

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer - Resources

Audit Committee: 10 August 2022

**Subject: Public Interest Disclosures and other Internal Audit Investigations
1 February to 15 July 2022**

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 February and 15 July 2022.

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 5 outstanding cases reported in the previous report submitted to committee on 2 March 2022, now progressed as detailed below:

Ref	Date Received	Detail	Status
11/22	15/9/21	Allegation that a member of staff in an education establishment is involved in substance abuse whilst at work.	Investigation concluded. The allegation was included as part of a wider investigation and there was no evidence found to substantiate the claim. All employees were reminded

			of the code of conduct and nothing further has been raised.
12/22	17/9/21	Allegation that a member of staff in an education establishment is involved in substance abuse whilst at work.	Linked to 11/22.
15/22	1/12/21	Allegation that an employee attended work with Covid-19 symptoms and subsequently tested positive.	Investigation concluded. Recommendations made to management to improve control environment and to refer case to HR for separate investigation into breach of Covid-19 protocols.
18/22	8/12/21	Allegation that an employee attended work with Covid-19 symptoms and subsequently tested positive.	Linked to 15/22.
19/22	18/12/21	Allegation of theft of council materials.	Investigation concluded. No fraud identified however some recommendations were made to improve the control environment and reduce the risk of similar allegations in the future.

4.2 There were 7 disclosures received during the period 1 February and 15 July 2022 as follows:

Ref	Date Received	Detail	Status
21/22	10/2/22	Allegation that work was given to external contractor when it could have been carried out in house.	Investigation concluded. No fraud or irregularity identified.
22/22	11/2/22	Allegation that Council workers are carrying out work at a private property using a Council Van.	Investigation concluded. No fraud or irregularity identified.
24/22	17/2/22	Allegation that an employee at an Education establishment is leaving work early with the agreement of the supervisor.	Investigation concluded. No irregularity identified however recommendations were made to improve the control environment and reduce the risk of similar allegations in the future.

26/22	8/3/22	Allegations that an employee is off sick but still working for another local authority.	Investigation concluded. Evidence from other local authority confirms employment with them whilst off sick with West Dunbartonshire Council. Recommendation for service to contact HR to instigate separate disciplinary investigation.
27/22	18/3/22	Allegations that an employee is using a Council vehicle for personal use.	Investigation concluded. It was identified that the employee identified was visiting the property excessively during working hours. The employee was an agency worker and the contract has been terminated.
01/23	23/5/22	Car park at education establishment blocked off and not available to public. Disabled parking bay was occupied by vehicle not displaying Blue Badge and relative of child attending establishment was unable to access disabled bay.	Investigation concluded by Education Services. Allegation partially substantiated. Staff/parents/carers have been reminded not to park in this bay unless they have a valid blue badge.
02/23	26/5/22	Allegations that a newly appointed employee had made false statements on employment application and CV.	Investigation concluded. Allegation unfounded.

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

Period	No. of Cases
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
1 st January 2019 to 30 th June 2019	5
1 st July 2019 to 30 th June 2020	8
1 st July 2020 to 31 st December 2020	4
1 st January 2021 to 18 th August 2021	15
19 th August 2021 to 31 st January 2022	7
1 st February 2022 to 15 th July 2022	7

Other investigations

- 4.4 A total of 2 cases were received by Internal Audit during the period 1 February to 15 July 2022 as follows:

Ref	Date Received	Detail	Status
20/22	6/2/22	Allegations of not adhering to current covid guidance and lack of child safety procedures.	Referred to Education Services. Fully investigated and allegation unfounded.
25/22	17/2/22	Allegation that an employee at an education establishment is off sick and still running own business.	Preliminary investigations have identified that the allegation appears to be malicious. No further action required.

- 4.5 Activity relating to other investigation cases for recent reporting periods is as follows:

Period	No. of Cases
1 st January 2017 to 30 th June 2017	3
1 st July 2017 to 31 st December 2017	5
1 st January 2018 to 30 th June 2018	5
1 st July 2018 to 31 st December 2018	4
1 st January 2019 to 30 th June 2019	14
1 st July 2019 to 30 th June 2020	8
1 st July 2020 to 31 st December 2020	2
1 st January 2021 to 18 th August 2021	1
19 th August 2021 to 31 st January 2022	2
1 st February 2022 to 15 th July 2022	2

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
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Date: 15 July 2022

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Appendix: None

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

Wards Affected: All