy revised Whistleblowing Policy

Appendix 3 – Protect Benchmarking/Scanner Report

Appendix 4 – East Cambridgeshire District Council Policy Review with key recommendations and overview of proposed improvement

7.0 Background documents

Whistleblowing Policy approved on 28th March 2024 – Report Y179