

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead - Resources

Audit Committee: 16 September 2020

**Subject: Public Interest Disclosures and other Internal Audit Investigations
1 July 2019 to 30 June 2020**

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 2019 to 30 June 2020.

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 was one outstanding case reported in the previous report submitted to committee on 25 September 2019, which has been progressed as detailed below:

Ref	Date Received	Detail	Status
PID 11/19	5.3.19	Allegation that employee is making improper use of Council materials and assets.	Closed - unfounded.

4.2 There were 8 disclosures received during the period 1 July 2019 to 30 June 2020 as follows:

Ref	Date Received	Detail	Status
20/20	26/8/19	Allegation that staff were using drugs whilst working.	Closed – unfounded.
21/20	31/8/19	Misuse of Council vehicle.	Closed – unfounded.
22/20	3/10/19	Misuse of Council vehicle.	Closed – unfounded.
23/20	12/10/19	Allegation that materials are being misappropriated by a member of staff and sold on.	Investigation complete. Draft report being prepared for management.
26/20	29/11/19	Allegation that member of staff is taking regular smoking breaks whilst on duty.	Referred to and actioned by management. Situation is being monitored on an ongoing basis.
28/20	15/1/20	Allegation of misappropriation of materials.	Closed – unfounded. Insufficient evidence to progress.
30/20	5/2/20	Allegation that materials are being misappropriated by a member of staff and sold on.	Linked investigation – 23/20. Investigation complete. Draft report being prepared for management.
31/20	25/2/20	Allegation that employee is off sick but is posting on social media about holidays and socialising.	Referred to Service.

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

Period	No. of Cases
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
1 st January 2019 to 30 th June 2019	5
1 st July 2019 to 30 th June 2020	8

Other investigations

- 4.4 There were 2 cases recorded as outstanding in the previous report, submitted to committee on 25 September 2019, which have been progressed as detailed below:

Ref	Date Received	Detail	Status
04/20	2.5.19	Allegations of misuse of Council vehicle and inappropriate behavior towards a member of the public.	Referred to service and actioned accordingly.
16/20	3.6.19	Missing money – education establishment.	Investigated by management. There was clear evidence to support that WDC policies and processes were not followed with regard to the handling of money and keys. Corrective action has now been taken to improve controls.

- 4.5 A total of 8 cases were received by Internal Audit during the period 1 July 2019 to 30 June 2020 as follows:

Ref	Date Received	Detail	Status
17/20	3/7/19	Allegation that materials are being misappropriated by a member of staff and sold on.	Closed – unfounded.
18/20	7/8/19	Allegation that member of staff was working whilst on sick leave.	Closed – unfounded.
24/20	25/10/19	Allegation of theft of inventory.	Closed – unfounded.
25/20	22/11/19	Allegation of theft of income.	Ongoing investigation.
27/20	2/12/19	Allegation of financial irregularities in client account administration.	Closed – unfounded. Investigation complete and no financial discrepancies identified.
29/20	16/1/20	Allegation that work was carried out on a property which was not authorised.	Closed – unfounded.

01/21	25/5/20	Allegations that a licensed taxi driver continues working despite having no valid MOT.	Closed – unfounded. The vehicle is covered by a Certificate of Compliance which replaces the requirement for a separate MOT.
02/21	14/6/20	Allegations that employee is claiming incorrect mileage and has misappropriated WDC materials.	Closed – unfounded. Mileage has been claimed correctly and insufficient detail in order to investigate misappropriation of materials.

4.6 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

4.6 As remitted to the 17 June 2020 Audit Committee, more specific information requested in relation to 2 completed investigations is as follows:

Detail	Status
Ordering/invoice error in relation to ordering of cables.	There was an error identified in the charge per metre recorded on the system which has now been rectified.
Allegation of unofficial person on site. (Titan Crane)	A new operating model and operational handbook for staff will be in place for reopening. This will include information on authorised site access arrangements.

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: 16 September 2020

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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