

**To:** Audit & Governance Committee  
**Date:** 29 July 2021  
**Report of:** Head of Law & Governance  
**Title of Report:** Whistleblowing Policy Refresh

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To present the refreshed Whistleblowing Policy for adoption.
<b>Recommendation(s): That the Audit &amp; Governance Committee resolves to:</b>	
1.	Approve the refreshed Whistleblowing Policy.

<b>Appendices</b>	
Appendix 1	Whistleblowing Policy

## Introduction and background

1. Whistleblowing is the term used when a worker passes on information concerning wrongdoing which is known as “making a disclosure” or “blowing the whistle”. The wrongdoing will typically (although not necessarily) be something they have witnessed at work.
2. As an employer it is good practice for the Council to create an open, transparent and safe working environment where workers feel able to speak up. Although the law does not require employers to have a whistleblowing policy in place, the existence of a whistleblowing policy shows an employer’s commitment to listen to the concerns of workers. By having clear policies and procedures for dealing with whistleblowing, the Council can demonstrate that it welcomes information being brought to the attention of management.
3. The Council has a whistleblowing policy which sets out its approach to “whistleblowing” and forms part 25 of the Council’s constitution. The aim of this Policy is to encourage employees and others who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. A clear whistleblowing policy encourages a culture where wrongdoing can be addressed quickly and potentially before any regulatory action or damage to reputation. The Council’s policy is transparently available on the intranet and it encourages staff to raise any concerns about anything they consider may be illegal, improper, unethical

or wrong, done by officers, councillors, co-opted members, partner organisations or contractors and consultants.

## **Review**

4. The Council's Whistleblowing Policy is reviewed from time to time and has been refreshed as part of this review routine and circulated to the Council's Head of Financial Services, Head of Business Improvement and to trade union representatives for the Council and Oxford Direct Services Limited, by way of consultation.
5. As part of the governance review carried out by the Council's internal auditors, BDO, an audit on company and joint venture governance was undertaken and presented to the Audit and Governance Committee on 22 April 2021. That audit highlighted the need to ensure that the relationship between the Council and its companies is transparent and accountable. The Whistleblowing policy has been reviewed with this in mind and applies equally to the Council's companies.
6. At its meeting on 22 April 2021 the Committee also considered a report on the lessons learned from Public Interest Reports on Robin Hood Energy Ltd and Croydon Council and conclusions from the MHCLG report on Local Authority Interventions. The lessons learned included an acknowledgement that within councils with a culture of transparency, where staff are actively encouraged to flag concerns or risks, those authorities are better equipped to prevent further failure and welcome reflection when failure does occur. The Committee was advised that the Council's Whistleblowing Policy would be reviewed during 2021 and the revised policy would be taken through the Council's operational delivery group, and its profile raised amongst the officer body of the organisation.

## **Adoption of the refreshed Whistleblowing Policy**

7. At its meeting on 26 July 2021 the Council was asked to approve the Whistleblowing Policy for inclusion in the Constitution subject to the approval of it by the Audit and Governance Committee. Once adopted the Whistleblowing Policy will form Part 25 of the Council's constitution.

## **Financial implications**

8. There are no financial implications arising directly from the report.

## **Legal issues**

9. The Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998) provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

<b>Report author</b>	Emma Griffiths
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Job title	Lawyer
Service area or department	Law & Governance
Telephone	01865 252208
e-mail	<a href="mailto:egriffiths@oxford.gov.uk">egriffiths@oxford.gov.uk</a>

<b>Background Papers:</b>	
1	None

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