

LONDON BOROUGH OF CROYDON

REPORT:	AUDIT AND GOVERNANCE COMMITTEE	
DATE OF DECISION	18th JULY 2024	
REPORT TITLE:	WHISTLEBLOWING UPDATE	
CORPORATE DIRECTOR / DIRECTOR:	STEPHEN LAWRENCE-ORUMWENSE DIRECTOR OF LEGAL SERVICES & MONITORING OFFICER JANE WEST CORPORATE DIRECTOR OF RESOURCES	
LEAD OFFICER:	STEPHEN LAWRENCE-ORUMWENSE DIRECTOR OF LEGAL SERVICES & MONITORING OFFICER	
LEAD MEMBER:	CLLR JASON CUMMINGS LEAD MEMBER FOR RESOURCES	
DECISION TAKER:		
AUTHORITY TO TAKE DECISION:	N/A	
KEY DECISION? [Insert Ref. Number if a Key Decision]	No	REASON: N/A
CONTAINS EXEMPT INFORMATION?	NO	
WARDS AFFECTED:	N/A	

1 SUMMARY OF REPORT

- 1.1 The Council's Whistleblowing Policy provides for six monthly reports to the Committee on whistleblowing referral received. This report provides an update on referrals received for the period January 2024 to June 2024.

2 RECOMMENDATIONS

- 2.1 The Committee is asked to note the whistleblowing referrals and the outcomes.

3 REASONS FOR RECOMMENDATIONS

- 3.1 The responsibility of the Committee includes oversight of the effectiveness of the arrangements for whistleblowing.
- 3.2 The Whistleblowing Policy provides for 6 monthly reports to the Committee on whistleblowing disclosures.

4 BACKGROUND AND DETAILS

- 4.1 Effective whistleblowing arrangements should function as a deterrent to malpractice, encourage openness, promote transparency, and underpin the risk management systems of the Council.
- 4.2 The Council has adopted the Whistleblowing Policy and Procedure attached as Appendix 1. The policy seeks to enable individuals to feel confident in raising concerns in the public interest about suspected serious wrongdoing in the Council and its services without fear of reprisals or victimisation even where the concern or allegations are not subsequently confirmed by the investigation. The policy commits to deal with disclosures of wrongdoing made, sets out how to raise concerns, the role of the Monitoring Officer to review disclosures and appoint Designated Assessors to investigate, the protection and support for disclosers, and the action to be taken following an investigation.
- 4.3 The policy provides that reports will be presented to Audit Committee on a six-monthly basis detailing the number of incidents which have been reported including a brief summary of the nature of the issues raised in the allegation and action being taken (but without compromising anonymity in any way).
- 4.4 For the period January 2024 to June 2024, the table below shows the disclosures received, and the outcomes of investigation undertaken.

The raised in your emails falls within staff and manager relations for which the employee complaints procedure is more appropriate. Therefore, I have included Gillian Bevan in this email to provide advise on how best to take this forward.

We discussed the types of conduct that are covered by the Council’s Whistleblowing Policy and Procedure. I advised that if you believe that there are conduct or wrongdoing that falls within the Policy, you can make a referral to me using the Monitoring Officer inbox.

Ref No	Discloser Known	Subject Matter	Outcome

001/2024	Anonymous	Referral raising concerns that Council property was being sold on Facebook marketplace by a member of Staff	Following investigation, the referral was upheld. Employee suspended and subsequently resigned with immediate effect. The matter was reported to the police.
002/2024	Anonymous	Referral raising concerns about the onboarding process of agency staff, the use of a specific recruitment agency and allegations around behavior and conduct of a service manager within the team.	Following investigation, the referral was not upheld, and no further action taken.
003/2024	Yes	Referral raising concerns about an agency staff in the context of collaborative working, decision making and the process.	The referral related more to matters of judgement, decision making, employee relations and not malpractice and such as to fall within the scope of the Whistleblowing Policy. However, the concern referred to the responsible Director to make enquiries to see if there are any merits and action required.
004/2024	Yes	Staff complaint about the behaviour of a manager and another staff towards her and the culture within the Team	Staff and manager relations for which the employee complaints procedure is more appropriate and not covered by the Council's Whistleblowing Policy and Procedure. Referred to HR to deal with.
005/2024	Yes	Complaint by staff at an NHS Trust against a Council employee who had also made a complaint against an NHS staff.	An employee relations and dispute that falls outside the scope of the Council's Whistleblowing Policy. Complaint referred to the Council's Chief People Officer HR to deal with.

4.5 There are no specific themes arising from these referrals, but they do suggest that there is better awareness of the Council's Whistleblowing Policy and Procedure.

5. ALTERNATIVE OPTIONS CONSIDERED

Not applicable.

6. CONSULTATION

Not applicable

7. CONTRIBUTION TO COUNCIL PRIORITIES

7.1 The recommendation aligns with the Mayor's Business Plan 2022-26 Outcome 1 Priority 4: Ensure good governance is embedded and adopt best practice.

8. IMPLICATIONS

8.1 FINANCIAL IMPLICATIONS

8.1.1 There are no financial implications arising from the recommendations.

8.2 LEGAL IMPLICATIONS

8.2.1 The Public Interest Disclosure Act 1998 (PIDA) amended the Employment Rights Act 1996 ("the Act") to create a framework for whistleblowing across the private, public, and voluntary sectors. The Act provides individuals in the workplace with protection from victimisation where they make a protected disclosure about malpractice or wrongdoing at work in accordance with the Act's provisions.

8.3 EQUALITIES IMPLICATIONS

8.3.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advance equality of opportunity between people who share those protected characteristics and people who do not.
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. Marriage and civil partnership status applies to the first part of the duty. There are no equalities implications arising from the recommendations.

9 APPENDICES

Appendix 1 Whistleblowing Policy and Procedure

10 BACKGROUND DOCUMENTS

