

AUDIT COMMITTEE

28 SEPTEMBER 2023

WHISTLEBLOWING, ANTI-BRIBERY AND ANTI-MONEY LAUNDERING POLICIES: REPORT ON INSTANCES SEPTEMBER 2022 – SEPTEMBER 2023

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Summary

This report informs Members about the number and nature of concerns raised, between September 2022 and September 2023, under the Council's Whistleblowing, Anti- Bribery and Anti-Money Laundering Policies.

1. Recommendation

1.1. Members are recommended to note the contents of this report.

2. Budget and policy framework

2.1. The Council's Whistleblowing Policy, Anti-Bribery Policy and Anti- Money Laundering Policy are set out within the Council's Constitution. These policies require annual reports on the number and nature of instances raised to be provided to the Audit Committee. This report is also submitted to the Employment Matters Committee.

3. Background

3.1. The Council has agreed a number of policies to tackle unlawful acts, including fraud, bribery, corruption, unethical conduct and malpractice regardless of who commits them, or where in the Council they are committed. These can be summarised as follows.

- Whistleblowing policy (Speak Up): This policy covers the procedure for anyone wishing to raise a concern relating to any illegal, unethical or unprofessional conduct within the council, including malpractice, and or abuse. It is designed to enable concerns to be raised without fear of reprisals or victimisation where disclosure is made in good faith.
- Anti-bribery policy: This policy sets out the Council's commitment to the prevention and detection of bribery and the arrangements in place to

ensure compliance by Councillors and employees, including contractors, volunteers and consultants.

- Anti-money laundering policy: This policy sets out the Council's commitment to ensuring there are appropriate and proportionate anti-money laundering safeguards to prevent, where ever possible, the organisation and its staff being exposed to money-laundering.

4. Whistleblowing.

4.1. There have been 8 concerns raised under the Whistleblowing policy during this period.

	Whistle-blower	Nature of concerns	Outcome
1.	Unknown	Allegations of unethical conduct of senior leaders	Investigation was commissioned and allegations were found to be unsubstantiated
2.	Former employee	Allegations of bullying within the team	Response group reviewed and determined it was a complaint/grievance not a matter of Whistleblowing
3.	Former employee	Allegations of unethical conduct of senior leaders	Investigation was commissioned and allegations were founded to be unsubstantiated
4.	Service User	Allegations of unethical conduct by employee and contractors	Investigation was commissioned. Conduct on the part of the employee and contractor was found to be unsubstantiated.
5.	Employee	Allegations of unethical conduct of senior leaders	On-going
6.	Provider	Allegations of unethical conduct of employee	On-going
7.	Service User	Allegations of unethical conduct by employee and contractors	On-going
8.	Former employee	Allegations of unethical conduct of senior leaders and peers	On-going

- 4.2. For comparison purposes, the table below sets out the number of concerns raised under the Whistleblowing policy for the last three years:

Year	Instances
2019/20	2
2020/21	1
2021/22	2

5. Anti-Bribery and Anti-Money Laundering.

- 5.1. Members are advised that there were NO concerns raised under policies during this period.

6. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Staff, members or contractors, or the public with concerns may not know what to do.	Failing to promote the Whistleblowing policy	Promote awareness of the Whistleblowing Policy and encourage staff, members, contractors to raise concerns through the confidential process.	CIII
Reputational, legal and financial	Money laundering or bribery offences are committed by members of staff or supplier or customer leading to liability for the council	The agreed Anti-Money Laundering Policy and the Bribery Policy, provide information to staff and Councillors via the internet and through training	CIII
Failure to comply with the statutory whistleblowing legislation.	Concerns that are raised under the scope of the policy are not managed appropriately and the whistle-blower may not be protected as allowed for under the statutory legislation	Whistleblowing Officers have received training. All documents that refer to Whistleblowing Officers have a link directing the reader to the correct page	CIII

Likelihood	Impact:
A Very likely	I Catastrophic
B Likely	II Major
C Unlikely	III Moderate
D Rare	IV Minor

7. Financial and legal implications

7.1. 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. The Whistleblowing 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 issues and to express its commitment to the legal protection offered to whistleblowers.

7.2. There are no direct financial implications arising from this report.

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Appendices

None

Background papers

None