

## WEST DUNBARTONSHIRE COUNCIL

### Report by Chief Officer - Resources

Audit Committee: 21 February 2024

**Subject: Public Interest Disclosures and other Internal Audit Investigations  
19 July 2023 to 24 January 2024**

#### 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 19 July 2023 and 24 January 2024.

#### 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 There were 7 outstanding cases from the previous report to Audit Committee on 9 August which require an update to this meeting.

Ref/ Date	Service Area	Detail	Status
15/0223 15.2.23	Housing and Employability	Allegation of misuse of council vehicle and resources.	Investigation complete. No fraud detected however advice provided to management.
18/0323 07/0523 10/0623 15.3.23	Housing and Employability	Allegation of misuse of resources and facilities.	Investigation complete. No fraud or irregularity identified however a number of control improvements were identified and reported to management.

21/0323 41/1223  15.3.23	Housing and Employability	Allegation that employee was off sick but running own business.	Investigation is ongoing. Further referral received in December 2023 with additional information - reference 41/1223.
03/0523  4.5.23	Housing and Employability	Allegation of misappropriation of council materials.	Investigation is ongoing.
12/0623  1.6.23 29.6.23	Housing and Employability	Allegation that employee was drunk on duty.	Closed - referred to service and advice provided.
14/0723  4.7.23	Roads and Neighbourhood	Allegation that employee was smoking whilst working.	Closed - unable to substantiate allegation due to lack of vehicle tracking information.
16/0723  13.7.23	Housing and Employability	Allegation of misuse of Council vehicle and resources.	Investigation is ongoing.

**4.2** There were 10 new disclosures received during the period 19 July 2023 to 24 January 2024 as follows:

<b>Ref/ Date</b>	<b>Service Area</b>	<b>Detail</b>	<b>Status</b>
17/0723 20/0723  19.7.23 3.8.23	Citizen, Culture and Communications	Allegation of inappropriate behaviour.	Investigation is ongoing.
18/0723  27.7.23	Housing and Employability	Misuse of Council vehicle.	Investigation is ongoing.
19/0823  1.8.23	Citizen, Culture and Communications	Allegation of inappropriate behaviour.	Closed – unfounded.
22/0823 23/0823 24/0823  10.8.23	Housing and Employability	Allegation of inappropriate allocation of work.	Closed – incorporated into audit work already being undertaken in this area.
27/0823  29.8.23	HSCP	Allegation that employees failed to follow standard operating procedures.	Closed – referred to management. Management report received with recommended actions which are being taken forward.

34/1023 11.10.23	Housing and Employability	Allegation that criminal conviction has not been disclosed by agency worker.	Closed – HR/Service confirmed that agency is responsible for safe recruitment checks and post does not require PVG/disclosure.
36/1023 29.10.23	Education	Allegation of fraudulent placing request.	Closed – referred to Service. Management investigation concluded that this was not a placing request and that relevant procedures and policy were followed.
37/1023 30.10.23	Housing and Employability	Allegation of drug misuse by employee whilst at work.	Closed. Referred to service. Management investigation concluded no evidence to support allegation but reminder has been issued to all employees within the Service regarding Code of Conduct and No Smoking Policy.
43/1223 25.12.23	Education	Allegation that standard procedures are not being followed.	Referred to Service. Investigation is ongoing.
44/0124 19.01.24	Housing and Employability	Alleged theft of Council materials.	Investigation is ongoing.

**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 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
1 <sup>st</sup> July 2019 to 30 <sup>th</sup> June 2020	8
1 <sup>st</sup> July 2020 to 31 <sup>st</sup> December 2020	4
1 <sup>st</sup> January 2021 to 18 <sup>th</sup> August 2021	15
19 <sup>th</sup> August 2021 to 31 <sup>st</sup> January 2022	7
1 <sup>st</sup> February 2022 to 15 <sup>th</sup> July 2022	7
16 <sup>th</sup> July 2022 to 18 <sup>th</sup> January 2023	5
19 <sup>th</sup> January to 18 <sup>th</sup> July 2023	19
19 <sup>th</sup> July 2023 to 24 <sup>th</sup> January 2024	10

#### Other investigations (non-PIDA)

- 4.4** There were 10 other referrals received/investigated by Internal Audit during the period 19 July 2023 to 24 January 2024:

<b>Ref/ Date</b>	<b>Service Area</b>	<b>Detail</b>	<b>Status</b>
09/0623 11/0623  13.6.23	Roads and Neighbourhood	Allegation of victimisation.	Investigation is ongoing.
26/0823 40/1123  29.8.23 20.11.23	Roads and Neighbourhood	Allegation of misuse of Council facilities and resources for personal gain.	Closed – unable to investigate due to lack of evidence, however summary findings issued to management with recommendations to prevent similar allegations in the future.
28/0723  9.9.23	Education	Allegation of inappropriate behaviour by employee.	Closed – limited information provided however referral made to Service for awareness.
31/0923  25.9.23	HSCP	Allegation of inappropriate behaviour by members of staff and payment irregularities.	Closed – referred to service. Management investigation concluded and actions put in place to remind staff of expected behaviours.
32/0923  28.9.23	Regulatory and Regeneration	Allegation that staff have not followed standard procedures.	Closed – unfounded.
33/1023  9.10.23	Housing and Employability	Allegation that employees are sitting in vans reading newspapers for excessive periods of time.	Ongoing - Referred to Service.
35/1023  20.10.23	Roads and Neighbourhood	Allegation that Council vehicle is parked outside a residential property most days.	Closed – unfounded.
38/1123  3.11.23	Housing and Employability	Theft of Council Resources	Investigation is ongoing.
39/1123  19.11.23	Housing and Employability	Allegation of anti- social behaviour and drug misuse.	Referred to Service and investigated. Allegation unfounded – no further

			action required.
42/1223 19.11.23	Roads and Neighbourhood	Allegation that staff are receiving additional payments which are not in line with policy.	Investigation is ongoing.

- 4.5** Activity relating to other investigation referrals 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
1 <sup>st</sup> July 2019 to 30 <sup>th</sup> June 2020	8
1 <sup>st</sup> July 2020 to 31 <sup>st</sup> December 2020	2
1 <sup>st</sup> January 2021 to 18 <sup>th</sup> August 2021	1
19 <sup>th</sup> August 2021 to 31 <sup>st</sup> January 2022	2
1 <sup>st</sup> February 2022 to 15 <sup>th</sup> July 2022	2
16 <sup>th</sup> July 2022 to 18 <sup>th</sup> January 2023	5
19 <sup>th</sup> January to 18 <sup>th</sup> July 2023	0
19 <sup>th</sup> July 2023 to 24 <sup>th</sup> January 2024	10

- 4.6** A new follow up process has been put in place to ensure recommendations made have been implemented.

## **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 Chief Officers.

## 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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**Laurence Slavin**  
**Chief Officer - Resources**  
**Date: 24 January 2024**

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<b>Person to Contact:</b>	Andi Priestman, Shared Service Manager – Audit & Fraud Email: <a href="mailto:andi.priestman@west-dunbarton.gov.uk">andi.priestman@west-dunbarton.gov.uk</a>
<b>Appendix:</b>	None
<b>Background Papers:</b>	Public Interest Disclosure Policy; Business Irregularity Procedures
<b>Wards Affected:</b>	All