

North East Derbyshire District Council

Standards Committee

26 January 2022

WHISTLEBLOWING POLICY – ANNUAL REPORT

Report of the Solicitor to the Council and Monitoring Officer

Classification: This report is public.

Report By: Sarah Sternberg, Solicitor to the Council and Monitoring Officer

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PURPOSE / SUMMARY

- To provide an annual update to Members on use of the Whistleblowing Policy.
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REPORT DETAILS

1 Background

- 1.1 Whistleblowing is a report from an employee, member or other person about suspected wrongdoing within the organisation. The Public Interest Disclosure Act 1998 requires employers to refrain from dismissing workers and employees or subjecting them to any other detriment because they have made a protected disclosure.
- 1.2 Whistleblowing policies should foster a climate of openness and transparency in which individuals in the workplace do not feel that they will be victimised, harassed or suffer any reprisals if they raise concerns about wrongdoing within the organisation. The Government expects all public bodies to have adequate whistleblowing procedures in place.
- 1.3 North East Derbyshire District Council and Bolsover District Council have previously had in place a Joint Whistleblowing Policy. This has now been adapted to present Members with a North East Derbyshire only Policy. The Council is committed to updating Policies on a regular basis to ensure that they are fit for purpose, and the last review took place in February 2021.
- 1.4 The Whistleblowing Policy has been reviewed and no substantive changes are recommended other than housekeeping amendments (shown in tracked changes on Appendix 1).

1.5 In accordance with the Whistleblowing Policy, the Monitoring Officer has overall responsibility for the maintenance and operation of the Policy, and will maintain a record of concerns raised and the outcomes. The Monitoring Officer is also required to report as necessary to Council on instances of Whistleblowing. There have been no instances to report for the 2021 calendar year.

2. Details of Proposal or Information Conclusions and Reasons for Recommendation

2.1 The Whistleblowing Policy has been reviewed to ensure that it remains fit for purpose and it is concluded that the existing version is satisfactory and up to date with current legislation and best practice.

2.2 There are no instances of Whistleblowing to report to Members.

3 Consultation and Equality Impact

3.1 There are no equalities issues arising from this report.

3.2 Standards Committee have the responsibility to oversee the Whistleblowing Policy and arrangements and are required to make recommendations to Council to amend the Policy as appropriate.

4 Alternative Options and Reasons for Rejection

4.1 None.

RECOMMENDATIONS

1. That Standards Committee:

1.1 agree the current Whistleblowing Policy is fit for purpose; and

1.2 note that no instances of Whistleblowing have been made since the 2021 Annual Review of the Whistleblowing Policy.

IMPLICATIONS

Finance and Risk: Yes No

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection):

Yes

No

Details: The legal implications in relation to whistleblowing are contained within the policy.

On Behalf of the Solicitor to the Council

Staffing: **Yes**

No

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/></p> <p>NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Significantly Affected	All
Links to Corporate Plan priorities or Policy Framework	All
<p>Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	No Details:

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

DOCUMENT INFORMATION

Appendix No	Title
1	Whistleblowing Policy
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	