

**WEST DUNBARTONSHIRE COUNCIL****Report by Chief Officer - Resources****Audit Committee: 15 February 2023**

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**Subject: Public Interest Disclosures and other Internal Audit Investigations  
16 July 2022 to 18 January 2023**

**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 16 July 2022 and 18 January 2023.

**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 no outstanding cases from the previous report to Audit Committee on 10 August which required an update to this meeting.

**4.2** A new follow up process has been put in place to ensure recommendations made have been implemented. A service response is expected within 4 weeks of the follow up request. A number of follow up exercises have now been carried out as follows:

<b>Ref</b>	<b>Date Issued</b>	<b>Detail</b>	<b>Follow Up Status</b>
03/22	28/1/22	Allegation that an individual is stealing fuel and removing rubbish from shops in Clydebank in return for cigarettes as payment using Council vehicle.	1 of 3 recommendations fully implemented. The other 2 recommendations have been included in audit action plan relating to vehicle tracking system audit.
06/22	1/2/22	Allegation of personal use of a council vehicle by employee.	1 of 2 recommendations complete. Outstanding recommendation has been included in audit action plan relating to vehicle tracking system audit.
08/22	1/2/22	Allegation that employee leaves work early on a regular basis.	All recommendations fully implemented.
15/22	2/11/22	Allegation that an employee attended work with Covid-19 symptoms and subsequently tested positive.	3 out of 5 recommendations have been implemented. The remaining actions are on track to be completed by April 2023.
19/22	17/1/23	Allegation of theft of council materials.	Response not yet due.
26/22	2/11/22	Allegations that an employee is off sick but still working for another local authority.	Service response received. Employee resigned from the Council. All recommendations implemented.

**4.3** There were 5 new disclosures received during the period 16 July 2022 to 18 January 2023 as follows:

<b>Ref/ INV</b>	<b>Date Received</b>	<b>Detail</b>	<b>Status</b>
05/ 1122	24/10/22	Allegation that employee was working for another organisation whilst suspended.	Investigation complete. External referral to Police Scotland.
06/ 1122	16/11/22	Allegation of misuse of council vehicle and council materials for personal use.	Investigation complete. No fraud established.
07/ 1122	17/11/22	Linked to INV/05/1122	N/A
08/	12/12/22	Alleged breach of code of	Investigation complete. No

1222		conduct.	irregularity identified.
09/0123	4/1/23	Allegation of unfair recruitment practices.	Ongoing investigation.

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

Period	No. of Cases
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

#### Other investigations

**4.5** A total of 5 new referrals were received by Internal Audit during the period 16 July 2022 to 18 January 2023 as follows:

Ref	Date Received	Detail	Status
04/23	19/10/22	Missing laptop	Investigation complete. Laptop remains missing. Report issued to management with recommendations to strengthen the control environment.
01/1122	14/11/22	Breach of ICT security policy	Investigation complete. No fraud or irregularity identified. Recommendations made to raise staff awareness.
02/1222	02/12/22	Allegation that employee is working elsewhere whilst on sickness absence.	Investigation complete. Unable to fully substantiate allegations. Alleged other employer confirmed employee left their employment in 2021.
03/0123	16/1/23	Allegation that employee was running a business whilst being off sick.	Ongoing investigation.
04/0123	16/1/23	Allegation that employee was on holiday whilst being off sick.	Ongoing investigation.

- 4.6** 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

## **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: 18 January 2023**

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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