

Guildford Borough Council

Report to: Executive

Date: 25 January 2024

Ward(s) affected: All

Report of Director: Monitoring Officer

Author: Susan Sale, Joint Executive Head of Legal & Democratic Services and Monitoring Officer

Tel: 01483 444022

Email: susan.sale@guildford.gov.uk

Executive Lead Councillor responsible: Merel Rehorst-Smith

Email: merel.rehorst-smith@guildford.gov.uk

Report Status: Open

Guildford Borough Council Whistleblowing Policy

1. Executive Summary

- 1.1 Guildford Borough Council encourages staff and others to report any cases of suspected wrongdoing or misconduct, illegal acts, or failure to act within the Council, as part of its commitment to act with integrity and openness in the best interest of its residents and communities. To govern any such disclosures, the Council has a Whistleblowing Policy. That Policy has been reviewed and updated.
- 1.2 This report will also be considered by the Corporate Governance & Standards Committee at its meeting on 18 January 2024. Details of any comments and recommendations from that Committee will be reported to the Executive for its consideration.

2. Recommendation to Executive

The Executive is recommended:

- 2.1. To adopt the proposed revised Whistleblowing Policy, as set out in Appendix 1 to this report.

3. Reasons for Recommendation:

- 3.1. It is right and proper to uphold the principles of transparency to encourage individuals to make any disclosures and raise any concerns where they suspect wrongdoing.
- 3.2. It is important that the Council has a Policy in place to govern such disclosures and that such Policy is kept under regular review.

4. Exemption from publication

- 4.1. This report does not contain exempt information under schedule 12A to the Local Government Act 1972.

5. Purpose of Report

- 5.1. The purpose of the report is for the Executive Committee to consider the proposed revisions to the Council's Whistleblowing Policy, taking into account the comments of the Corporate Governance & Standards Committee.

6. Strategic Priorities

- 6.1. One of the Council's values is to ensure that its councillors and staff uphold the highest standards of conduct.
- 6.2. The Council's mission is to be a trusted, efficient, innovative and transparent Council that listens and responds quickly to the needs of our community.

7. Background

7.1. The aim of the Whistleblowing Policy is to encourage employees and others who have serious concerns about any aspects of the Council's work to come forwards and voice those concerns.

7.2. The Council's Whistleblowing Policy intends to:

- Encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected as far as possible;
- Encourage and enable staff to raise concerns within the Council rather than ignoring a problem or blowing the whistle externally without exhausting internal procedures;
- Provide staff with guidance as to how to raise those concerns;
- Reassure staff that they should be able to raise genuine concerns without fear of reprisals, victimisation, subsequent discrimination, disadvantage or dismissal, even if they turn out to be mistaken, provided the disclosure is made in the public interest.

7.3 The Council is committed to conducting business with honesty and integrity and expects all staff to maintain high standards of conduct. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

7.4 Staff are often the first to realise that there may be something seriously wrong within an organisation. Whistleblowing is viewed by the Council as a positive act that can make a valuable contribution to the Council's efficiency and long-term success. It is not disloyal to colleagues or the Council to speak up. The Council is committed to achieving the highest possible standards of service and the highest

possible ethical standards in public life and in all aspects of its practices. To help achieve these standards it encourages freedom of speech.

- 7.5 The Whistleblowing Policy should be regularly reviewed and at least every two years, or more frequently where there is change to legislation or statutory guidance, or learning from its operation that should be taken into account.
- 7.6 The existing Guildford Borough Council Whistleblowing Policy was adopted in 2017 and so it is overdue for a review. It is due to be considered by the Executive at this meeting and then due for a further review in January 2026.
- 7.7 It is proposed that Guildford Borough Council and Waverley Borough Council attempt to align their Whistleblowing Policies as far as it is appropriate to do so, whilst accepting there may be local differences. This is with a view to supporting the collaboration and transformation programme. Proposals similar to this report are due to be considered at Waverley Borough Council shortly.

8. Consultations

- 8.1. The Council's Corporate Governance & Standards Committee has been consulted on the proposed revisions to the Whistleblowing Policy and any comments and recommendations arising from its consideration of the report at its meeting on 18 January 2024 will be reported to the Executive.

9. Key Risks

- 9.1. There is a risk of not having a Whistleblowing Policy in place, in that disclosures are not made, or not made in a transparent way, or dealt with in accordance with process, or that disclosures are made externally without exhausting any internal process. Without a Whistleblowing Policy there is a greater risk of wrongdoing going unchecked within the Council.

10. Financial Implications

10.1. There are no financial implications arising from this report.

11. Legal Implications

11.1. The Corporate Governance & Standards Committee's terms of reference provide for that Committee to consider an annual report of the operation of the whistle-blowing policy, including incidents reported.

11.2. The Constitution provides that the Executive is responsible for making decisions on all executive matters within the policy framework which are not the responsibility of any other part of the Council.

12. Human Resource Implications

12.1 There are no Human Resource implications arising from this report.

13. Equality and Diversity Implications

13.1 There are no Equality & Diversity implications arising from this report.

14. Climate Change/Sustainability Implications

14.1. There are no Climate Change/Sustainability implications arising from this report.

15. Background Papers

None.

16. Appendices

Appendix 1: Revised Whistleblowing Policy 2024

Appendix 2: Existing Whistleblowing Policy 2017