

# Crawley Borough Council

## Report to Cabinet 6 July 2022

### Whistleblowing Policy

Report of the Head of Corporate Finance – FIN/574

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#### 1. Purpose

- 1.1 To request approval for the adoption of the revised Whistleblowing Policy in appendix A

#### 2. Recommendations

- 2.1 To the Cabinet

The Cabinet is recommended to:

- a) Approve the Whistleblowing Policy (Appendix A) for adoption and subsequent publication.
- b) Delegate authority to the Head of Corporate Finance, in consultation with the Leader, to review and make minor amendments to the Whistleblowing Policy as further changes to legislation and statutory guidance are introduced. (*Generic Delegation 7 will be used to enact this recommendation*).

#### 3. Reasons for the Recommendations

- 3.1 To fulfil the Council's duty to review and publish a policy regarding the Whistleblowing and the Public Interest Disclosure Act 1998.

#### 4. Background

- 4.1 This policy (Appendix A) seeks to provide a process that gives anyone with a concern about the Council the confidence to bring that concern to its attention.
- 4.2 The Council operates within legal requirements and regulations and expects its employees to co-operate in this by adhering to all laws, regulations, policies and procedures. Any employee becoming aware of inappropriate conduct is obliged and encouraged to report this activity. This policy also applies to contractors, consultants, partners, agency staff, volunteers and other stakeholders including Councillors.

#### 5. Description of Issue to be resolved

- 5.1 The Council's existing Whistleblowing Policy was published in 2018. A review was carried out in 2022 and it was decided that an updated policy would be drafted based on that review.
- 5.2 The draft Whistleblowing Policy at Appendix A was prepared following the 2022 review and it is proposed that it will, if adopted, replace the Council's existing Whistleblowing Policy and would apply to all staff, members, consultants, partners, agency staff and contractors of Crawley Borough Council.

- 5.3 The main changes that have been made from the existing policy in 2018 are:
- Removing management names leaving the post title only
  - Removing the name of the chair of the Audit Committee to leave title only
  - Updating the details of where to seek independent advice

## **6. Information & Analysis Supporting Recommendation**

- 6.1 The Policy is based on the Whistleblowing and Public Interest Disclosure Act 1998 and the Council must fully comply with this legislation.
- 6.2 The Whistleblowing Policy explains how concerns should be raised (and to whom) and what disclosure are protected under the legislation.
- 6.3 Further guidance is given where external advice may be sought over the decision to Whistleblow.

## **7. Implications**

- 7.1 Staffing – There are no direct staffing implications associated with implementing the Whistleblowing Policy
- 7.2 Financial – There are no financial implications associated with implementing the Whistleblowing Policy.
- 7.3 Legal - Adoption of the Whistleblowing Policy fulfils the Council's duty to have such a policy in place.
- 7.4 Equalities Impact Assessment. There are no impacts of note with implementing the Whistleblowing Policy.

## **8. Background Papers**

[Public Interest Disclosure Act 1998 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

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