

Annual Whistleblowing Report

To: Audit and Accounts Committee

Meeting Date: 31st October 2024

From: Head of Internal Audit and Risk Management

Electoral division(s): All

Key decision: No

Forward Plan ref: Not applicable

Executive Summary: The annual report on the Council's Whistleblowing Policy and its operation in practice. It also provides a copy of the updated Whistleblowing Policy for approval by the Committee.

Recommendation: The Committee is asked to note the report and approve the updated Whistleblowing Policy at Annex A.

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1. Creating a greener, fairer and more caring Cambridgeshire

- 1.1 Maintaining an effective Whistleblowing Policy and 'speaking up' culture is a key way in which Cambridgeshire County Council seeks to maintain transparency and accountability, and to prevent and address any unethical behaviour or wrongdoing. In this way, the maintenance of effective whistleblowing procedures supports the Council to achieve all seven of its strategic ambitions.

2. Background

- 2.1 The Audit and Accounts Committee has responsibility under its Terms of Reference "to monitor Council policies on "raising concerns at work" and anti-fraud and anti-corruption policies, including the Council's complaints process, and to approve any changes regarding the Council's Whistle-blowing Policy, Anti-Fraud and Corruption Policy, Anti-Money Laundering Policy and associated arrangements."
- 2.2 Internal Audit produce 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 employee survey on whistleblowing, to support the Committee and senior management in monitoring the effectiveness of whistleblowing arrangements at Cambridgeshire County Council. This report also provides a copy of proposed updates to the Whistleblowing Policy (see Section 3.4) for approval and an update on progress with implementing the Council's Whistleblowing Action Plan (see Section 3.5).

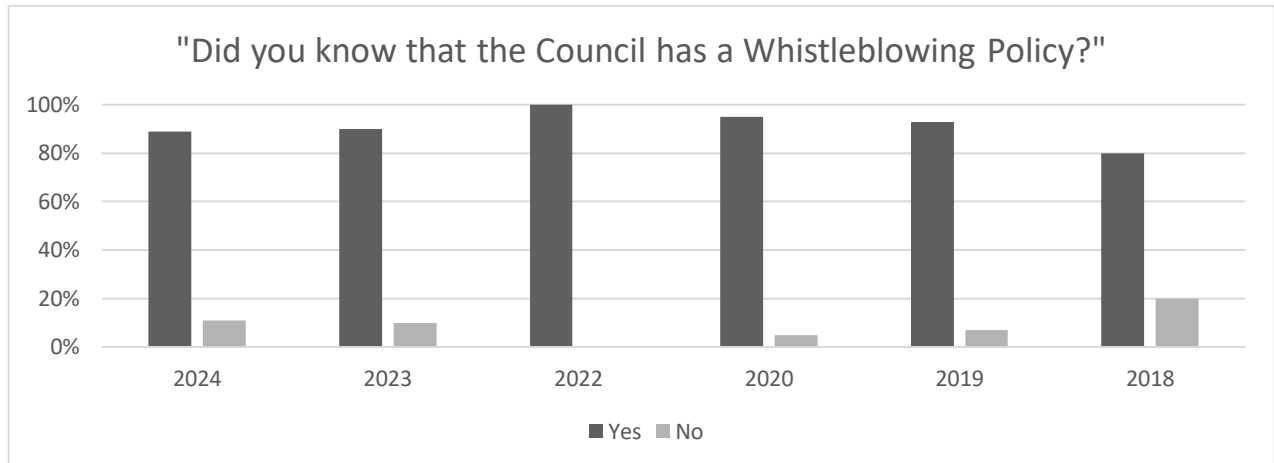
3. Whistleblowing at Cambridgeshire County Council

3.1 Employee Survey

- 3.1.1 An employee survey was conducted in September/October 2024 to gauge awareness of, and confidence in, the Council's Whistleblowing Policy.
- 3.1.2 The survey was conducted using the same methodology as in previous years, to enable comparison of results over time. One hundred randomly selected employees were asked to complete an anonymous online survey, and 37 responses were received. As this was an unusually low response rate, the deadline for completing responses was extended by a week and officers were contacted again to encourage additional responses; unfortunately despite this, no further responses were received.
- 3.1.3 It is therefore noted that this was a low response rate, in comparison to 48 responses received in 2023, 40 responses in 2022, 42 in 2020 and 43 in 2019. The survey was not conducted in 2021.
- 3.1.4 Based on the answers initially input to the survey, 84% of employees were aware of the existence of the Council's Whistleblowing Policy. This is a decrease from 90% in 2023 and 100% in 2022, although awareness of the policy has improved since the first Annual Report and awareness campaign in 2018. However it should be noted that in two instances, officers had answered "no" to the question "Did you know that the Council has a Whistleblowing Policy" but had subsequently answered "yes" to further

questions such as “have you read the whistleblowing policy”, suggesting that their first response was likely an error. If these two contradictory answers are excluded from the figures, the percentage of respondents stating they were aware of the existence of the Policy increases to 89%:

Table 1: Whistleblowing Policy Awareness

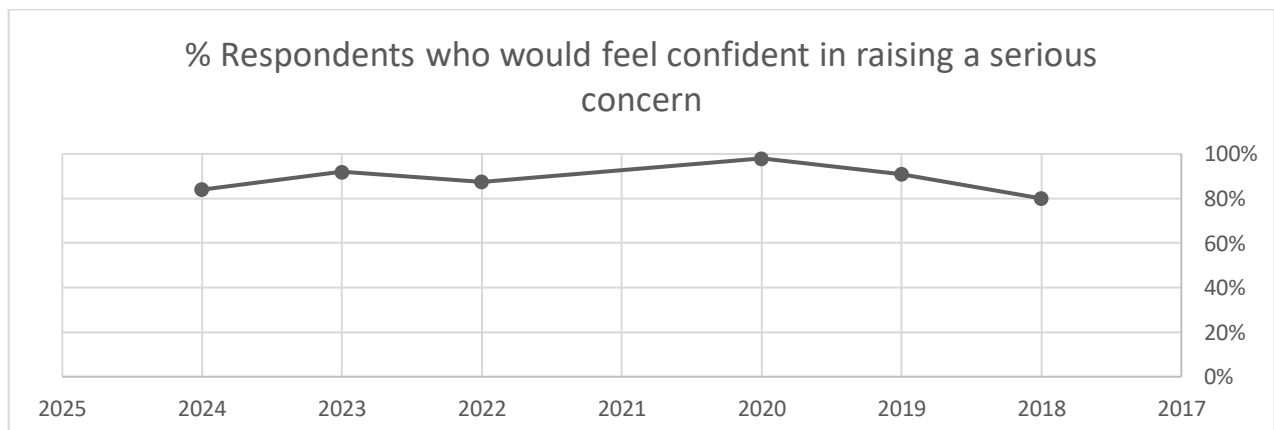


3.1.5 Awareness of the detail of the Whistleblowing Policy was more mixed:

- 46% of employees had read the Whistleblowing Policy (46% in 2023, 47.5% in 2022).
- 27% of employees had read communications about the Whistleblowing Policy e.g. in Friday Focus, but had not read the policy itself (27% in 2023, 42.5% in 2022).
- 27% of employees had not read the Whistleblowing Policy or any comms (27% in 2023, 10% in 2022).

3.1.6 Although awareness of the Whistleblowing Policy itself appears to have reduced slightly, confidence in the process remains reasonably high, with 84% of respondents stating they would feel confident in raising a serious concern:

Table 2: Confidence in the Whistleblowing Process:



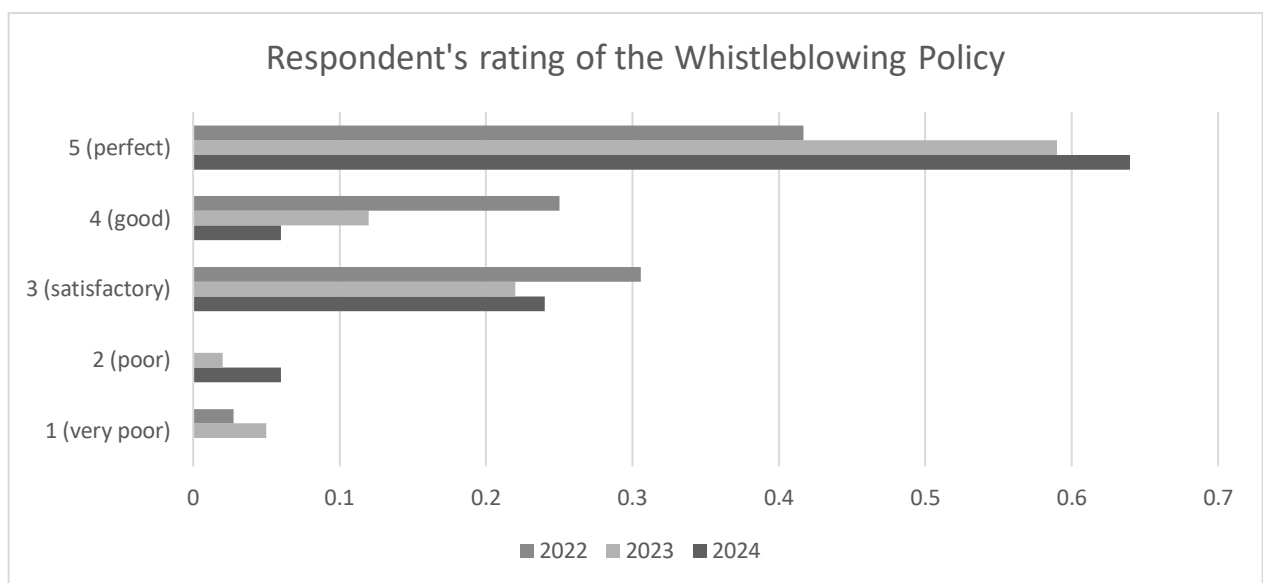
3.1.7 13.5% of colleagues confirmed that they had thought about using the Whistleblowing Policy in the last 12 months. This is an increase in comparison with 2% in 2023, 5% in

2022, 0% in 2020, 11% in 2019 and 8% in 2018. When these employees were asked what prevented them from making a referral, the responses included:

- “I don't want to put my self in trouble.”
- “Fear.”
- “Senior members of staff have consistently addressed the issues I have raised.”
- “Unsure of how the issue would be raised.”
- “The people who will receive the issues are the main perpetrators of bullying in the Council. There is NO WAY to truly raise a complaint.”

3.1.8 Lastly, employees were asked how they would rate the policy in meeting the needs of someone who had concerns about the Council’s services. This was rated on a scale of 1 – 5, with 5 being ‘perfect’.

Table 3: Whistleblowing Policy Ratings:



3.1.9 The average score given to the policy was 4.27, very similar to last year’s average score of 4.17:

- For employees who had read the policy, the average score was: 4.18
- For employees who were aware that the Council had a whistleblowing policy, but had not read the policy, the average score was: 4.86 (n.b. not all of these employees provided a score)
- For employees who were not aware the Council had a whistleblowing policy, the average score was: 4 (n.b. not all of these employees provided a score)

3.1.10 Where employees rated the Whistleblowing Policy as less than 5, they were asked to comment on what the Council could do to improve the Policy so that it would score a 5. Where colleagues provided an answer, these included:

- Comments that employees were not aware of the Policy or had not read it:
 - “Answered 3 as I can't remember the details of the policy, and would only refer to it if I had a concern”
 - “I don't know as I haven't read the policy”
 - “I haven't read the Policy”

- "I've never read the policy / Don't know where it is? Maybe it could be popped on the front page of CamWeb?"
- "Scored 4 as not read it recently enough to feel able to give it a 5 as with anything, there is always room for improvement/refresh. I can't recall seeing it advertised for a while so maybe a quarterly reminder? Would everyone understand the term whistleblowing?"
- "Better communications around what the whistleblowing policy is, improve confidence around feeling empowered to use it."
- Comments that employees were not confident that issues raised would be dealt with sufficiently:
 - "Issues with staff members are never dealt with."
 - "Unsure. Some examples of issues have been dragged out for too long and concerns not dealt with quickly enough."
 - "When I have raised a concern about health and safety, nothing has been done, so I do wonder if it is worth the paper it is written on."
- Comments relating to reassuring employees regarding the protections in place for whistleblowers:
 - "Need more reassurance that your identity is safe."
 - "Instil faith and confidence that any matters raised, would not have negative repercussions on the individual who has blown the whistle."
- "NA. I've never had to make a referral under the policy so cannot comment on its practicality. I think it is good that it is integrated alongside other policies regarding violence, harassment, bullying etc rather than treated as a standalone."

3.1.11 Many of the comments and concerns raised by employees through this process will be addressed through planned actions outlined in the remainder of this report.

3.2 Publicity and Awareness

3.2.1 The last publicity campaign on the Whistleblowing Policy was run in October 2023 and included posts in the employee newsletter and a series of briefings on aspects of the policy on the Council intranet.

3.2.2 in 2024, Internal Audit team have worked with colleagues in Learning and Development to develop a new Whistleblowing & Anti-Fraud eLearning module. This was launched in October 2024 and has been designated as "essential" learning for all employees to complete. The training covers key points from the Council's Whistleblowing Policy and the Anti-Fraud & Corruption Policy, including information on:

- The definition of whistleblowing and the Public Interest Disclosure Act 1998 (PIDA);
- How to raise concerns at CCC, including concerns which do and do not fall under the definition of whistleblowing set out in PIDA;
- How the Council will respond to whistleblowing concerns;
- How to identify the warning signs of possible fraud, theft, bribery and corruption;
- Tips on preventing fraud, theft, bribery and corruption;

- Case studies.

3.2.3 To align with the launch of the new essential eLearning as well as the updated Whistleblowing Policy (see Section 3.4, below), a publicity campaign to promote the new training amongst Council employees is being planned and will be undertaken throughout November 2024.

3.3 Overview of Whistleblowing Cases

3.3.1 In total, in the 2023/24 financial year, 34 whistleblowing concerns were raised through the corporate process and referred to Internal Audit. This is an increase from the number of cases seen in previous years:

Table 4: Total Number of Whistleblowing Cases by Year

| 2023/4 | 2022/23 | 2021/22 | 2020/21 | 2019/20 | 2018/19 |
|--------|---------|---------|---------|---------|---------|
| 34 | 28 | 20 | 23 | 24 | 19 |

3.3.2 The nature of allegations that are referred to the whistleblowing process is very varied. If an issue is raised with Internal Audit via the corporate whistleblowing process, it is recorded in our whistleblowing data, even if the issue subsequently is referred to a different process for resolution (such as the corporate complaints process or Respect At Work process).

3.3.3 The table below sets out the different types of allegations referred to Internal Audit via the whistleblowing process, from 2019/20 to 2023/24.

Table 5: Nature of Whistleblowing Allegations:

| | Nature of Allegation | 2023/24 | 2022/23 | 2021/22 | 2020/21 | 2019/20 |
|---------------------------|-------------------------------|---------|---------|---------|---------|---------|
| Fraud, Theft & Governance | Anti-competitive activity | | | | 1 | |
| | Bank Mandate fraud | 2 | 1 | | | 2 |
| | Blackmail (attempted) | 1 | | | | |
| | Blue Badge fraud | | | | 6 | 1 |
| | Client Funds | | 2 | | | |
| | Conflict of Interest | 3 | 3 | 2 | 1 | |
| | Council Officer fraud | 5 | 1 | 2 | | 3 |
| | Direct Payments fraud | 3 | 2 | 2 | 4 | 1 |
| | Money Laundering | | 1 | | | |
| | Overpayment | | | 1 | | |
| | Phishing fraud | | 1 | | 1 | |
| | Theft | 3 | 2 | 1 | 1 | 2 |
| | Third Party fraud | 3 | 5 | 1 | 3 | 6 |
| Schools | School admissions fraud | | | 1 | 1 | |
| | Schools financial fraud | | | 1 | | |
| | Schools governance allegation | 1 | 3 | 1 | 1 | |
| Other | Complaints | | | 1 | | 3 |
| | Health and Safety | 1 | 1 | | | |

| | | | | | | |
|--|----------------------------------|-----------|-----------|-----------|-----------|-----------|
| | Information Security | | | 1 | 1 | 1 |
| | Internal governance issue | 5 | 2 | 2 | | 3 |
| | Non-CCC issue | | 2 | | | |
| | Conduct / Grievance | 2 | 1 | 2 | 3 | 2 |
| | Safeguarding | 5 | 1 | 2 | | |
| | Total Case Numbers | 34 | 28 | 20 | 23 | 24 |

3.3.4 The table below shows the outcomes from whistleblowing referrals received by the Internal Audit team, excluding 3 cases reported in 2023/4 where investigation is still ongoing at the time of writing this report. Where the outcome recorded is 'no action required', this reflects cases where the initial review of the referral indicates that no investigation or referral of the allegation is needed. For example, this may be because the issue has already been dealt with internally, or is not serious enough to warrant a full investigation.

Table 6: Outcomes from Whistleblowing Referrals:

| Nature of Outcome | 2023/4 | 2022/3 | 2021/2 | 2020/1 | 2019/20 |
|---|---------------|---------------|---------------|---------------|----------------|
| No action required | 3 | 5 | 4 | 4 | 8 |
| No powers to investigate. | 3 | 2 | 1 | | |
| Referred to relevant process | 8 | 8 | 8 | 3 | 6 |
| Informal Audit advice & recommendations. | 2 | 4 | | 3 | 2 |
| Investigation indicates no serious concerns | 5 | 2 | | 6 | 3 |
| Audit report and recommendations | 9 | 3 | 6 | 5 | 3 |
| Recovery action | | 1 | | 1 | 1 |
| Police Referral / Taken to Court | 1 | 3 | 1 | 1 | 1 |
| Total Case Numbers | 31 | 28 | 20 | 23 | 24 |

3.4 Whistleblowing Policy:

- 3.4.1 In early 2024, the Internal Audit team facilitated completion of Protect's 'Whistleblowing Benchmark'. This is a self-assessment that the Council can conduct against a detailed set of whistleblowing standards covering Governance, Staff Engagement, and Operations. The self-assessment was completed by Internal Audit with assistance from colleagues in the HR Advisory service, and discussed and agreed by the Statutory Officers Group comprising the Chief Executive, Section 151 Officer and Monitoring Officer.
- 3.4.2 The Council's responses were then submitted to Protect and benchmarked against other similar organisations. A report was produced to outline areas for improvement to further strengthen the whistleblowing environment; this report was received from Protect on the 15th March 2024 and summarised in the previous Whistleblowing Report to the Audit & Accounts Committee on 28th March 2024.
- 3.4.3 While the Council's whistleblowing policy and governance arrangements generally scored well in the benchmark, there were some specific areas identified where the policy could be strengthened. This particularly related to the appointment of a member of CLT

as ‘Whistleblowing Champion’, providing greater detail on the distinction between confidentiality and anonymity for whistleblowers, and ensuring that the policy notes multiple external channels, including relevant regulators, through which concerns can be raised.

3.4.4 In light of the outcomes from the benchmarking process and the feedback from the employee survey outlined at Section 3.1 of this report, the Internal Audit and Risk Management team has reviewed and updated the corporate Whistleblowing Policy, with additional input from colleagues in HR, Information Governance, and the Monitoring Officer. The proposed updates to the policy have also been shared with the unions for their feedback.

3.4.5 A clean version of the proposed revised Whistleblowing Policy is provided at Annex A to this report. A version showing the changes made from the previous iteration of the policy is provided at Annex B.

3.5 Implementation of Protect ‘Whistleblowing Benchmark’ Action Plan

3.5.1 In response to the benchmarking process outlined at 2.4.1 above, the Internal Audit team developed an Action Plan for Whistleblowing. Updates on actions implemented to date in 2024/5, and those to be implemented across the rest of the year, are provided below:

| Action | Target Date |
|--|---|
| Chief Executive to designate an Executive Director as the Whistleblowing Champion for CCC. | COMPLETE <i>(see Policy update)</i> |
| Review and update the Whistleblowing Policy in line with recommendations and re-present to Committee for approval. | COMPLETE <i>(see Policy update)</i> |
| Design and deliver Whistleblowing eLearning and designate this as Essential Learning for all employees. | COMPLETE |
| Design and deliver eLearning on managing whistleblowing reports and investigations for line managers. | March 2025 |
| Review and update the Whistleblowing Manager’s Guidance document for line managers and share this with officers. | March 2025 |
| Review how the Whistleblowing Policy and arrangements are reflected across the wider policy framework at Cambridgeshire, including safeguarding policies, the Respect At Work and Resolving Workplace Concerns policies. | November 2024 <i>(underway)</i> |
| Review recording arrangements for whistleblowing across the Council. | November 2024 |
| Undertake a focus group to gain further feedback from employees alongside the annual Whistleblowing Survey in 2024. | November 2024 |
| Undertake an Internal Audit of whistleblowing arrangements and compliance. | April 2025 |

4. Significant Implications

4.1 Finance Implications

There are no significant financial implications.

4.2 Legal Implications

Maintaining a robust whistleblowing culture and effective whistleblowing policy and governance ensures that the Council can meet its obligations under the Public Interest Disclosure Act (1998).

4.3 Risk Implications

Strong whistleblowing governance arrangements are important for local government bodies to help ensure compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is lawful. These arrangements provide a mechanism for employees, contractors and members of the public to raise concerns about potential wrongdoing, including fraud, corruption, and other illegal or unethical conduct. This promotes transparency, accountability, and good governance, and can help to prevent or mitigate financial and reputational risks to the local authority.

4.4 Equality and Diversity Implications

There are no significant equality and diversity implications.

5. Source documents

5.1 Cambridgeshire County Council's Whistleblowing Policy

5.2 The current policy is available on the County Council's external website:

[Whistleblowing Policy - Cambridgeshire County Council](#)