

ABERDEEN CITY COUNCIL

COMMITTEE	Audit Risk & Scrutiny
DATE	11 th May 2015
DIRECTOR	Interim Director of Corporate Governance
TITLE OF REPORT	Whistleblowing
REPORT NUMBER	CG/15/56
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

To report back to Members on any implications for the Council's Whistleblowing Policy arising from a recent Scottish Parliament Petition on the same subject matter.

2. RECOMMENDATION(S)

That the Committee notes the fact that the recent Scottish Parliament petition regarding Whistleblowing procedures in local government does not impact upon the Council's current Whistleblowing policy.

3. FINANCIAL IMPLICATIONS

There are none.

4. OTHER IMPLICATIONS

As this decision is being reported for information, there are no direct implications.

5. BACKGROUND/MAIN ISSUES

- 5.1 Members received a report on 20th November 2014, which highlighted a petition recently considered by the Scottish Parliament's Petitions Committee regarding whistleblowing in local government. The petition was submitted on behalf of the campaign group, Kids Not Suits and called on the Scottish Government to support the introduction of staff whistle-blower hotlines to report mismanagement in Scottish local authorities, with reports overseen by Elected Members. The Scottish Parliament Petitions Committee noted that Audit Scotland and the Accounts Commission had not identified any weakness in relation to whistleblowing which would require to be raised in an annual report. It

also noted that the petition was largely about policies which were a matter for councillors. It therefore closed the petition.

- 5.2 At the meeting on 20th November, Committee resolved to note the contents of the report and the outcome of the Scottish Parliament's Petitions Committee deliberations. Members also requested that Officers to report back to Committee advising on any amendments to the Council's Whistleblowing Policy.
- 5.3 The petition submitted to the Scottish Parliament on behalf of Kids not Suits argued that local authority whistleblowing schemes should be operated by contracted third parties and should report directly to elected members as opposed to officers. It is asserted within the Petition that this would avoid wasteful expenditure, victimisation and cover-ups.
- 5.4 Over the last 2 years, the Council has received a total of 2 potential protected disclosures; the first was investigated by 2 separate external parties, both of whom found there to be no substance to the allegations made under the disclosure. The second was withdrawn by the complainant.

At present, one Scottish council is in the pilot phase of operating an external helpline to deal with protected disclosures. Reported results from the first six months (1st August 2014 to 31st January 2015) indicate the following –

Usage

Major/significant qualifying disclosures	2
Minor/operational qualifying disclosures	7
Non qualifying disclosures	2

Cost

Provision of confidential reporting hotline	- £11,797.50
August 2014: major investigations	- £10,144.45
September 2014: major investigations	- £5,539.25
October 2014: major investigations	- £2,258.15
November 2014: major investigations	- £5,925.00
December 2014: major investigations	- £5,105.15
January 2015: major investigations	- £5,070.00

The report is silent as to whether the use of an external hotline has increased the reported frequency of protected disclosures.

Officers have assessed the Council's current Whistleblowing Policy and are of the view that it remains fit for purpose and does not require immediate amendment in light of the petition submitted to the Scottish Parliament on behalf of Kids not Suits.

In terms of assurance, then the current policy is overseen by the Monitoring Officer which provides a degree of assurance in terms of probity and challenge as this is a statutory position with certain legal

responsibilities. As with all policies, it will be subject to regular review to ensure that it remains fit for purpose. In addition, Members have direct oversight of the process insofar as the outcomes of investigations are reported to this Committee. Further, the Monitoring Officer is responsible for reporting the number and progress of all whistleblowing concerns to Committee.

This Council receives a relatively low number of potential protected disclosures and it is questionable whether the costs associated with an external helpline would be proportionate in the circumstances. Further, it is worth pointing out that there is no evidence to suggest that the low number of potential public interest disclosures is due to a lack of confidence in the Council's current policy and procedure. There have been no complaints or campaigning on the part of the trades unions to have the policy changed or for potential public interest disclosures to be made to a contracted third party.

6. IMPACT

As the recommendation is to note the Report, there is no impact arising therefrom.

7. MANAGEMENT OF RISK

Whilst this Report recommends no action, whistleblowing is of itself a strand of the Council's risk management strategy and the policy & procedure should be the subject of regular review in order to ensure that it remains fit for purpose and addresses known/foreseeable risks.

8. BACKGROUND PAPERS

Reports of the Scottish Parliament Public Petitions Committee of 29 October, 2013 and 14 January, 18 March and 3 June, 2014 on Petition PE1488 on Whistleblowing in Local Government submitted by Pete Gregson on behalf of the campaign group, Kids Not Suits.

Report to Audit, Risk and Scrutiny Committee (CG/14/145) 20th November 2014

Aberdeen City Council Whistleblowing Policy & Procedure

9. REPORT AUTHOR DETAILS

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