

# RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

## MUNICIPAL YEAR 2022/23

<b>GOVERNANCE AND AUDIT COMMITTEE</b>  15 <sup>th</sup> March 2023	<b>AGENDA ITEM NO. 5</b>
<b>REPORT OF THE CHIEF EXECUTIVE</b>	<b>WHISTLEBLOWING ANNUAL REPORT 2022/23</b>

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

- 1.1 The purpose of this report is to present an updated Whistleblowing Policy & Procedure and Whistleblowing Annual Report 2022/23 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 2022/23 (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 the Governance and 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 The current version of the Council's Whistleblowing Policy & Procedure was reported to and agreed at the [26th April 2021](#) Audit Committee meeting and noting that the Policy is reviewed regularly at an operational level.
- 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 In November 2022 Audit Wales undertook a high level review of the Council's whistleblowing policy and related arrangements as part of their 2022-23 Assurance and Risk Assessment work.
- 4.4 Feedback received from Audit Wales included:
- Assurances in place in respect of the policy being clear on how an individual can raise a concern anonymously; that steps are taken to ensure confidentiality will be protected and the Council does not tolerate harassment or victimisation of anyone raising a genuine concern; HR Officers are trained investigators; the Council uses different arrangements to raise awareness of the policy to its workforce and clarifies how this can be accessed; and the Whistleblowing Policy is highlighted in both the corporate and service level inductions.
  - Where arrangements could be further strengthened in respect of supporting training for senior managers as part of undertaking whistleblowing investigations.
  - Areas to be updated in respect of arrangements where a worker has the right to raise concerns outside of the Council; referencing Prescribed Persons<sup>1</sup> and access to further information in this regard including the removal of elected Members as Prescribed Persons within the Policy; and housekeeping updates to ensure the latest terminology is included within the Policy.
- 4.5 The feedback received from Audit Wales has been taken account of as part of reviewing and updating the Whistleblowing Policy & Procedure (at Appendix 1). Subject to the Governance and Audit Committee agreeing an updated version of the Policy, this will be published on the Council's website.
- 4.6 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 the Governance and Audit committee for consideration / approval.

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<sup>1</sup> Prescribed Persons - organisations and individuals that a worker may approach outside their workplace to report suspected or known wrongdoing. The organisations and individuals on the list have usually been designated as prescribed persons because they have an authoritative or oversight relationship with their sector, often as a regulatory body

## **5. WHISTLEBLOWING ANNUAL REPORT 2022/23**

5.1 The Terms of Reference for Governance and Audit Committee state:

*As a key element of new arrangements for corporate governance, designed to ensure openness, integrity and accountability, the [Governance and 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 2022/23 is included at Appendix 2 and subject to the Governance and Audit Committee's consideration and feedback, an approved Whistleblowing Annual Report 2022/23 will be made available on the Council's website.

## **6. EQUALITY AND DIVERSITY IMPLICATIONS AND SOCIO-ECONOMIC DUTY**

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

## **7. WELSH LANGUAGE IMPLICATIONS**

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

## **8. CONSULTATION**

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

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

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

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

- 10.1 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.
- 10.2 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.
- 10.3 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)

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

### **THE COUNCIL'S CORPORATE PLAN PRIORITIES**

- 11.1 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**

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

## **12. CONCLUSION**

- 12.1 The Council's Whistleblowing Policy & Procedure has been reviewed and updated, taking into account the feedback provided by Audit Wales, to ensure it continues to be fit for purpose. The Governance and Audit Committee is requested to review the updated Policy and, if appropriate, approve the document which will then be published on the Council's website.
- 12.2 A Whistleblowing Annual Report 2022/23 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 2022/23

and also summarises the reported instances received, whilst protecting the confidentiality of the whistleblowers.

12.3 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**

**GOVERNANCE AND AUDIT COMMITTEE**

**15<sup>th</sup> March 2023**

**WHISTLEBLOWING ANNUAL REPORT 2022/23**

**REPORT OF CHIEF EXECUTIVE**

Author: Peter Cushion (Head of Employee Relations)

**Item: 5**

**Background Papers**

None.

Officer to contact: Richard Evans

## Appendix 1 – Whistleblowing Policy (updated January 2023)

Version	EN1
Last Revision Date	January 2023



# 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	January 2023
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
January 2023	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 & Democratic 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 - Deputy Chief Executive & Group Director,  
Finance, Digital & Frontline 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 at The Pavilions, Clydach Vale, CF40 2XX. 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. 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 within 10 working days 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. In addition, a worker has the right to raise concerns outside of the Council if they feel uncomfortable with the internal process in the first place, or if they remain unsatisfied (<https://protect-advice.org.uk/external-disclosures/#1620818696119-6cbd467f-4759>)

6.2 Should a worker remain unsatisfied following the internal process, and if they feel it is right to pursue the matter externally, then the Prescribed Persons Order 2014 sets out a list of organisations and individuals that a worker may approach outside their workplace to report suspected or known wrongdoing. The organisations and individuals on the list have usually been designated as prescribed persons because they have an authoritative or oversight relationship with their sector, often as a regulatory body. An up-to-date list can be found here:

- i) <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

6.3 If a worker decides to take the matter outside the Council, and where a regulator has been prescribed, you must satisfy two conditions in order for a disclosure (to them) to be protected: (1) you must reasonably believe that the subject matter of the disclosure falls within the remit of that regulator; and (2) you must reasonably believe that the information disclosed, and any allegation contained in it, are substantially true.

## **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.**

#### **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.**





**RHONDDA CYNON TAF COUNTY BOROUGH  
COUNCIL**

**WHISTLEBLOWING ANNUAL REPORT  
2022/23**

## **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 Annual Report, 'workers' as set out in the Council's Whistleblowing Policy and Procedure 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 2022/23.

## **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 Previous actions the Council has taken to raise awareness of the Whistleblowing Policy and Procedure include 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.
- 3.2 The Whistleblowing Policy & Procedure is published on the Council's website and further awareness raising has been undertaken across Council Services via a global email.
- 3.3 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 the Governance and Audit Committee for consideration and if deemed appropriate, approval.

#### 4. Whistleblowing activity during 2022/23

4.1 A summary of whistleblowing activity completed during 2022/23 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.

Table 1 - Whistleblowing Activity 2022/23

<b>Date Received</b>	<b>Disclosure Summary</b>	<b>Method Disclosure</b>	<b>Action Taken</b>	<b>Date Completed</b>
<b><u>SCHOOL RELATED</u></b>				
2 <sup>nd</sup> September 2022	It was alleged that an employee phoned in sick with Covid-19 and then went on holidays during term time.	Online submission	An investigation was undertaken by the relevant manager and the case was taken to a disciplinary hearing where the employee was issued with a Final Written Warning.	19 <sup>th</sup> December 2022
<b><u>NON-SCHOOL RELATED</u></b>				
10 <sup>th</sup> May 2022	It was alleged that a member of staff from an adult social care setting was being aggressive to a member of the public.	Online submission	The employee had reported this incident to the line manager and was also referred to the Head of Service. The Head of Service was satisfied with the employee's version of events. No further action taken.	13 <sup>th</sup> May 2022
12 <sup>th</sup> May 2022	It was alleged that an employee (driver) was smoking in a Council heavy goods vehicle whilst the engine was running.	Online submission	An investigation was undertaken by the relevant manager. This determined that the allegation was founded, and a management discussion was undertaken with the employee.	17 <sup>th</sup> May 2022

<b>Date Received</b>	<b>Disclosure Summary</b>	<b>Method Disclosure</b>	<b>Action Taken</b>	<b>Date Completed</b>
17 <sup>th</sup> June 2022	It was alleged that a Council driver was using a mobile phone when exiting a junction	Online submission	An investigation was undertaken by the relevant manager – the staff member concerned could not recall an incident and no further evidence existed. The employee was reminded of the law relating to driving and using mobile phones.	21 <sup>st</sup> June 2022
17 <sup>th</sup> June 2022	It was alleged that an officer working in Parking Services walked past a car that was parked in a disabled bay (that did not display a valid blue / disabled badge) and was heard saying ‘I’m not booking them, I don’t need the grief’.	Online submission	The relevant manager considered the submission. Due to no details of the date, time or location being included in the submission, there was no evidence available to substantiate the allegation. No further action taken.	24 <sup>th</sup> June 2022
29 <sup>th</sup> June 2022	It was alleged that an employee was falsifying working hours by not signing in and out when taking children to / from school.	Online submission	A review of time worked records was undertaken by the Service Manager – this confirmed that the employee was signing in and out to undertake childcare duties. The Service Manager also confirmed that no concerns had been identified / raised in respect of the employee being	13 <sup>th</sup> July 2022

<b>Date Received</b>	<b>Disclosure Summary</b>	<b>Method Disclosure</b>	<b>Action Taken</b>	<b>Date Completed</b>
			absent from work or with work tasks being completed. On-going monitoring to be undertaken.	
Various during 2022/23	Allegations of inappropriate operational activity at Council Recycling Centres (CRC's), and cash being received by Amgen Cymru Ltd <sup>2</sup> staff.	Online submission	Referral to the Corporate Fraud Team as part of wider monitoring.	As and when referrals were received.
2 <sup>nd</sup> August 2022	It was alleged that an officer was parking a large Council vehicle outside residents' houses.	Online submission	An investigation was undertaken and the officer confirmed that the vehicle is parked in such locations when on call, with the vehicle taken home on such occasions and this being approximately every 6 weeks. The officer was advised to make appropriate alternative arrangements to park the vehicle when on call and taken home.	10 <sup>th</sup> August 2022
23 <sup>rd</sup> August 2022	A cleaner had an asthma attack while at work and alleged this was due to poor management and communication.	Online submission	An investigation was undertaken by the Service Manager – it was confirmed that the officer had received full training and PPE for the role, and had not disclosed	7 <sup>th</sup> September 2022

<sup>2</sup> Amgen Cymru Ltd – Rhondda Cynon Taf CBC has a 100% interest in Amgen Cymru Limited, with the Company being a subsidiary of the Council.

Date Received	Disclosure Summary	Method Disclosure	Action Taken	Date Completed
			a health condition / whether any adjustments were required. No further action taken.	
7 <sup>th</sup> September 2022	It was alleged that female workers within a specific service area were overlooked for promotional opportunities and allegations of sexist / abusive behaviour within that service area.	Online submission	An investigation was undertaken by the relevant Director and discussions held with all members of the senior management team (both male and female). The feedback received was that these allegations were without foundation and no further action was taken.	12 <sup>th</sup> September 2022
7 <sup>th</sup> September 2022	It was alleged that when a resident reported a neighbour for dumping waste outside their property, a Council officer turned off the body camera and indicated that the neighbour would not have to pay as the Council will pick it up.	Online submission	An investigation was undertaken by the relevant manager and no evidence was identified that confirmed / indicated a Council officer had been in the vicinity. Officers within the service area were reminded of their responsibilities regarding policies and environmental crimes. No further action taken.	15 <sup>th</sup> September 2022

<b>Date Received</b>	<b>Disclosure Summary</b>	<b>Method Disclosure</b>	<b>Action Taken</b>	<b>Date Completed</b>
21 <sup>st</sup> September 2022	An allegation that a senior officer was bullying members of staff that directly report to this senior officer.	Online submission	An investigation was undertaken, by the relevant Director – the members of staff that directly report to the senior officer confirmed that they feel supported by this officer and also confirmed that they did not submit a whistleblowing referral. It was concluded that the allegation was malicious and no further action was taken.	4 <sup>th</sup> October 2022
7 <sup>th</sup> October 2022	It was alleged that an officer on sick leave was on holiday abroad at the same time.	Online submission	The relevant Manager confirmed that the officer had pre-booked annual leave in line with the Council's policy. No further action taken.	14 <sup>th</sup> October 2022
24 <sup>th</sup> October 2022	It was alleged that a Council officer allowed a family member (who is also employed by the Council) to use a Council purchase card to order food whilst in work.	Online submission	An investigation had already been undertaken by the relevant service manager. The individual was issued with a warning via a formal disciplinary hearing.	17 <sup>th</sup> October 2022 (via an investigation undertaken prior to the whistleblowing referral being received)
2 <sup>nd</sup> December 2022	It was alleged that staff in a frontline service area were not signing out appropriately and were receiving preferential treatment	Online submission	An investigation was undertaken by the relevant service manager, with a review of signing-in sheets	5 <sup>th</sup> January 2023



Date Received	Disclosure Summary	Method Disclosure	Action Taken	Date Completed
			<p>alongside Time Off In Lieu (TOIL) records of the team completed. The service manager confirmed that these had been completed in line with the required processes; a reminder was sent to the Team around TOIL and signing in policy and would be monitored as part of normal supervision sessions. No further action taken.</p>	
26th January 2023	It was alleged that an employee was smoking drugs in front of a neighbour's child.	Online submission	An investigation was undertaken by the relevant manager and Human Resources. The Manager has checked with the Safeguarding Team and was satisfied with the officer's response. No further action taken.	3 <sup>rd</sup> February 2023
14 <sup>th</sup> February 2023	It was alleged that a manager was employing friends and family within the service. 14 <sup>th</sup> February 2023	Online Submission	An investigation was undertaken by the relevant Director – it was confirmed that recruitment was undertaken appropriately and via formal	17 <sup>th</sup> February 2023

Date Received	Disclosure Summary	Method Disclosure	Action Taken	Date Completed
			recruitment processes. No further action taken.	

## 5. Concluding comments

- 5.1 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.
- 5.2 In such instances, it is necessary that the Council has the appropriate arrangements in place for individuals to report potential serious wrongdoings.
- 5.3 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 2022/23 does indicate a general awareness and a culture whereby staff do feel comfortable to do so.
- 5.4 All whistleblowing referrals have been fully investigated and where appropriate, the necessary action has been taken.
- 5.5 Based upon the information contained within this report, I conclude that overall the Council's whistleblowing arrangements are appropriate.

Richard Evans – Director, Human Resources