

AUDIT COMMITTEE

28 SEPTEMBER 2010

WHISTLEBLOWING REPORT

Report from: Deborah Upton, Monitoring Officer

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Summary

To advise Members about the number and nature of concerns raised under the Council's Whistleblowing Policy.

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.

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 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 since 1 April 2009.
- 2.3 Members should note whistleblowing arrangements within the Council cover a wide range of areas. The Monitoring Officer revised the Council's Whistleblowing procedure, as directed by the Audit Committee on 25 June 2009 and this was approved by Council 15 April 2010. The policy was revised to ensure that it is sufficiently robust to provide protection for the employee as well as the employer. The policy now includes IT and data protection breaches.

3. Concerns raised since 1 April 2009

3.1 The following table summarises the position of all whistleblowing concerns raised since 1 April 2009.

Concerns raised 2009/2010

Nature	Raised by	Outcome	Reported to Audit Committee
Application received for a Decent Homes loan.	Management	The investigation revealed gaps in the financial control processes and procedures, which have since been rectified. There was no loss of funds.	September 2009
Counterfeit cheques, purporting to be from the Council, were paid into various private accounts.	Management	Majority of cheques were detected by the banking system. One cheque reached the council's bank but was detected by the Council's own banking reconciliation systems. There was no loss of funds.	December 2009
Cash paid not credited to customer's account.	Member of the Public	CCTV supported the customer's statement and the matter was passed to the police for investigation. The customer's account was credited with the amount paid.	December 2009
Concerns raised on financial control and health and safety issues at a school.	Member of the Public	There were no financial concerns found. Health & safety issues were followed up and satisfactorily resolved	Not reported to audit committee.
A laptop containing personal and sensitive personal data was stolen from an Employee's vehicle.	Employee	ICT disabled access to the laptop. Line management and working arrangements were reviewed. Police were involved in the theft of the laptop.	Not reported to Audit Committee.

Nature	Raised by	Outcome	Reported to Audit Committee
A file containing personal data had been mislaid within a Council office	Employee	Affected individuals have been informed. Notification to the Police Thorough review of our policy and practice to store personal information	Not reported to Audit Committee.
Information held on Council systems was inappropriately accessed to obtain an individual's home address	Member of the public	The Council's Corporate disciplinary procedure was followed	Not reported to Audit Committee.
Members of staff personal data sent inadvertently internally and to an external source	Employee	Advice sought from the Data Protection Officer.	Not reported to Audit Committee.
Number of concerns raised over issues in the HRA	Employee	Matter is ongoing as member of staff has appealed against his redundancy and the issues raised form part of his appeal.	Not reported to Audit Committee.

4 Financial implications

4.1 There are no financial implications arising directly from this report.

5 Legal implications

5.1 There are no legal implications arising directly from this report.

6. Risk management

6.1 The Anti-Fraud and Corruption Policy and the Whistleblowing policy sets out the basis for protecting public funds by ensuring the opportunity for fraud and corruption is reduced to the lowest risk.

7 Recommendations

7.1 Members are asked to note this report.

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Background papers

Anti-fraud and Corruption Policy

Whistleblowing Policy

Medway Council's Constitution

These documents are available on the council's website:

<http://www.medway.gov.uk/index/council/councilbody/6317.htm>