

**AUDIT COMMITTEE**  
**26 SEPTEMBER 2012**  
**WHISTLEBLOWING REPORT ON INSTANCES**  
**SEPTEMBER 2011 – SEPTEMBER 2012**

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**Summary**

This report is to advise Members about the nature of concerns raised under the Whistleblowing policy between September 2011 and September 2012.

**1. Budget and Policy Framework**

- 1.1 The Council's Constitution requires that a report of instances of all uses of the Whistleblowing Policy shall be provided to the Audit Committee and Employment Matters Committee.

**2. Background**

- 2.1 The Council's Anti-Fraud and Corruption Policy states that regular reports will be made to this committee on the number, nature and status of whistleblowing events. The requirement to report to Members is repeated within the Council's Whistleblowing Policy. Both of these policies are contained within the Council Constitution.
- 2.2 As part of the regular reporting arrangements, this committee receives reports on the outcomes of major irregularity investigations, whatever the source of the information. This report summarises the position of all whistleblowing concerns received between September 2011 and September 2012.

**3. Concerns raised from September 2011 to September 2012**

- 3.1 The following table summarizes the position of concerns raised under the Whistleblowing policy from September 2011 to September 2012.

<b>Nature</b>	<b>Raised by</b>	<b>Outcome</b>
The failure of a contractor to comply with funding terms	Employee of the Contractor	Investigation is ongoing

## **4 Risk management**

- 4.1 The Council's Whistleblowing Policy sets out its commitment to tackling unlawful acts including fraud, corruption, unethical conduct and malpractice.
- 4.2 The Whistleblowing Policy encourages all individuals to raise serious concerns about practices by the Council.

## **5. Financial and legal implications**

- 5.1 The Public Interest Disclosure Act 1998 protects a worker from victimisation or detriment following a disclosure made in accordance with the provisions of this act.
- 5.2 This policy has been developed in line with the provisions of the Public Interest Disclosure Act 1998. A written policy is indicative of good corporate governance practice. The policy also gives the council an opportunity to give prominence to the issue and to express its commitment to the legal protection afforded to whistle-blowers.
- 5.3 There are no direct financial implications arising from this report however a successful claim brought under the Public Interest Disclosure Act 1998, against the Council may result in a substantial financial award as compensation for a person who has suffered detriment under the act. The report needs to set out both the legal and financial implications of any recommendations.

## **6. Recommendations**

- 6.1 Members are recommended to note the contents of this report

### **Lead officer contact**

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### **Background papers**

Whistleblowing Policy  
Medway Council's Constitution  
Anti-fraud and Corruption Policy

These documents are available on the council's website:

<http://www.medway.gov.uk/pdf/5.09%20-%20Whistleblowing%20policy.pdf>  
<http://www.medway.gov.uk/councilanddemocracy/council/constitution.aspx>  
<http://www.medway.gov.uk/pdf/5.08%20-%20Anti%20Fraud%20and%20Corruption%20Policy.pdf>