

## WEST DUNBARTONSHIRE COUNCIL

### Report by Strategic Lead - Resources

**Audit Committee: 25 September 2019**

**Subject: Public Interest Disclosures and other Internal Audit Investigations  
1 January to 30 June 2019**

#### **1. Purpose**

- 1.1** The purpose of this report is to advise Committee of the outcome of investigations into allegations and disclosures in line with public interest disclosure and business irregularities policies received by Internal Audit between 1 January to 30 June 2019.

#### **2. Recommendations**

- 2.1** It is recommended that Members note the content of this report.

#### **3. Background**

- 3.1** A disclosure in the public interest is where a concern is raised by a Council employee about a danger or illegality that has a public interest aspect to it. A confidential reporting facility is managed by Internal Audit as part of the WDC Public Interest Disclosure Policy. Internal Audit maintains a central record of all concerns raised under the Public Interest Disclosure Policy. All such disclosures are investigated by Internal Audit, including liaising with Services and HR as appropriate
- 3.2** Members of the public can also contact Internal Audit to raise issues of concern and such matters are investigated as appropriate, although they are not regarded as public interest disclosures in terms of legislation.

#### **4. Main Issues**

##### Public Interest Disclosure Cases

- 4.1** Two cases recorded as outstanding in the previous report, submitted to committee on 20 March 2019, have been progressed as detailed below:

<b>Ref</b>	<b>Date Received</b>	<b>Detail</b>	<b>Status</b>
1.	27.10.18	Allegation of inappropriate working practices.	Investigation in progress – report being finalised with management.
2.	12.11.18	Allegation of inappropriate behaviour by an employee.	Complete - investigation by management and HR concluded that the allegations

			were founded and the employee was dismissed.
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**4.2** Five disclosures were received during the period January 2019 to June 2019 as follows:

<b>Ref</b>	<b>Date Received</b>	<b>Detail</b>	<b>Status</b>
1.	11.1.19	Allegation of inappropriate behaviour by an employee.	Investigation by management and HR concluded that the allegations were founded and the employee was dismissed.
2.	5.3.19	Allegation that employee is making improper use of Council materials and assets.	Investigation in progress.
3.	9.4.19	Alleged concealment of client information by service.	Complete – unfounded. All relevant processes were being followed.
4.	12.4.19	Allegation that excessive and unnecessary repair works were carried out at a Council house.	Complete – unfounded.
5.	9.5.19	Allegations about the provision and serving of school meals at a Council school.	Complete – unfounded.

**4.3** Activity relating to public interest disclosure for recent reporting periods is as follows:

<b>Period</b>	<b>No. of Cases</b>
1 <sup>st</sup> January 2016 to 30 <sup>th</sup> June 2016	4
1 <sup>st</sup> July 2016 to 31 <sup>st</sup> December 2016	6
1 <sup>st</sup> January 2017 to 30 <sup>th</sup> June 2017	1
1 <sup>st</sup> July 2017 to 31 <sup>st</sup> December 2017	7
1 <sup>st</sup> January 2018 to 30 <sup>th</sup> June 2018	2
1 <sup>st</sup> July 2018 to 31 <sup>st</sup> December 2018	3
1 <sup>st</sup> January 2019 to 30 <sup>th</sup> June 2019	5

Other investigations

**4.4** One case recorded as outstanding in the previous report, submitted to committee on 20 March 2019, has been progressed as detailed below:

<b>Ref</b>	<b>Date Received</b>	<b>Detail</b>	<b>Status</b>
1.	28.11.18	Ordering / Invoicing error	Complete – report issued and

		in Building Services.	the agreed actions are included within the papers for this Audit Committee.
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**4.5** A total of 14 cases were received by Internal Audit during the period January 2019 to June 2019 as follows:

<b>Ref</b>	<b>Date Received</b>	<b>Detail</b>	<b>Status</b>
1.	30/1/19	Allegations of theft from Council clients.	Complete - allegations were founded and the employee was dismissed.
2.	15.2.19	Allegations in relation to inappropriate disposal of generators from the Garshake site.	Complete - specific allegations unfounded, though one improvement action agreed with management - see further Audit Action Plans report.
3.	20.2.19	Allegations in relation to the purchase and development of land by WDC and the misuse of materials.	Complete – unfounded.
4.	25.2.19	Allegations in relation to drug taking whilst at work.	Complete – unfounded.
5.	27.2.19	Allegations of mismanagement of staffing issues within a Council service.	Complete – unfounded.
6.	3.4.19	Allegations that Council vehicle was being used to dispose of non-Council materials.	Complete – founded. Employee warned as to future conduct.
7.	3.5.19	Allegations of malpractice by a teacher in relation to a SQA exam syllabus.	Complete – unfounded.
8.	7.5.19	Allegations of misuse of Council vehicle and inappropriate behavior towards a member of the public.	Investigation in progress.
9.	8.5.19	Allegations that the value of Council works were improperly increased to cover for works done at an employee's property.	Complete – unfounded.
10.	16.5.19	Allegations that an employee is indulging in	Complete – unfounded.

		anti social behaviour.	
11.	30.5.19	Allegations that an elected member has not declared an interest relation to an association with a company and being given preferential treatment for business related with WDC.	Complete – unfounded.
12.	9.5.19	Allegations that a contractor is overpricing jobs and materials by up to 100%, with Council employees involved.	Complete – unfounded.
13.	3.6.19	Concerns re non adherence to financial guidelines by a Community Council.	Investigation still in progress.
14.	3.6.19	Missing cash at a Council school.	Investigated by management, unfounded.

**4.6** Activity relating to other investigation cases for recent reporting periods is as follows:

<b>Period</b>	<b>No. of Cases</b>
1 <sup>st</sup> January 2017 to 30 <sup>th</sup> June 2017	3
1 <sup>st</sup> July 2017 to 31 <sup>st</sup> December 2017	5
1 <sup>st</sup> January 2018 to 30 <sup>th</sup> June 2018	5
1 <sup>st</sup> July 2018 to 31 <sup>st</sup> December 2018	4
1 <sup>st</sup> January 2019 to 30 <sup>th</sup> June 2019	14

**5. People Implications**

**5.1** There are no personnel implications with this report.

**6. Financial and Procurement Implications**

**6.1** There are neither financial nor procurement implications with this report.

**7. Risk Analysis**

**7.1** There are risks to the Council in financial, legal, operational and reputational terms of not providing a service to enable a disclosure in the public interest and to ensure that all public interest disclosure and other concerns raised with Internal Audit are properly investigated.

## **8. Equalities Impact Assessment (EIA)**

**8.1** There is no requirement to undertake an equality impact screening.

## **9. Consultation**

**9.1** This report has been subject to consultation with appropriate Strategic Leads.

## **10. Strategic Assessment**

**10.1** The Public Interest Disclosure Policy and Business Irregularity Procedures contribute to the Council's strategic priorities by ensuring that early warnings of malpractice may mitigate the extent of financial losses to the Council, contribute to better asset management by utilising employees to manage risks to the organisation's reputation and support fit for purpose services through the continuation and promotion of robust employment practice.

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**Stephen West**  
**Strategic Lead - Resources**  
**Date: 11 September 2019**

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<b>Appendix:</b>	None
<b>Background Papers:</b>	Public Interest Disclosure Policy agreed by the Corporate Services Committee on 13 August 2014; Business Irregularity Procedures
<b>Wards Affected:</b>	All