

Public Document Pack

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate

Deialu uniongyrchol / Direct line /: 01656 643148 /
643147 / 643694

Gofynnwch am / Ask for: Democratic Services

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Wednesday, 15 September 2021

Dear Councillor,

STANDARDS COMMITTEE

A meeting of the Standards Committee will be held remotely - via Microsoft Teams on **Tuesday, 21 September 2021 at 10:00.**

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members' Code of Conduct adopted by Council on 1 September 2008.
3. Approval of Minutes 3 - 6
To receive for approval the Minutes of 29/06/2021
4. Reappointments to the Standards Committee 7 - 10
5. Whistleblowing Policy 11 - 24
6. Urgent Items
To consider any item(s) of business in respect of which notice has been given in accordance with Rule 4 of the Council's Procedure Rules, and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

Note: Please note: Due to the current requirement for social distancing this meeting will not be held at its usual location. This will be a virtual meeting and Members and Officers will be attending remotely. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available as soon as practicable after the meeting. If you have any queries regarding this, please contact cabinet_committee@bridgend.gov.uk or tel. 01656 643147 / 643148.

By receiving this Agenda Pack electronically you will save the Authority approx. £0.48 in printing costs

Yours faithfully

K Watson

Chief Officer, Legal, HR & Regulatory Services

Councillor G Thomas

Mr P Clarke

Councillor MC Clarke

Mrs J Kiely

Mr C Jones OBE

Mr J Baker

Councillor P Davies

Present

Mr C Jones OBE – Chairperson

G Thomas

Mr P Clarke

MC Clarke

Mr J Baker

Apologies for Absence

Mrs J Kiely and P Davies

Officers:

Mark Galvin

Senior Democratic Services Officer - Committees

Kelly Watson

Chief Officer Legal, HR and Regulatory Services

Michael Pitman

Democratic Services Officer – Committees

86. DECLARATIONS OF INTEREST

None

87. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of the Standards Committee dated 25 February 2021, be approved as a true and accurate record.

88. ELECTED MEMBER LEARNING AND DEVELOPMENT STRATEGY

In light of the fact that the Chairperson was having difficulty in connecting to the meeting remotely, Mr. Jeff Baker chaired the meeting for the following item

The Monitoring Officer submitted a report, the purpose of which, was for the Committee to note the draft Elected Member Learning and Development Strategy attached at Appendix 1 to the report.

She confirmed that the Elected Member Learning and Development Strategy had provided the framework for provision and delivery of Member Development for Elected Members from induction and throughout their term of office to date. The Strategy was now coming towards the end of its effective life and in preparation for the 2022 Local Government Elections, and the subsequent induction of newly Elected Members, a desktop review of the Strategy has been undertaken to ensure that it is fit for purpose and updated to reflect a number of factors which have changed since the approval of the original Strategy.

The Strategy was divided into 5 phases as detailed in paragraph 4.1 of the report.

It should also be noted that in the first year after the election, member development activities are primarily for information provision and process development which should be delivered in-house or by appropriate organisations such as the Welsh Local Government Association (WLGA). After the first year the focus in the delivery of member development will change to the provision of wider in-depth topics at a local level and more topics which relate to regional and national issues, added the Monitoring

Officer. The report also made reference to there being more e learning opportunities to be available for Members going forward and into the next term of office.

The Democratic Services Committee, the body which leads on a considerable number of member development initiatives, had determined that training and development aims and objectives, meets the expectations and outcomes listed in paragraphs 4.5 and 4.6 of the report. A report on this, would also be submitted to a future meeting of Council.

There would also be Potential Candidate sessions arranged by the Authority, for individuals who were interested in becoming a Councillor in the Local Government elections in 2022.

It was anticipated that the Council's Democratic Services Committee would provide direction for the Member Development activities that need to be undertaken and to ensure that the development needs of Elected Members are met. The Committee will also receive updates regarding the Member development Budget and any evaluation of the Strategy that is undertaken, at future meetings.

Members commended the recent training on the subject of the Code of Conduct for Members that had been made available for Members, provided by an external provider .

RESOLVED: That the Committee noted the draft Elected Member Learning and Development Strategy, attached at Appendix 1 to the report.

89. **OMBUDSMAN CASEBOOK**

The Monitoring Officer presented a report, that provided Members with a summary of cases that have been undertaken by the Ombudsman's Office between October and December 2020.

She explained that the Ombudsman's Casebook was published on a quarterly basis and contained the summaries of all reports issued during the quarter, as well as a selection of summaries relating to quick fixes and voluntary settlements. The Casebook for October – December 2020 was attached at Appendix 1, to the report.

The Monitoring Officer advised that she had heard that the current Ombudsman's term of office was being extended further. When this was officially confirmed, she would notify Members accordingly.

RESOLVED: That Members noted the report.

90. **MONITORING REPORT - COMPLAINTS, FREEDOM OF INFORMATION AND DATA PROTECTION**

The purpose of this report presented by the Monitoring Officer, was to share with Members the performance of the Information Team in processing Corporate Complaints, Freedom of Information requests and other information requests.

She advised that, the Corporate Complaints Policy requires that the Information Team report to Cabinet at least annually on performance.

Appendix A to the report, included performance data in relation to the additional areas outlined in the report, as these formed a significant part of the work of the team.

The Monitoring Officer added, that there was a legislative requirement to respond to Freedom of Information requests within a 20 working day period and to Data Subject

Access requests in 1 calendar month. Information requests from public bodies did not have a statutory response deadline, however, the team endeavour to respond to these requests as quickly as reasonably practicable. In line with the Corporate Complaints Policy the Authority should respond to a formal complaint in 20 working days from its receipt.

She advised Members that the Information Team consisted of two employees, however, due to the increased number of complaints, Freedom of Information and Data Protection queries/requests, the team were soon going to be extended by the recruitment of a further employee, due to this increase in work, which had almost doubled.

Appendix A provided a monitoring report for the period 1 January – 31 December 2020. This includes data on the numbers of complaints, Freedom of Information requests, Data Subject Access requests and Information requests processed by the team during this period.

The Monitoring Officer advised that Complaints received were broken down at section 2.2 of the report. This reflected that there had been 51 complaints received, 48 of which had been acknowledged within the prescribed period for doing so, with only 3 falling outside this window.

At section 3.6 of the report, the Complaints received were broken down on a Department by Department basis, with the areas of Housing, School Transport and Highways receiving the most complaints.

Section 3.7 showed such Complaints broken down Ward by Ward and this reflected quite an even spread. Education and Family Support Directorate had received the most complaints followed by Communities. The rest of the Complaints received for other service areas were far lower, but this was expected given that the above were very much public facing Directorates.

In 2020 the Council received 877 FOI requests and only two complaints had been received to the responses to these from the Authority. There had been 95 Data Subject Access requests, she added.

RESOLVED: That Committee noted the Monitoring Report attached at Appendix A, to the covering report.

91. **ANNUAL REPORT**

The Monitoring Officer submitted a report, that set out the work of the Committee for the period May 2020 to May 2021.

She explained that this report would also be submitted to a future meeting of Council.

By way of background information, the Local Government Act 2000 required the Council to establish a Standards Committee to promote and maintain high standards of conduct and probity in the conduct of Councillors of the County Borough.

The next sections of the report detailed the current composition of the Committee, the terms of office of its individual Members, the role and remit of the Committee, the number of times it had met during 2020/2021, details of the work it had considered during this period, training and development opportunities and examples of work the Committee will get an opportunity to look at moving forward.

The Monitoring Officer expanded upon each of these areas, for the benefit of Members.

She also confirmed that certain Members terms of office would be terminating at certain points within the future and that these Members would be contacted regarding this, in order to establish if they were interested in being considered for a further term of office.

The Senior Democratic Services Officer – Committees reminded Members of the dates of the next two meetings of the Standards Committee scheduled in 2021, so they could diarise these.

RESOLVED:

That the Committee noted the report and further noted, that it will be presented to a meeting of Council in July 2021.

92. **URGENT ITEMS**

None.

The meeting closed at 10:45

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO STANDARDS COMMITTEE

23 SEPTEMBER 2021

REPORT OF THE MONITORING OFFICER

REAPPOINTMENTS TO THE STANDARDS COMMITTEE

1. Purpose of report

- 1.1 The purpose of this report is to note the extension of the term of office of two Independent Members of the Standards Committee.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions for all people in the county borough.
 2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
 3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 In accordance with the Standards Committee (Wales) Regulations 2001 the Standards Committee shall consist of not less than five, nor more than nine, members at least two of which shall be County Borough Councillors. The Committee currently comprises seven members namely:

- Mr Clifford Jones (OBE) Chair, Independent Member
- Mrs Judith Kiely, Independent Member
- Mr Phillip Clarke, Independent Member
- Mr Jeff Baker, Independent Member
- Cllr Mike Clarke, County Borough Councillor
- Cllr Paul Davies, County Borough Councillor
- Cllr Gavin Thomas, Town and Community Councillor

4. Current situation/proposal

- 4.1 The term of office for two Independent Members runs out in October 2021. The Members are eligible to be reappointed for a further term. Thereafter they must stand down as they cannot serve more than two terms of office under the Regulations. In addition, the Regulations specify that the second term of office can be a maximum of four years. The Members have made a beneficial contribution to the governance of the Council and are in agreement to standing for a further term.
- 4.2 On 15th September 2021 Council approved the reappointment of Mrs Judith Kiely and Mr Clifford Jones OBE for a further term of four years.

5. Effect upon policy framework and procedure rules

- 5.1 This is a matter for determination by Council and is within the policy framework and procedure rules.

6. Equality Act 2010 implications

- 6.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there is no significant or unacceptable impact upon the achievement of well-being goals/objectives as a result of this report.

8.1 Financial implications

- 8.1 There are no financial implications arising from this report.

9. Recommendation

- 9.1 To note the reappointment of Mrs Judith Kiely and Mr Clifford Jones OBE to the Committee for a further term.

K Watson
Chief Officer – HR, Legal & Regulatory Services and Monitoring Officer
September 2021

Contact Officer: L Griffiths
Group Manager - Legal and Democratic Services

Telephone: (01656) 643145

E-mail: laura.griffiths@bridgend.gov.uk

Address: Civic Offices
Angel Street
Bridgend
CF31 4WB

Background documents: None

This page is intentionally left blank

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO STANDARDS COMMITTEE

23 SEPTEMBER 2021

REPORT OF THE MONITORING OFFICER

WHISTLEBLOWING POLICY

1. Purpose of report

- 1.1 The purpose of this report is to enable the Standards Committee to review the operation of the Council's Whistleblowing Policy.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions for all people in the county borough.
2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

- 2.2 The Whistleblowing Policy directly contributes to maintaining the probity of the Council and its ability to process the Corporate Plan and all Corporate Priorities.

3. Background

- 3.1 Whistleblowing is a report from an employee, member or other person about suspected wrongdoing within the organisation. The Public Interest Disclosure Act 1998 requires employers to refrain from dismissing workers and employees or subjecting them to any other detriment because they have made a protected disclosure.

- 3.2 Members are aware that the Council has a Whistleblowing Policy (attached as **Appendix 1**), which is designed to encourage and reassure employees who genuinely and reasonably believe that there are concerns, which they should disclose by enabling them to do so within a framework, which ensures they are protected from reprisals or victimisation.

- 3.3 The monitoring and operation of the policy is one of the functions delegated to the Standards Committee. The policy has been reviewed to ensure that it remains fit for purpose and it is concluded that the existing version is satisfactory and up to date with current legislation and best practice. No amendment is therefore proposed at this stage.
- 3.4 The Committee is asked to note that the policy is published on the Council's website and all new employees are informed about it as part of their induction process. Another Bridgenders message is proposed for this year to keep the profile of the policy high.

4. Current situation / proposal

- 4.1 Since 2018, three concerns under the policy have been lodged with the Monitoring Officer:
- Concerns about asbestos management, lack of documents, health and safety risks due to inadequate surveys and assessments. A full survey was commissioned and remedial work was undertaken;
 - Allegations of purchasing cards being used fraudulently in the Flying Start Team. A full investigation was launched by the Council and the matter reported to the police. The employee resigned and was later prosecuted by the police. The total loss to the Council was £11,573 and the employee agreed to repay the debt in full. The ex-employee was given a 12 month prison sentence, suspended for 12 months, and ordered to complete 125 hours of unpaid work, plus 10 sessions of rehabilitation activity;
 - Concerns about staffing levels and wellbeing in the Social Services and Wellbeing Directorate. Investigations have concluded and while there were some areas of improvement identified there was no evidence to substantiate the complaint. An action plan has been developed to progress the areas for improvement.
- 4.2 The Monitoring Officer will continue to submit reports to the Committee on the operation of the policy.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 The Policy contributes to the maintenance of probity in the Authority.

6. Equality Act 2010 implications

- 6.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. As the report is for information only and is retrospective in nature it is

considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial Implications

8.1 None.

9. Recommendation

9.1 Members are recommended to note the report.

**Kelly Watson,
Chief Officer – Legal, HR and Regulatory Services
September 2021**

**Contact Officer: Kelly Watson
Chief Officer – Legal, HR and Regulatory Services**

Telephone: (01656) 643106
E-mail: Kelly.watson@bridgend.gov.uk

Postal Address: Civic Offices,
Angel Street,
Bridgend
CF31 4WB

Background Documents: None

This page is intentionally left blank

BRIDGEND COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL PEN-Y-BONT AR OGWR

WHISTLEBLOWING POLICY

WHISTLEBLOWING POLICY

1. What is this about?

- 1.1 As an employee of the Council, or someone working under a contract with the Council, you may be the first to identify concerns about malpractice within the Council. However, you may be reluctant to voice your concerns because of fears about possible repercussions, or a feeling of disloyalty to your colleagues. You may consider it easier to ignore your concerns rather than report what may just be your suspicions.
- 1.2 This policy is intended to encourage and enable you to raise serious concerns within the Council with confidence, rather than overlooking those concerns or taking them outside.
- 1.3 Whistleblowing is where an employee has a concern about danger or illegality that has a public interest aspect to it: usually because it threatens others (e.g customers, shareholders, public). A grievance on the other hand is, by contrast, a dispute about your own employment position and has not additional public interest dimension. Where the two are entangled, the Monitoring Officer will consider the facts, assess the risks and decide how best to deal with the issue in hand. There is a Grievance Policy in place to enable you to lodge a grievance or for matters that fall outside this policy. It is very important that this policy is not used to raise individual grievances.

2. What legal protection do you have?

- 2.1 The Public Interest Disclosure Act 1998 gives you legal protection against dismissal and other detriments where you disclose certain types of information in the public interest, provided that you reasonably believe that the disclosure you make to the Council, either as your employer or (in the case of a contractor disclosing information) as the organisation that has legal responsibility for that matter is in the public interest.

3. What does the Council think about malpractice in the workplace?

- 3.1 The Council is committed to the highest possible standards of openness, probity and accountability. If you have serious concerns about any aspect of the Council's work then you are encouraged to come forward and voice those concerns i.e 'blow the whistle'.
- 3.2 The Council recognises that your decision to report your concerns can be a difficult one to make, not least because of the fear of reprisal from those

responsible for the malpractice. However, if you raise your concerns in the public interest you, you will be doing your duty to the Council, your colleagues and those to whom the Council provides a service.

- 3.3 The Council will not tolerate your harassment or victimisation and will take action to protect you, including disciplinary action if necessary, however, the Council's protection does not extend to halting redundancy or disciplinary procedures to which you are already subject.

4. Who can blow the whistle?

- 4.1 All employees of the Council (including schools staff) can raise their concerns under this policy, as well as contractors working for the Council (e.g. agency staff, builders etc.) and the voluntary sector. This policy also applies to suppliers of goods and services under a contract to the Council and voluntary workers working with the Council. This policy is not available for use by members of the public who should instead use the Corporate Complaint's Policy.

5. Who and what can I blow the whistle about?

- 5.1 You can raise your serious concerns about any aspect of service provision or conduct of officers or Members of the Council or others acting on behalf of the Council. Your concerns may relate to something which is happening, has already happened or is likely to happen in the future. For example, your concerns may be about something that:

- is potentially unlawful, fraudulent or corrupt;
- might contravene the Council's Standing Orders, financial procedures, policies, codes of conduct or other legal obligations;
- could amount to improper conduct by an officer or a member;
- might fall below established standards of practice;
- constitutes sexual, physical or emotional abuse;
- potentially endangers the health and safety of an individual;
- is causing, or is likely to cause, damage to the environment;
- might involve a miscarriage of justice;
- is an attempt to cover up any of the above.

6. How do I raise my concerns?

- 6.1 You should normally raise your concerns with your immediate line manager or the next level of management. (Manager Arrangements for whistleblowing concerns are set out in Appendix 1 of the policy). However, you may feel that your concerns are so serious or sensitive that you should raise them with a Chief Officer, for example a Corporate Director, the Chief Executive, the Chief Finance Officer, the Monitoring Officer, or the Chief Internal Auditor. You may invite your trade union or professional association representative to raise your concerns on your behalf if you wish.
- 6.2 If any information raises concerns about harm or potential harm to either children or vulnerable adults, these concerns should be reported immediately to Children's Services or the Protection of Vulnerable Adults (POVA) Team as the case may be, or out of hours to the Emergency Duty Team.
- 6.3 Unsupported anonymous complaints and allegations will have to be treated with caution. It is better to raise your concerns in writing but you may equally express your concerns verbally and have their detail recorded for you. Whilst you will not be expected to prove the truth of any allegations you make, you will need to demonstrate sufficient grounds for your concerns.
- 6.4 You can raise concerns safely using this policy and your concerns will be taken seriously. Whilst you have the right to raise concerns externally if you feel that to be appropriate, you are encouraged to raise them with the Council so that you have legal protection.

Public Concern at Work offers a free, confidential advice line which can give you access to advice on how to raise a concern safely and effectively. Examples of prescribed people and bodies you can report malpractice to, other than the Council are listed on the.gov.uk website and include:

- The Auditor General for Wales – for the proper conduct of public businesses, value for money, fraud and corruption in public bodies in Wales
- Care Council for Wales – relating to the registration of social care workers in Wales
- ESTYN – inspecting the quality and standards in education and training providers in Wales
- Children's Commissioner for Wales – matters relating to the rights, welfare and interests of children in Wales

7. Is my identity kept confidential?

- 7.1 You are encouraged to put your name to your allegation whenever possible however the Council will do its best to protect your identity if you so wish. You must, however, appreciate that the investigation process may unavoidably reveal your identity, additionally, you may be required to provide a formal statement as evidence. If you are required to give evidence in criminal or disciplinary proceedings the Council will arrange for you to receive advice about the procedure. If disclosure of your identity becomes unavoidable then the Council will support you.
- 7.2 The Council would prefer you to express any concerns anonymously, if necessary, rather than remain silent about wrongdoing.
- 7.3 The Council as a data controller is fully committed to ensuring the safe and appropriate use of personal information in line with the principles of the Data Protection Act. If you have any concerns regarding the processing of your personal data you should seek advice from the Council's Information Team, if necessary.

8. What happens if my concerns prove to be unfounded?

- 8.1 If you raise your concerns in the public interest, but they are proved to be unfounded, no action will be taken against you. The Council will, however, not tolerate any malicious or vexatious allegations and will take appropriate disciplinary action against you if necessary.
- 8.2 If you are not an employee of the Council but have a contractual, voluntary, funding or other such relationship with the Council and make a malicious or vexatious allegation, your ongoing relationship with the Council is likely to be affected.

9. What happens when concerns are raised?

- 9.1 The action taken by the Council will depend on the nature of the concerns raised. They may:
- be investigated internally by management, internal audit;
 - be referred to the Police;
 - form the subject of an independent inquiry.
- 9.2 In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example, child protection) will normally be referred for consideration under those procedures. Some concerns may be

resolved by agreed action without the need for investigation. All allegations of a serious nature will be reported immediately to the Monitoring Officer.

9.3 Within ten working days, the officer with whom your concerns are raised (the Contact Officer) will write to you:

- acknowledging that your concerns have been received;
- indicating how it is proposed to deal with your concerns;
- telling you whether any initial enquiries have been made;
- telling you whether further investigations will take place, and if not, why not.

9.4 The Contact Officer will provide you with as much feedback as possible, however, there may be circumstances where information will not be shared with you in order to comply with a duty of confidence or in compliance with statutory duties.

9.5 The amount and frequency of contact between yourself, the Contact Officer and / or those officers tasked with investigating your concerns will depend upon the nature of the concerns raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from yourself.

9.6 When any meetings are arranged between yourself, the Contact Officer and / or those officers tasked with investigating your concerns, you will have the right, if you so wish, to be accompanied by a representative of your trade union / professional association or a friend who is not involved in the area of work to which your concerns relate. Steps will be taken to minimise any difficulties which you may experience as a result of raising concerns, for example, if you are required to give evidence in criminal or disciplinary proceedings, you will be advised about the procedure.

9.7 The Council understands that you will need to be assured that your concerns have been dealt with properly and therefore, subject to legal constraints, the Contact Officer will inform you of the outcome of any investigation within 10 days of its conclusion.

10. What should you do if you are unhappy with the Council's response to your concerns?

10.1 The Council hopes that you will be satisfied with the way that your concerns are dealt with but in the event that you are not so satisfied then you are welcome to contact (assuming that he has not previously been

involved in dealing with your concern) the Monitoring Officer. Alternatively, the following possible contact points are suggested:

- Public Concern at Work
- relevant professional bodies or regulatory organisations;
- trade union;
- South Wales Police,
- Public Services Ombudsman for Wales

All full list of prescribed people and bodies you can report malpractice to other than your employer can be found via the gov.uk website.

10.2 If you do take your concerns outside of the Council, you will need to ensure that you do not breach a duty of confidentiality.

11. Who is responsible for maintaining this policy?

11.1 The Monitoring Officer, in liaison with the Chief Executive, has overall responsibility for the maintenance and operation of this policy, and any concerns relating to the policy or its operation should in the first instance be addressed to him.

11.2 The Monitoring Officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality).

11.3 The Monitoring Officer will monitor the application of this policy and has discretion to review it at any time. Additionally, the Standards Committee will periodically monitor the operation of this policy.

11.4 Each Directorate will provide quarterly reports to the Monitoring Officer in relation to any concerns raised and dealt with in accordance with this policy, in order to facilitate the roles of both the Monitoring Officer and the Standards Committee as set out above.

12. When does this policy not apply?

12.1 Grievances – if you are an employee there are existing procedures in place to enable you to lodge a grievance relating to your own employment. You should always refer to the Council's Grievance Policy before this Whistleblowing Policy.

12.2 Elected Members Code of Conduct – Concerns relating to the conduct of Elected Members should be raised with the Public Services Ombudsman for Wales.

12.3 Complaints – complaints from members of the public about Council services should be addressed via the Corporate Complaints Policy.

- 12.4 Other organisations – in cases where the Council contracts with a private organisation, it may be appropriate to notify the relevant Corporate Director for that service area. Consideration should also be given to notifying the appropriate regulatory organisation.

Guidance for Managers

- As a Manager, you should be familiar with the Council's Grievance Policy and Whistleblowing Policy so that you are well equipped to deal with allegations if they arise.
- The Whistleblowing Policy provides a confidential reporting procedure to enable employees and others to raise issues of concern in confidence and to ensure that the matter will be taken seriously and fully investigated. A whistleblower should be viewed as a witness putting the Council on notice rather than as a complainant.
- Managers should listen carefully and be responsive to employees' concerns whether raised formally under the policy or not and should treat the information confidentially and sensitively. The employee should be assured that they will not suffer because of concerns raised in the public interest and that the matter will be properly addressed.
- The employee is entitled to bring along a recognised Trade Union representative or work colleague for support.
- The first issue for Managers to consider is whether the concern should be treated under the Whistleblowing Policy or some other procedure. Managers can seek further advice from the Monitoring Officer on how to handle individual cases.
- Managers should then assess how serious and urgent the risk is and establish:
 - The background details and nature of the concern;
 - Whether the information is first hand or hearsay;
 - Details of the job and responsibilities of individuals involved;
 - Reasons why the employee is raising the concern now;
 - Action (if any) taken to date before the concern was raised;
- If the issue is sensitive, the number of people involved in addressing the whistleblowing concern should be kept to a minimum.
- All allegations of a serious nature must be reported immediately to the Monitoring Officer.

- Cases of known or suspected fraud can be reported to Human Resources and the Chief Internal Auditor.
- If any information raises concerns about harm or potential harm to either children or vulnerable adults, these concerns should be reported immediately to Children's Services or the Protection of Vulnerable Adults (POVA) Team as the case may be, or out of hours to the Emergency Duty Team. You should not assume that the whistleblower or someone else will report it.
- Managers should always deal with the concern in a timely manner bearing in mind the 10 day deadline set in the policy to respond to the whistleblower. Delays may result in evidence being destroyed and can also suggest a lack of concern about the matter and can increase the stress and anxiety of everyone involved.
- It is important to the integrity of the Council that concerns should be investigated thoroughly and efficiently in order to remedy the situation. In doing this the Council will ensure that such wrongdoing is prevented in future.
- Managers must notify the Monitoring Officer within a timely manner of all concerns raised under this policy and the outcomes. If you decide that no further action is necessary you should still record your decision and inform the Monitoring Officer of the concern raised and the reasons why you consider no further action is required.