

SLOUGH BOROUGH COUNCIL

REPORT TO: Audit & Corporate Governance Committee

DATE: 8 March 2018

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WARD(S): All

PART I **FOR INFORMATION**

SCHEDULE OF ACTIVITY – WHISTLEBLOWING COMPLAINTS

1 **Purpose of Report**

The purpose of this report is to update members of the Committee on the activity undertaken by the Council's Monitoring Officer in relation to Complaints received under the Confidential Whistleblowing Code.

2 **Recommendation(s)/Proposed Action**

The Committee is requested to note details of the report.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

The delivery of all these strategic priorities is dependent on the highest possible standards of openness, honesty and accountability. This is underpinned by The Confidential Whistleblowing Code and good governance arrangements being in place.

4 **Other Implications**

(a) **Financial**

There are no financial implications arising from this report.

(b) **Human Rights Act and Other Legal Implications**

The law relating to Whistleblowing is contained in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998).

(c) **Equalities Impact Assessment**

There is no identified need for an EIA arising from the subject matter of this Report.

5 Supporting Information

- 5.1. The Committee at its meeting on 11 October 2017 received a report on the number and status of recent and current whistleblowing complaints and investigations. An update is provided at paragraph 5.1.4 below.
- 5.2 The Confidential Whistleblowing Blowing Code was reviewed and a revised code was incorporated into the Constitution in May 2017. “Whistleblowing” is the tem used when an employee passes on information concerning wrongdoing. The Council’s Whistleblowing Code also applies to members of the public.
- 5.3 The Code aims to encourage people to use the process with confidence so that legitimate concerns can be raised and addressed by the Authority so that standards can be improved within the organisation.
- 5.4 The following table sets out summary details of whistleblowing complaints since the last report to the Committee on this matter on 11 October 2017, their subject matter, actions taken and the outcome.

Ref	Complainant	Subject Matter	Action	Outcome
2017/E	Anonymous health worker employed by the Council’s incumbent contractor raised a whistleblowing complaint concerning the Council’s intention to award the contract, upon its expiry, to a new provider instead of to the incumbent provider following a tender process. The complainant questioned the competency of the proposed new contractor and stated the proposed award of the contract would endanger life.	Procurement of a new Public Health contract	The incumbent contractor itself raised the same concerns as their anonymous employee and issued proceedings in the High under the Public Contracts Regulations in order to obtain an automatic stay of the award of the contract by doing so. Eventually, through negotiations with the incumbent Contractor’s Solicitors those proceeding were withdrawn and the incumbent contractor paid the Council’s	No action was taken upon the Complaint because as part of dealing with the court proceedings it was possible to consider there merits of the complaint and to be satisfied that there was no cause for concern. The contract was awarded to the new contractor as part of the procurement process.

			costs. As part of the settlement the incumbent contractor was given the opportunity to meet with the Council's Head of Service to satisfy itself as to its concerns.	
2017/F	Anonymous complaint	Complaint alleges financial irregularities at a maintained school.	Investigations in to the complaint are being conducted at present.	Pending

6. **Conclusion**

Two Whistleblowing complaints have been received since the last report to the Committee. One raises no concerns meriting further investigation and the second is pending investigation.

7. **Background Papers**

None.