



HERTSMERE BOROUGH COUNCIL

STANDARDS COMMITTEE

PART I Agenda Item No	4
Document Reference No	ST/14/02

DATE OF MEETING: 3<sup>rd</sup> APRIL 2014

**WHISTLEBLOWING POLICY**

This report asks the Committee to note that the Council's Whistleblowing Policy is to be reviewed and that best practice identified by 'Public Concern at Work' will be incorporated into the revised Policy.

- 1 **RECOMMENDED THAT** the Committee note that Hertsmere's Whistleblowing Policy is to be reviewed and that the principles established by the Whistleblowing Commission will be incorporated in that review. The revised Whistleblowing Policy will be submitted to the next meeting of this Committee.
- 2 **INTRODUCTION**
- 3 Whistleblowing is the term used when someone who works with or for an authority, wishes to raise concerns about malpractice in that authority (for example, crimes, civil offences, miscarriages of justice, dangers to health and safety or the environment), and the cover-up of any of these.
- 4 Whistleblowing is very different from a complaint or a grievance. It only applies when an employee has no vested interest and is acting as a witness to misconduct or malpractice that they have observed.
- 5 Hertsmere has had a Whistleblowing Policy for many years and it forms part of the Constitution of this Authority. This Policy was last reviewed in November 2009 and the Standards Committee is identified as being responsible for it. A copy of the Whistleblowing Policy is attached at Appendix A.
- 6 The Whistleblowing Commission, established in 2013 by whistleblowing charity 'Public Concern at Work', has developed a Code of Practice for effective whistleblowing arrangements. The Code of Practice is attached at Appendix B and the Committee is asked to note that these principles will be incorporated into the review to be carried out of Hertsmere's Whistleblowing Policy.
- 7 The efficiency of the Council can be adversely affected when things going wrong are not reported. Every authority faces the risk that something will go badly wrong in their organisation and ought to welcome the opportunity to address it as early as possible.

Whenever such a situation arises the first people to know of such a risk will usually be 'workers' yet while these are the people best placed to speak up before damage is done, they often fear they have the most to lose if they do. The Whistleblowing Policy is there to protect and reassure workers that they can speak up without detriment. Hertsmere's Whistleblowing Policy will be revised taking account of the Code of Practice produced by the Whistleblowing Commission.

**8 FINANCIAL AND BUDGET FRAMEWORK IMPLICATIONS**

8.1 None

**9 LEGAL POWERS RELIED ON AND ANY LEGAL IMPLICATIONS**

9.1 The Public Interest Disclosures Act 1998 provides workers with protection against dismissal or detriment for making a 'protected disclosure'. Such protection applies only if the disclosure is made in 'good faith'. The present Whistleblowing Policy sets out how this authority has responded to this protection.

**10 EFFICIENCY GAINS AND VALUE FOR MONEY**

10.1 The existence of the Whistleblowing Policy allows the Council to be told of wrongdoing earlier than might be the case if traditional means were relied upon.

**11 RISK MANAGEMENT IMPLICATIONS**

11.1 Having a Whistleblowing Policy provides protection for Hertsmere staff when reporting wrong-doing. This reduces the risk that wrong-doing will persist.

**12 PERSONNEL IMPLICATIONS**

12.1 None

**13 CORPORATE PLAN & POLICY FRAMEWORK IMPLICATIONS**

13.1 None

**14 APPENDICES ATTACHED**

14.1 Appendix A - Existing Whistleblowing Policy  
Appendix B - Whistleblowing Commission – Code of Practice.

**15 BACKGROUND PAPERS USED IN PREPARATION OF THIS REPORT**

Document Title	Custodial Officer	Where Filed
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10.1 None

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