



## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### MUNICIPAL YEAR 2020/21

<b>AUDIT COMMITTEE</b> <b>26<sup>th</sup> April 2021</b>	<b>AGENDA ITEM NO. 6</b>
<b>REPORT OF THE CHIEF EXECUTIVE</b>	<b>WHISTLEBLOWING POLICY &amp; PROCEDURE AND WHISTLEBLOWING ANNUAL REPORT 2020/21</b>

Author: Peter Cushion (Head of Employee Relations)

(01443) 444503

#### **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to present an updated Whistleblowing Policy & Procedure and Whistleblowing Annual Report 2020/21 in accordance with the Prescribed Persons (Reports on Disclosures of Information) Regulation 2017 (the '2017 Regulation').

#### **2. RECOMMENDATIONS**

It is recommended that Members:

- 2.1 Review and if appropriate approve the proposed update to the Council's Whistleblowing Policy & Procedure (Appendix 1) and instruct the Director of Human Resources to publish and raise awareness of the updated document.
- 2.2 Review and if appropriate approve the Whistleblowing Annual Report 2020/21 (Appendix 2) in line with the requirements placed upon the Council by the 2017 Regulation.
- 2.3 Consider whether any other changes or improvements to the current whistleblowing arrangements are required.

#### **3. REASONS FOR THE RECOMMENDATIONS**

- 3.1 To ensure the Council's Whistleblowing Policy & Procedure continues to be fit for purpose and to provide Audit Committee with a copy of the Council's Whistleblowing Annual Report in accordance with its Terms of Reference to demonstrate compliance with the Prescribed Persons (Reports on Disclosures of Information) Regulation 2017



#### **4. THE COUNCIL'S WHISTLEBLOWING POLICY**

- 4.1 A copy of the Council's Whistleblowing Policy & Procedure was reported to the Council's Audit Committee at its meeting held on the [31<sup>st</sup> October 2016](#). The Policy is reviewed regularly at an operational level and changes made since 2016 have been of a housekeeping nature (job titles of Officers for example).
- 4.2 The purpose of the Policy is to provide a means by which complaints of malpractice or wrongdoing can be raised by those who feel that other avenues for raising such issues are inappropriate. The Policy confirms that so far as possible, those raising concerns under the Policy will be treated confidentially.
- 4.3 At the 20<sup>th</sup> July 2020 Audit Committee, Members agreed for a complete review of the Policy to be undertaken and the outcome reported to Audit Committee during 2020/21. Since this time, a review of the document has been undertaken and concluded that the document is fit for purpose subject to the inclusion of the following proposed update at Section 5.1:
- *Any allegation made that could be deemed as an offence of a criminal nature (e.g. using a phone whilst driving), may be forwarded to the police for a decision on whether any further action may be taken.*
- 4.4 Subject to Audit Committee's consideration and, if deemed appropriate, approval of the proposed revision (as per paragraph 4.3), an updated Whistleblowing Policy & Procedure will be published on the Council's website and awareness raising undertaken across Council Services. An updated draft Whistleblowing Policy and Procedure is included as Appendix 1.
- 4.5 For Members information, the Whistleblowing Policy & Procedure will be kept under on-going review and where further updates are proposed, these will be reported to Audit committee for consideration / approval.

#### **5. WHISTLEBLOWING ANNUAL REPORT 2020/21**

- 5.1 The Terms of Reference for Audit Committee state:

*As a key element of new arrangements for corporate governance, designed to ensure openness, integrity and accountability, the [Audit] Committee will assist the Authority in discharging its responsibility for ensuring financial probity, without taking any action which might prejudice it. The Committee will [specifically in relation to overseeing a culture of zero tolerance towards serious wrongdoings]:-*

*(C) Review, scrutinise and issue reports and recommendations on the appropriateness of the Authority's risk management, internal control and*



*corporate governance arrangements, and providing the opportunity for direct discussion with the auditor(s) on these.*

*(D) To review the assessment of fraud risks and potential harm to the Council from fraud and corruption and to monitor the counter-fraud strategy, actions and resources.*

*(T) Promote and review any measures designed to raise the profile of probity within the Authority.*

5.2 In line with the above Terms of Reference, the Council's Whistleblowing Annual Report 2020/21 is included at Appendix 2 and subject to Audit Committee's consideration and feedback, an approved Whistleblowing Annual Report 2020/21 will be made available on the Council's website.

## **6. EQUALITY AND DIVERSITY IMPLICATIONS**

6.1 There are no equality and diversity implications as a result of the recommendations set out in the report

## **7. CONSULTATION**

7.1 There are no consultation implications as a result of the recommendations set out in the report.

## **8. FINANCIAL IMPLICATION(S)**

8.1 There are no financial implications as a result of the recommendations set out in the report.

## **9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

9.1 The Prescribed Persons (Reports on Disclosures of Information) Regulation 2017 (the '2017 Regulation') came into effect on the 1<sup>st</sup> April 2017 and requires specified employers (known as relevant prescribed persons) to report annually on the whistleblowing arrangements in place.

9.2 The 2017 Regulation also requires prescribed persons to include in annual reports information on the number of disclosures made and states that the annual report be published on the employer's website or by other means appropriate for bringing the report to the attention of the public.

9.3 A copy of the 2017 Regulation is provided at the following link:

[http://www.legislation.gov.uk/ukxi/2017/507/pdfs/ukxi\\_20170507\\_en.pdf](http://www.legislation.gov.uk/ukxi/2017/507/pdfs/ukxi_20170507_en.pdf)

**10. LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

THE COUNCIL'S CORPORATE PLAN PRIORITIES

- 10.1 The work in relation to probity aims to support the delivery of the priorities contained within the Council's Corporate Plan 2020-24 "Making a Difference", in particular 'Living Within Our Means' through ensuring that appropriate internal controls are in place to effectively manage resources.

WELL-BEING OF FUTURE GENERATIONS ACT

- 10.2 The Sustainable Development Principles, in particular Prevention, can be applied to the arrangements in place to manage risks associated with potential misappropriation.

**11. CONCLUSION**

- 11.1 The Council's Whistleblowing Policy & Procedure has been reviewed and updated in line with the recommendation agreed by Audit Committee in July 2020, to ensure it continues to be fit for purpose.
- 11.2 A Whistleblowing Annual Report 2020/21 has been prepared in accordance with the responsibilities placed upon the Council by the 2017 Regulation. The Annual Report provides an overview of the arrangements in place for 2020/21 and also summarises the reported instances received, whilst protecting the confidentiality of the whistleblowers.
- 11.3 Overall, the Annual Report concludes that '*the Council's whistleblowing arrangements are appropriate*'.



**LOCAL GOVERNMENT ACT, 1972**

**AS AMENDED BY**

**THE ACCESS TO INFORMATION ACT, 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**AUDIT COMMITTEE**

**26<sup>th</sup> April 2021**

**WHISTLEBLOWING POLICY & PROCEDURE AND WHISTLEBLOWING ANNUAL  
REPORT 2020/21**

**REPORT OF THE CHIEF EXECUTIVE**

Author: Peter Cushion (Head of Employee Relations)

**Background Papers**

None.

Officer to contact: Richard Evans



## **Appendix 1 – Whistleblowing Policy and Procedure**

Version	EN1
Last Revision Date	March 2021



## Whistleblowing Policy and Procedure/ Polisi a Gweithdrefn Chwythu'r Chwiban

This document is available in Welsh, please see Polisi a Gweithdrefn Chwythu'r Chwiban



<b>DOCUMENT CONTROL</b>	
<b>POLICY NAME</b>	<b>Whistleblowing Policy and Procedure/Polisi a Gweithdrefn Chwythu'r Chiwban</b>
Department	Human Resources
Telephone Number	01443 444502 01443 444503
Initial Policy Launch Date	April 1999
Reviewing Officer	Policy Review Group
Review Date	March 2021
Date of Equality Impact Assessment	September 2016
<b>REVISION HISTORY</b>	
Date	Revised By
March 2009	Alison Cade, Peter Cushion, Richard Evans
July 2010	Alison Cade, Peter Cushion, Richard Evans
May 2012 (no changes)	Alison Cade, Peter Cushion, Richard Evans
May 2014	Alison Cade, Peter Cushion, Richard Evans
September 2016	Policy Review Group
March 2017	Policy Review Team
March 2021	Peter Cushion
<b>DOCUMENT APPROVAL</b>	
This document has received approval from:	Date of Approval
HR Senior Management Team	N/A
Corporate Management Team	N/A
Cabinet	N/A





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## 1. INTRODUCTION

- 1.1 Workers are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances, it may appear to be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 For the purpose of this Policy and Procedure, 'workers' refers to all those that deliver services on behalf of the Council and also those organisations that provide services to the Council – i.e. Employees, Contractors and Suppliers.
- 1.3 The Council is committed to achieving the highest possible standards of service. In line with that commitment, workers with serious concerns about any aspect of the Council's work are encouraged to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis and the Council encourages workers to participate without fear of reprisals.
- 1.4 If workers bring information about a wrongdoing to the attention of the Council, they are protected in certain circumstances under the Public Interest Disclosure Act 1998. This is commonly referred to as 'blowing the whistle'. The law that protects whistle-blowers is for the public interest, so people can speak out if they find malpractice in an organisation. Blowing the whistle is more formally known as 'making a disclosure in the public interest'
- 1.5 Under the Public Interest Disclosure Act 1998, it is unlawful for an employer to take action against a worker or treat them unfairly for having made a 'protected disclosure' of information. If a whistle-blower is deemed to be treated in this way, the legal remedies under the Human Rights Act may be available to them.
- 1.6 Detailed information on what is classed as a protected disclosure is contained in section 3 of this document.
- 1.7 This Whistleblowing Policy and Procedure has been produced to encourage and enable workers to raise serious concerns within the Council rather than overlooking a problem.
- 1.8 The Director of Human Resources has overall responsibility for the maintenance and operation of this policy. The Council will maintain a record of cases, and their outcomes for reporting purposes.

## **2. AIMS AND SCOPE OF THIS POLICY AND PROCEDURE**

- 2.1 This policy sets out the procedure for workers to 'blow the whistle'. It explains how a worker can take matters further if they are dissatisfied with the Council's response and also reassures workers that they will be protected from reprisals or victimisation for Whistleblowing.
- 2.2 This Whistleblowing Policy and Procedure is intended to cover serious wrongdoings, such as:
- unlawful, corrupt or irregular use of public money or resources,
  - conduct that poses a serious risk to public health, safety, the environment or the maintenance of the law,
  - any criminal offence,
  - gross negligence or mismanagement by public officials.
- 2.3 If the matter does not fit into one of the above categories, then employees will be aware that there is an existing procedure in place to enable a grievance to be lodged relating to their own employment.

## **3. PROTECTED DISCLOSURE & CONFIDENTIALITY**

- 3.1 The purpose of Protected Disclosures is to encourage people to report serious wrongdoing in their workplace by providing protection for employees who want to 'blow the whistle'.

### Whistleblowing and providing your details:

- 3.2 The best way to raise a concern via the Council's Whistleblowing arrangements is to provide as much information as possible. You will be required to provide contact details in the event that an investigating officer may have further questions to ask and specify whether you would wish all communication to be made in Welsh or English.
- 3.3 A worker can raise a concern confidentially and give their personal details, on the condition that it is not revealed without their consent. The Council will always endeavour to ensure the confidentiality of a worker however; in rare circumstances this cannot be guaranteed, in which case the worker will be notified. The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those who may be responsible for malpractice. The Council will not tolerate harassment or victimisation and will take action to protect staff when they raise a concern.

- 3.4 Any cases of harassment will be dealt with in accordance with the Council's 'dignity at work' procedure for employees. However, it does not mean that if a worker is already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of their Whistleblowing.
- 3.5 To make a protected disclosure, the whistleblower must be identified as a 'worker' of the Council. A 'worker' includes current and former employees, volunteers, contractors and suppliers.
- 3.6 The disclosure will be protected if:
- the information is about serious wrong doing in or by the workplace,
  - the whistleblower reasonably believes the information is true or likely to be true,
  - the whistleblower wants the serious wrongdoing to be investigated
- 3.7 The disclosure will not be protected if:
- the whistleblower knows the allegations are not true,
  - the whistleblower acts in 'bad faith',
  - the information disclosed is protected by legal professional privilege.

#### Whistleblowers who wish to remain anonymous

- 3.8 A worker can raise a concern anonymously with a preference not to give their personal details. Anonymous information will still be assessed and is just as important to the Council, however workers should be made aware that the ability to carry out a full and thorough investigation may be limited if the worker cannot be contacted to be asked any follow up questions.
- 3.9 When assessing an anonymous concern, the Council will consider the seriousness and credibility of the concern raised and also the likelihood of substantiating the allegation based upon the information provided.

## **4. PROCEDURE FOR BLOWING THE WHISTLE**

- 4.1 Initially, workers should raise their concern with their immediate line manager/Head of Service/key contact within the Council, who will be able to determine whether they can deal with the concern or if it requires escalation.

- 4.2 This can depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in the matter.
- 4.3 Managers who receive a concern from an individual must treat that information as potentially serious and report it to their relevant Head of Service.
- 4.4 The matter raised must be kept in confidence and not disclosed to any other party unless instructed to do so.
- 4.5 In some instances the direct contacts may be the individuals where concerns relate. In which case, the officers listed below should be contacted:
- i) In respect of any matters involving actual or potential unlawful conduct, maladministration or contravention of the law:  
Andy Wilkins - Director of Legal Services Email:  
[Andrew.S.Wilkins@rctcbc.gov.uk](mailto:Andrew.S.Wilkins@rctcbc.gov.uk)
  - ii) In respect of any potential irregularity affecting any financial or other resources of the Council:  
Barrie Davies - Director for Finance & Digital Services Email:  
[Barrie.Davies@rctcbc.gov.uk](mailto:Barrie.Davies@rctcbc.gov.uk)
  - iii) In respect of any other service related issue or an employment matter:  
Richard Evans - Director of Human Resources Email:  
[Richard.J.Evans@rctcbc.gov.uk](mailto:Richard.J.Evans@rctcbc.gov.uk)
- 4.6 If workers are unclear as to the appropriate person to approach, they should contact the Director of Human Resources in the first instance who will give advice and guidance in respect of how to (potentially) blow the whistle.
- 4.7 The Council encourages concerns to be raised in writing via the 'Report it' section of the Council's Website. Individuals should include as much information as possible such as relevant dates, incidents and witnesses. If access to the Internet is not possible then letters can be sent to the Officers noted above. If employees do not feel able to put their concerns in writing, via the "Report It" mechanism or in a letter, then they can telephone any of the Officers as stated above or contact their Local Councillor. Employees may invite their trade union to raise the matter on their behalf.
- 4.8 The earlier an individual expresses a concern, the easier it is to take appropriate action. Although workers are not expected to prove the truth of

an allegation, they will need to demonstrate that they reasonably believe the information is true or likely to be true, in respect of their concern.

- 4.9 In order to ensure the integrity of any potential investigation, initial enquiries will be made to decide whether an investigation is appropriate.
- 4.10 Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures. Following the reporting of a concern which is not anonymous, the investigating officer will inform the 'whistleblower' that their concern is being investigated and explain the process that will be followed.
- 4.11 If a fact finding meeting is required, the 'whistleblower' will have the right to be accompanied by a Trade Union representative or work colleague (if they are an employee). It will be up to the 'whistleblower' to make the necessary arrangements and to specify whether they would wish the meeting to be conducted through the medium of Welsh or English.
- 4.12 The Council will take steps to minimise any difficulties that the 'whistleblower' may experience as a result of raising a concern. For instance, if the 'whistleblower' is required to give evidence in criminal or disciplinary proceedings, the Council will advise on the procedure. The Council accepts that the 'whistleblower' needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, the 'whistleblower' will receive information about the progress of the investigation if specifically required and/or requested to do so. This will be provided in writing by the investigating officer.

## **5. RESPONSE OF THE COUNCIL**

- 5.1 The action taken by the Council will depend on the nature of the concern. Outcomes could include:
- Refer the matter to the Police - any allegation made which could be deemed as an offence of a criminal nature (e.g. using a phone whilst driving) may be forwarded to the police for a decision on whether any further action will be taken.
  - Refer the matter to the External Auditor (Audit Wales),
  - Request that the matter be the subject of an independent inquiry.

## **6. FURTHER ACTION OUTSIDE THE POLICY**

6.1 This policy is intended to provide workers with an avenue to raise concerns within the Council. Should a worker remain unsatisfied following this, and if they feel it is right to pursue the matter externally, then the following contact points are available:

- i) Council Members (if staff live within the Council boundaries),
- ii) The External Auditor (Audit Wales). Audit Wales can be contacted on telephone number 01443 680349
- iii) relevant professional bodies or regulatory organisations e.g. Inland Revenue or Health & Safety Executive,
- iv) Police,
- v) Public Concern at Work
- vi) ACAS

6.2 If a worker decides to take the matter outside the Council, then they will need to ensure that they do not disclose any confidential information, unless they have evidence to corroborate their allegation.



## **Appendix A – THE WORKERS ‘DO’S AND DON’TS’**

If you suspect potential:

- fraud, corruption and/or a criminal act
- a failure to comply with a legal obligation,
- a miscarriage of justice,
- danger to health & safety,
- damage to the environment
- any attempt to cover up these acts in any area of Council activity.



## **DO**

### **1. Make an immediate note of your concerns.**

Note all relevant details, such as what was said in telephone or other conversations, the date, time and the names of any parties involved.

### **2. Deal with the matter promptly.**

Any delay may cause the Council to suffer further financial loss.

### **3. Blow the Whistle**

- Report your suspicions to the appropriate person.
- You can do this using the 'Report It' feature on the Council's Intranet / Internet website under A-Z of services "W".

Alternatively,

- Convey your concern to your Line Manager/Head of Service/key contact within the Council (if you are a Supplier or Contractor)
- By letter or telephone to the appropriate Officer listed under Section 4 of the Whistleblowing Policy & Procedure.

### **4. Remember that if you are an employee, the Council will protect you from harassment and potential victimisation from within.**

### **5. Further support can be obtained from the Occupational Health Unit (01443) 494003 if required.**

## **DON'T**

### **1. Do nothing.**

### **2. Be afraid of raising your concerns.**

- You will not suffer any recrimination as a result of voicing a reasonably held suspicion. The Council will treat any matter you raise sensitively **and in confidence**.

### **3. Approach or accuse any individuals directly.**

### **4. Try to investigate the matter yourself.**

- There are special rules surrounding the gathering of evidence for use in criminal cases. Any attempt to gather evidence by people who are unfamiliar with these rules may destroy the case.

### **5. Convey your suspicions to anyone other than those with the proper authority.**





## **Appendix 2 – Whistleblowing Annual Report 2020/21**



**RHONDDA CYNON TAF COUNTY BOROUGH  
COUNCIL**

**WHISTLEBLOWING ANNUAL REPORT  
2020/21**



## **1. Introduction**

- 1.1 Members of staff are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council and they may also fear harassment or victimisation. In these circumstances, it may appear to be easier to ignore the concern rather than report it.
- 1.2 For the purpose of the Whistleblowing Policy & Procedure (reported to Audit Committee at the meeting held on [31<sup>st</sup> October 2016](#)), 'workers' refer to all those that deliver services on behalf of the Council and also those organisations that provide services to the Council i.e. Employees, Contractors and Suppliers.
- 1.3 The Council is committed to achieving the highest possible standards of service. In line with that commitment, workers with serious concerns about any aspect of the Council's work are encouraged to come forward and voice those concerns. The Council encourages workers to participate without fear of reprisals.
- 1.4 The Whistleblowing Policy & Procedure aims to encourage and enable workers to raise serious concerns within the Council rather than overlooking a problem.
- 1.5 The Director of Human Resources has overall responsibility for the maintenance and operation of the Policy and has ensured that a record of all cases reported along with the outcomes has been compiled during 2020/21.

## **2. Raising an Issue**

- 2.1 Initially workers should raise their concern with their immediate Line Manager / Head of Service / key contact within the Council, who will be able to determine whether they can deal with the concern or if it requires escalation. This can depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in the matter.
- 2.2 In some instances the direct contacts may be the individuals where concerns relate, in which case, concerns can be raised in writing via the [Get Involved](#) section of the Council's Website. Individuals should include as much information as possible such as relevant dates, incidents and witnesses. If individuals wish to leave contact details then this is encouraged as quite often the ability to fully investigate necessitates contact to be made by an investigating officer should they have supplementary questions.



- 2.3 The Whistleblowing Policy & Procedure provides guidance in respect of anonymity and keeping the identity of a Whistleblower confidential.

### 3. What's been done to assess awareness?

- 3.1 The actions the Council has taken to raise awareness of the Whistleblowing Policy and Procedure were highlighted in the 2019/20 Annual Report, and included the Policy being incorporated in both staff and manager induction processes; a payslip insert; posters circulated to service areas to include on notice boards; and on-going fraud awareness updates.

### 4. Policy Change

- 4.1 At the 20<sup>th</sup> July 2020 Audit Committee, Members approved the following recommendation, as set out in the 2019/20 Whistleblowing Annual Report, *'The Whistleblowing Policy and Procedure was last reported to and reviewed by Audit Committee at its meeting on 31<sup>st</sup> October 2016. Although it is noted that the Policy is reviewed regularly at an operational level and changes made since this time have been of a housekeeping nature (e.g. job titles of Officers), in line with the requirement to keep all policies and procedures under on-going review, it is recommended that a complete review of the Policy is undertaken and the outcome(s) reported to Audit Committee during 2020/21 for consideration'*.
- 4.2 In line with this, the Whistleblowing Policy and Procedure has been reviewed and the following update is proposed to be incorporated into the document to provide further clarity on the arrangements in place:
- *Any allegation made that could be deemed as an offence of a criminal nature (e.g. using a phone whilst driving), may be forwarded to the police for a decision on whether any further action will be taken.*
- 4.3 Subject to Audit Committee's consideration of the proposed update (as per paragraph 4.2), an updated Whistleblowing Policy and Procedure will be published on the Council's website and awareness raising undertaken across Council Services.
- 4.4 For Members information, the Whistleblowing Policy and Procedure will be kept under on-going review and where further updates are proposed, these will be reported to Audit Committee for consideration and if deemed appropriate, approval.

## 5. Whistleblowing activity during 2020/21

- 5.1 A summary of whistleblowing activity completed during 2020/21 is set out in Table 1. Members will note that dates the allegations were received and the investigations completed have been incorporated into Table 1, in line with feedback from Audit Committee as part of Members consideration of the 2019/20 Annual Report.

Table 1 - Whistleblowing Activity 2020/21

<b>Disclosure Summary</b>	<b>Method Disclosure</b>	<b>Action Taken</b>
<b>SCHOOL RELATED</b>		
It was alleged a teacher breached General Data Protection Regulation protocols by leaving personal information in sight in a car. 19 <sup>th</sup> August 2020	Online submission.	An investigation was undertaken by Human Resources who contacted the Head Teacher and Data Officer of the school, and the files were removed from the car. No personal information was contained in them and no further action was required. 20 <sup>th</sup> August 2020
It was alleged that a school-based member of staff had been breaking social distancing and lockdown rules. 21 <sup>st</sup> September 2020	Online submission	Human Resources investigated and a First Warning was issued to the staff member by the School. 12 <sup>th</sup> October 2020
It was alleged that a school-based member of staff did not follow national Covid rules. 11 <sup>th</sup> November 2020	Online submission	The Headteacher and Governing Body were fully aware and had taken legal advice beforehand that enabled the staff member to travel. 11 <sup>th</sup> November 2020
It was alleged that a school-based member of staff had breached lockdown rules at a family member's house. 19 <sup>th</sup> January 2021	Online submission	The Headeacher investigated and the member of staff maintained that the visit was for childcare purposes only. No further action taken. January 2021



Disclosure Summary	Method Disclosure	Action Taken
<b>NON-SCHOOL RELATED</b>		
<p>It was alleged that a frontline worker delivered and deposited bags of cement on land without the owner's permission. 12<sup>th</sup> August 2020</p>	<p>Online submission</p>	<p>Manager investigated and visited the member of the public concerned, who confirmed no RCT logos on van. Trackers of vehicles were checked and no highways vehicles were at the location. Also a check was made of the supply and delivery of cement and no evidence to suggest that this was undertaken by RCT staff. 13<sup>th</sup> August 2020</p>
<p>It was alleged that an officer of the Council had breached Covid social distancing rules. 9<sup>th</sup> September 2020</p>	<p>Online submission</p>	<p>An investigation was undertaken, which resulted in a management discussion with the officer involved. 10<sup>th</sup> September 2020</p>
<p>It was alleged that 2 employees had not reported that they had Covid tests and had also not been self-isolating. Disciplinary investigation was already being undertaken regarding this issue, as the employees had returned to work whilst waiting the results of Covid tests. 23<sup>rd</sup> September 2020</p>	<p>Online submission</p>	<p>Human Resources undertook an investigation and Final Written Warnings were issued to both employees. 23<sup>rd</sup> December 2020</p>
<p>It was alleged that a Manager was selling second-hand goods via Facebook, with no consideration given to the impact on service users. 6<sup>th</sup> November 2020</p>	<p>Online submission</p>	<p>Following an investigation by the relevant Head of Service, it was confirmed that it was one item and therefore no further action was taken. November 2020</p>
<p>It was alleged that members of staff at one Council establishment did not follow Covid rules in respect of social distancing. 4<sup>th</sup> November 2020</p>	<p>Online submission</p>	<p>All management and staff were reminded of the Council's guidance and this is now being adhered to. November 2020</p>

Disclosure Summary	Method Disclosure	Action Taken
<p>It was alleged that a member of staff had breached social distancing and lockdown rules. 5<sup>th</sup> November 2020</p>	<p>Online submission</p>	<p>Human Resources investigated and a First Warning issued. 9<sup>th</sup> November 2020</p>
<p>It was alleged that a frontline worker had used inappropriate language to Council staff regarding other colleagues. 2<sup>nd</sup> December 2020</p>	<p>Online submission</p>	<p>The relevant Manager met with the frontline worker, a Management discussion took place and a record kept on the employee's file. Equalities training for all staff in the service area is being arranged 7<sup>th</sup> December 2020</p>
<p>It was alleged that a Council van was driving at high speed down the wrong side of a one-way street. 13<sup>th</sup> January 2021</p>	<p>Online submission</p>	<p>An investigation was undertaken by management and the worker denied the allegation but confirmed that he had done a 3-point turn in the street. Management reminded the worker of their responsibilities under the Highway Code and no further action was taken. February 2021</p>
<p>It was alleged that frontline workers breached Covid rules by sitting together in the front of a car without wearing masks. 20<sup>th</sup> January 2021</p>	<p>Online Submission</p>	<p>An investigation was undertaken by the Manager and the staff were reminded of their responsibilities regarding wearing masks. January 2021</p>
<p>It was alleged that a member of staff had made a homophobic comment to another member of staff. 23<sup>rd</sup> January 2021</p>	<p>Online submission</p>	<p>An investigation was undertaken by the relevant Manager; however neither member of staff had any recollection of the alleged comment. No further action taken. February 2021</p>
<p>It was alleged that an RCT employee pursued recovery of a non-work related debt and indicated that information had been obtained from their</p>	<p>Online submission</p>	<p>Human Resources investigated and it was confirmed that no-one of the name alleged was employed by the Council or part of a secondment arrangement</p>

Disclosure Summary	Method Disclosure	Action Taken
position within the Council to enable the personal matter to be progressed. 8 <sup>th</sup> February 2021		where they would have access to Council systems. No further action taken. 8 <sup>th</sup> February 2021
It was alleged that there had been a misappropriation of public services in relation to the booking of covid vaccines. 13 <sup>th</sup> February 2021	Online submission	An investigation was undertaken, and no misappropriation found, no further action required. February 2021
It was alleged that a frontline worker refused to wear a mask. 18 <sup>th</sup> February 2021	Online submission	An investigation was undertaken by the Manager and the message in respect of the requirement to wear masks and other PPE was reinforced to all staff. February 2021
It was alleged that a frontline worker (Waste Services) was smoking when undertaking duties. 16 <sup>th</sup> February 2021	Online submission	The Service have confirmed that they will allow waste collectors to smoke outside the cab where safe and appropriate to do so. Outside of this, Management require the Officers-In-Charge to dynamically risk assess their activities at all times to ensure their actions are as safe as possible. 1 <sup>st</sup> March 2021

5.2 For comparative purposes, neighbouring local authorities contacted have indicated that whistleblowing referrals have been less than 3 in the past year.

## 6. Concluding comments

6.1 Whilst all staff are required to follow relevant Policies and Procedures put in place by the Council, unfortunately there are a very small number of instances where some individuals decide to contravene these arrangements.

6.2 In such instances, it is absolutely necessary that the Council has the appropriate arrangements in place for individuals to report potential serious wrongdoings.

6.3 It is difficult to fully ascertain how effective the Council's whistleblowing arrangements are in respect of awareness across all workers, and indeed whether all workers feel comfortable to report potential concerns. However, the



fact that whistleblowers have come forward during 2020/21 does indicate a general awareness and a culture whereby staff do feel comfortable to do so.

- 6.4 All whistleblowing referrals have been fully investigated and where appropriate, the necessary action has been taken.
- 6.5 Based upon the information contained within this report, I conclude that overall the Council's whistleblowing arrangements are appropriate.

Richard Evans – Director, Human Resources