

Audit & Standards Committee

6 September 2017

Whistleblowing Policy

Recommendation(s)

1. That the Committee endorses the revised Whistleblowing Policy (Appendix D) and Essentials document (Appendix A) for onward submission to Cabinet.

1.0 Key Issues

- 1.1 The Policy has been updated to reflect the changes to the law on protected disclosures and the statutory Duty of Candour which applies to the County Council as a provider of care services.

2.0 Proposal

- 2.1 The County Council's Whistleblowing Policy was last reviewed in October 2014. A revised policy was considered by Audit and Standards Committee on 17 November 2016 and 1 June 2017 when the Committee resolved that officers undertake more work on the policy.
- 2.2 The "Whistleblowing Essentials" document is intended to give people a quick guide to the Policy. The Committee in June 2017 considered it was not as encouraging as it could be and the document has been reviewed. A revised version is attached as Appendix A.
- 2.3 The Duty of Candour is intended to ensure that providers are open and transparent with people who use services, in relation to care and treatment. The law sets out specific requirements that providers must follow when things go wrong with care and treatment, including informing people about the incident, providing reasonable support, providing truthful information and an apology. The County Council's Whistleblowing Policy has been revised to take account of this legislative change so that it fulfils the County Council's obligation to encourage candour, openness and honesty in those involved in the provision of care.
- 2.4 The revised Policy continues to encourage the use of internal procedures to make disclosures and identifies a list of Whistleblowing Advisers from each Group of the County Council to whom staff can turn for advice or to make a disclosure if they do not feel able to discuss with their own managers. This list has recently been updated and is attached as Appendix B. The Policy also indicates that advice can be sought from Public Concern at Work.

2.5 The law on protected disclosures is governed by the Employment Rights Act 1996. This gives protection to employees from victimisation by their employer or from losing their job where they have “blown the whistle.” It also provides a list of external people/organisations (prescribed persons) to whom referrals may be made by the whistle-blower without loss of their statutory protections.

3.0 Timescales associated with the decision and next steps

3.1 The most effective way of publicising and promoting the revised code is by maximising the usage of existing channels of communication within and across Groups. At a corporate level this would include the intranet, Working for Warwickshire and the Core Brief, as well as raising awareness through Heads of Service meetings. We would aim to include publicity about the Code in our ‘Do the right thing’ intranet week in November 2017.

Background papers

1. CQC Regulation 20: Duty of Candour – guidance dated March 2015
2. Department for Business, Innovation and Skills: Whistleblowing Guidance for Employers and Code of Practice – March 2015

	Name	Contact Information
Report Author	Jane Pollard	janepollard@warwickshire.gov.uk Tel: 01926 412565
Head of Service	Sarah Duxbury	
Strategic Director	David Carter	
Portfolio Holder		

The report was circulated to the following members prior to publication:

Local Member(s): n/a

Other members: n/a