

3. **CONFIDENTIAL REPORTING POLICY (EWJ/A.111)**

Proposal

1 This report proposes the adoption of a Confidential Reporting Policy.

2 **RECOMMENDATION:**

1. **That the Confidential Reporting Policy as set out in Annex 1 to the report be adopted.**
2. **That the employment contracts of all staff be amended to include reference to the Policy in the Employees Code of Conduct.**

Policy/Legal Background

3 The Public Interest Disclosure Act 1998, which is incorporated into the Employments Rights Act 1996 protects employees, including contractors and suppliers, when making disclosures about certain matters of concern, where those disclosures are made in accordance with the Act's provisions.

4 The Audit Commission recommend that all local authorities should adopt a Confidential Reporting Policy, sometimes known as a "Whistleblowing Policy".

5 This work contributes to achieving Key Corporate Action K1: ensuring value for money, sustainability and high standards of corporate governance in the way we deliver services.

Key Issues

6 This Policy provides a framework for concerns to be raised 'in-house' and in good faith by employees contractors and suppliers without fear of victimisation, subsequent discrimination or disadvantage.

7 The Policy cannot apply to Authority Members or members of the public. Other avenues are available to raise any concerns e.g. the Authority's formal complaints procedure.

8 Where matters of concern are raised internally there is protection from harassment, victimisation, disciplinary action or dismissal or any other disadvantage at work (even if the disclosure of any wrongdoing or malpractice is not substantiated after investigation), provided the issues were raised or disclosed in good faith.

9 The CIPFA Framework for Delivering Good Governance 2007 defines the principles that should underpin the governance of local government bodies and provides a structure to help authorities review their existing governance arrangements.

10 The Authority is required to publish an annual governance statement in accordance with the Framework to meet the statutory requirements of the Accounts and Audit (Amendment) (England) Regulations 2006. This replaces previous year's Statement of Internal Controls.

11 Implementation of the policy, together with the Anti Fraud and Corruption Policy, will help to strengthen the Authority's corporate governance and will contribute to the Authority's compliance with the principles and requirements of good governance set out in the CIPFA Framework.

12 The policy applies to all staff. Adoption of the Policy will mean incorporation within the terms and conditions of employment of all staff.

APPENDIX

Background

- 1 See main report and introductory paragraphs in Annex 1

Resources

- 2 The adoption of the policy will not have any significant resource implications.

Risk Management

- 3 The Policy encourages employees to feel confident in raising concerns in good faith in the knowledge that there are safeguards against victimisation and harassment. Such protection should lessen the risk of concerns not being reported.

Human Rights, Equalities, Health & Safety

- 4 There are no issues that arise out of the proposal.

Consultees

- 5 The Chief Executive, Directors, Chief Finance Officer, Heads of Service, Unison and Staff Committee have been consulted on the draft policy.

Enclosures

- 6 Annex 1 – Confidential Reporting Policy.

List of Background Papers (not previously published)

- 7 None

Report Author

- 8 Eugene Judge Democratic Services Manager.

Publication date

- 9 15 May 2008.