

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead - Resources

Audit Committee: 20 March 2019

**Subject: Public Interest Disclosures and other Internal Audit Investigations
1 July to 31 December 2018**

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 July to 31 December 2018.

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 26 September 2018, have been progressed as detailed below:

| Ref | Date Received | Detail | Outcome |
|------------|----------------------|--|---|
| 1. | 14.11.17 | Concerns raised about fire alarms in Council premises. | Reported to Audit Committee in December 2018. |
| 2. | 17.5.18 | Allegation of theft by Council employee. | Investigated – unfounded. |

4.2 Three disclosures were received during the period July 2018 to December 2018 as follows:

| Ref | Date Received | Detail | Outcome |
|------------|----------------------|---|--|
| 1. | 12.9.18 | Allegation that employee is working in a non-Council job whilst off sick from Council post. | The employee was working in another job whilst off sick from their WDC role but there were specific reasons for this of which management were aware. The employee subsequently returned to work. |
| 2. | 12.11.18 | Allegation of sexual harassment by an employee. | Investigation by management and HR still in progress. |
| 3. | 27.10.18 | Allegation of inappropriate working practices in a service area. | Investigation still in progress. |

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

| Period | No. of Cases |
|---|---------------------|
| 1 st July 2015 to 31 st December 2015 | 8 |
| 1 st January 2016 to 30 th June 2016 | 4 |
| 1 st July 2016 to 31 st December 2016 | 6 |
| 1 st January 2017 to 30 th June 2017 | 1 |
| 1 st July 2017 to 31 st December 2017 | 7 |
| 1 st January 2018 to 30 th June 2018 | 2 |
| 1 st July 2018 to 31 st December 2018 | 3 |

Other investigations

4.4 Three cases recorded as outstanding in the previous report, submitted to committee on 26 September 2018, have been progressed as detailed below:

| Ref | Date Received | Detail | Outcome |
|------------|----------------------|--|--|
| 1. | 8.3.18 | Concerns re payment of professional subscriptions. | An investigation by management established that some professional subscriptions had been paid by WDC which should be borne by individual employees. These are being recovered via payroll. |

| | | | |
|----|---------|--|---|
| 2. | 27.6.18 | Allegation of theft of dinner money at school. | Investigated – unfounded. Education are being asked to review the process for recording the late payment of dinner money. |
| 3. | 28.6.18 | Allegation of misuse of school funds. | Investigated – unfounded. |

4.5 A total of four cases were received by Internal Audit during the period July 2018 to December 2018 as follows:

| Ref | Date Received | Detail | Outcome |
|------------|----------------------|--|--|
| 1. | 10.8.18 | Concerns re malpractice by a WDC employee prior to their employment. | Investigated – no concerns in relation to WDC. |
| 2. | 29.8.18 | Owner of WDC sold property concerned about need for repair work. | Investigated – unfounded. |
| 3. | 18.9.18 | Terminated employee continued to be paid. | On investigation it was established that the former employee was overpaid. Steps are being taken to recover this amount. |
| 4. | 28.11.18 | Ordering / Invoicing error in Building Services. | Investigation still in progress. |

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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Date: 4 March 2019

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Appendices: None

Background Papers: Public Interest Disclosure Policy agreed by the
Corporate Services Committee on 13 August 2014;
Business Irregularity Procedures

Wards Affected: All