

Whistleblowing Policy Review

To: Audit and Accounts Committee

Meeting Date: 24 November 2022

From: Chief Executive

Electoral division(s): All

Key decision: No

Outcome: The committee is asked to note and comment upon the Chief Executive's review and associated advice in respect of the Council's Whistleblowing Policy and to re-approve the Council's Whistleblowing Policy.

Recommendation: It is recommended that the committee re-approves the County Council's Whistleblowing Policy.

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1. Background

- 1.1 The Whistleblowing Policy was last updated in 2021 and was approved by the Audit and Accounts Committee on the 22 July 2021. In 2022, the Chief Executive committed to personally review the Whistleblowing Policy and ensure that he was satisfied with its operation and robustness. The outcomes from this review are summarised in this paper.
- 1.2 The Council's Internal Audit and Risk Management team produces an annual report on the Council's Whistleblowing Policy. This seeks to identify any trends or patterns of concern in whistleblowing activity and gives the results of the annual staff survey on whistleblowing.

2. Main Issues

- 2.1 A staff survey was conducted in June 2022, to gauge staff awareness of the Whistleblowing Policy. A copy of the current Policy is appended at Annex A to this report. One hundred randomly selected members of staff were asked to complete an online survey, and 40 responses were received. This was broadly in line with 42 responses received in 2020 and 43 in 2019.
- 2.2 The survey showed a steady increase in awareness of the policy since the last time it was carried out; however, this year has shown a reduction in staff confidence in raising concerns via the policy or other appropriate routes.
- 2.3 The Whistleblowing Policy was discussed by the Corporate Leadership Team (CLT) in September 2022. Key areas considered included:
 - The interface between this policy and the Respect at Work policy. There may be some confusion between the two policies, as employment related concerns can be raised through the Whistleblowing Policy and vice versa. The Whistleblowing Policy includes a flowchart on the third page, which seeks to clarify this by setting out how the Whistleblowing Policy interacts with other Council policies and processes, and how staff can raise any type of concern.

The key principle is that the Council seeks to encourage staff to raise issues through any route; staff can use the Whistleblowing Policy to raise any type of concern, and these will be referred to be dealt with under the relevant policy if they do not technically count as 'whistleblowing' under the Public Interest Disclosure Act.

- There are some negative connotations around the term 'whistleblowing' and this was raised as part of the survey. It was discussed at the CLT that re-naming the policy 'Raising Concerns' might be more appropriate. On the other hand, the Council does have a 'Resolving Workplace Concerns' policy, so renaming the Whistleblowing Policy could create confusion between these policies. There are certain protections which a whistle-blower receives under the law, and the Council would therefore need to be cautious if that word was removed.

- 2.4 The Chief Executive has conducted a personal review of the policy to consider its suitability. In conclusion, the findings were that the policy is robust and adopts practice evident in other public bodies. Alongside this, there is a clear commitment to a continuous process of improvement; this includes the annual staff surveys and reviews of the policy which already take place.
- 2.5 Based upon the results of the recent annual survey undertaken by Audit and Risk Management, a further session on the whistleblowing policy as part of Cambridgeshire Conversations, led by the Chief Executive, will be undertaken to support engagement activity.
- 2.6 Given that the policy is subject to annual review, it is the advice of the Chief Executive that the Council should consider engaging with Protect, formerly known as Public Concern at Work, to undertake an externally validated benchmarking of the County Council's policy and approach to the management of whistleblowing. This benchmarked approach will draw upon comparative practice, experience, and processes across a range of employers and will also enable feedback in respect of the Council's organisational culture, which is critical to any approach to effective whistleblowing and 'speaking up'.

3. Alignment with corporate priorities

3.1 Environment and Sustainability

There are no significant implications for this priority.

3.2 Health and Care

There are no significant implications for this priority.

3.3 Places and Communities

There are no significant implications for this priority.

3.4 Children and Young People

There are no significant implications for this priority.

3.5 Transport

There are no significant implications for this priority.

4. Significant Implications

4.1 Resource Implications

There are no significant implications within this category.

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications within this category.

- 4.3 Statutory, Legal and Risk Implications
There are no significant implications within this category.
- 4.4 Equality and Diversity Implications
There are no significant implications within this category.
- 4.5 Engagement and Communications Implications
There are no significant implications within this category.
- 4.6 Localism and Local Member Involvement
There are no significant implications within this category.
- 4.7 Public Health Implications
There are no significant implications within this category.
- 4.8 Environment and Climate Change Implications on Priority Areas (See further guidance in Appendix 2):
There are no significant implications within this category.

Have the resource implications been cleared by Finance? Yes

Name of Financial Officer: Tom Kelly, Service Director: Finance and Procurement

Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the Head of Procurement? No.

Name of Officer:

Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or Pathfinder Legal? Yes

Name of Legal Officer: Fiona McMillan, Director of Law and Governance

Have the equality and diversity implications been cleared by your EqIA Super User?

Yes

Name of Officer: Fay McCarthy, Equality, Diversity and Inclusion Business Partner

Have any engagement and communication implications been cleared by Communications?

Yes

Name of Officer: Christine Birchall, Head of Communications

Have any localism and Local Member involvement issues been cleared by your Service Contact? Yes or No

Name of Officer:

Have any Public Health implications been cleared by Public Health?

Yes or No

Name of Officer:

If a Key decision, have any Environment and Climate Change implications been cleared by the Climate Change Officer?

Yes or No

Name of Officer:

5. Source documents guidance

5.1 Source documents

Cambridgeshire County Council's Whistleblowing Policy

5.2 Location

The current policy is available on the County Council's external website:
[Whistleblowing Policy - Cambridgeshire County Council](#)