

STANDARDS CONFERENCE WALES 2015

WHISTLEBLOWING WORKSHOP

**Sioned Wyn Davies, Deputy Monitoring Officer,
Wrexham County Borough Council**

Kumi Ariyadasa, Solicitor, City of Cardiff Council

What is “Whistleblowing”?

- When a worker reports suspected wrongdoing at work
- In the public interest
- May report the wrongdoing internally or externally
- Good governance requires effective internal whistleblowing arrangements

Legal framework

- Public Interest Disclosure Act 1998 ('PIDA')
- Legal protection for workers disclosing malpractice in the public interest
- Protection for disclosures of: A criminal offence / breach of legal obligation / miscarriage of justice / danger to health or safety / damage to the environment
- External disclosures only protected if justified
- Unlawful for an employer to dismiss or victimise a whistleblower under PIDA

How is it relevant?

- Exposing misconduct, corruption or illegal behaviour
- Supports Nolan principles – Openness, Honesty, Integrity
- “A key component in any strategy to challenge inappropriate behaviour at all levels of an organisation” (10th Report of the Committee on Standards in Public Life)

Effective Whistleblowing Arrangements (1)

- Clear policy to reiterate commitment to principles and effective implementation of PIDA
- Clear procedure for addressing concerns and providing feedback
- Offering an alternative to line management, both inside and outside the organisation

Effective Whistleblowing Arrangements (2)

- Communication – so that all staff are aware of whistleblowing avenues
- Training for managers on dealing appropriately with whistleblowing reports
- Monitoring and review – to consider how procedures are working, identify trends, possible system failures and issues arising

Other Council Service Providers

- Contractors & New service delivery models
- Risk that workers are not aware of their rights or how to report concerns
- NAO recommendations:
 - * Share own policies and procedures with delivery partners
 - * Review delivery partners' arrangements
 - * Seek information from delivery partners to oversee issues and risks

(NAO report, March 2014)

Best Practice Guidance

Public Concern at Work ('PCAW')

- Recommended Code of Practice (2013)

http://www.pcaw.org.uk/files/PCaW_COP_FINAL.pdf

- First 100 Campaign

Department for Business Innovation & Skills

- Guidance for Employers and Code of Practice (March 2015)

- <https://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>

Cardiff's approach

- Standards & Ethics Committee has responsibility:
“To oversee and monitor the Council’s whistleblowing procedures and to consider ethical issues arising”
- Revised Policy and Procedure approved by Cabinet in October 2014
- Communications plan – posters in all Council buildings and leaflets for all staff and managers
- Monitoring Officer records cases and reports regularly to Standards & Ethics Committee

Wrexham's approach

- Standards Committee has responsibility for: “Overseeing the Council's Whistleblowing regime”
- Revised Policy and Procedure approved by Council in February 2015
- Communications plan – published on Council's intranet SAM, Friday Bulletin, management briefings
- Monitoring Officer records cases and reports annually to Standards Committee

Discussion

- What does your authority do?
- How is it being communicated?
- Who is responsible for monitoring?
- How many whistleblowing reports were made this year?
- Role of your Standards Committee?