

WEST DUNBARTONSHIRE COUNCIL

Report by Executive Director of Corporate Services

Audit & Performance Review Committee: 27 February 2013

Subject: Public Interest Disclosures for the period 1st October 2012 to 31st December 2012

1. Purpose

- 1.1** The purpose of this report is to advise Committee of the level of public interest disclosures received during the period 1st October 2012 to 31st December 2012.

2. Recommendations

- 2.1** It is recommended:
- (a) that Members are asked to note this report.
 - (b) that the frequency of reporting Public Interest Disclosures to Committee be on a 6 monthly cycle.

3. Background

- 3.1** West Dunbartonshire Council (WDC) has had a Confidential Reporting Policy since 2000. This policy was updated in November 2012 and renamed Public Interest Disclosure Policy as approved by the Corporate Services Committee on 14th November 2012.
- 3.2** A disclosure in the public interest is where an employee has a concern about a danger or illegality that has a public interest aspect to it. Council procedures provide employees 4 reporting routes:
- Disclosure to Line Manager
 - Disclosure to Line Manager's Manager or other appropriate Senior Manager
 - Disclosure to Internal Audit
 - Disclosure to External Regulating Body
- 3.3** Internal Audit maintains a central record of all concerns raised under the Public Interest Disclosure Policy.
- 3.4** A confidential reporting facility (formally known as whistleblowing) which has been operational since March 2006 to support the former WDC Confidential Reporting policy continues to be managed by Internal Audit as part of the of the WDC Public Interest Disclosure Policy.

4. Main Issues

- 4.1** A qualifying disclosure is a concern about malpractice. This includes concerns such as:
- Criminal offences (such as fraud or corruption)

- A failure to comply with a legal obligation including statutory code of Practice
- A miscarriage of justice
- Threats to an individual's health and safety
- Damage to the environment
- Unethical conduct
- A deliberate attempt to cover up any of the above.

4.2 A total of 3 disclosures were received during the period October 2012 to December 2012 as summarised below:

<u>Date Received</u>	<u>Detail</u>	<u>Date completed</u>	<u>Outcome</u>
18.10.12	Allegation of a breach of the Council's Recruitment & Selection Policy.	30.11.12	Founded. Report issued to department for action.
07.11.12	Allegation of a breach of health and safety.	04.12.12	Founded. Report issued to department for action.
22.11.12	Allegation of a potential failure to comply with a legal obligation including statutory code of practice.	13.12.12	Unfounded

4.3 There has been a considerable drop in the number of reported disclosure cases received. In the period April'12 to Dec'12 only 7 cases were reported compared to 31 cases in the period April'11 to Dec'11 and 30 cases in the April'10 to Dec'10. Therefore consideration should be given to reducing the frequency of reporting disclosures to Committee from quarterly to half yearly.

5. People Implications

5.1 There are no personnel implications with this report.

6. Financial Implications

6.1 There are no financial implications.

7. Risk Analysis

7.1 There are risks to the Council in financial, legal, operational and reputation terms of not proving a service to enable employees make disclosures in the public interest.

8. Equalities Impact Assessment (EIA)

8.1 An EIA was undertaken at the time the policy was updated and identified no negative impact.

9. Consultation

9.1 This report has been subject to a check by Legal, Democratic and Regulatory Services.

10. Strategic Assessment

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

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Date: January 2013

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Appendices:	None
Background Papers:	The Public Interest Disclosure Policy approved by the Corporate Services Committee on 14 th November 2012.
Wards Affected:	All