



Audit & Governance Committee
28 May 2015

Whistle Blowing Update

Purpose of the report:

This report provides Audit and Governance Committee with an update on whistle blowing activity, the results of a staff survey about whistle blowing and seeks Committee's comments and agreements on the actions and plans to continue to promote and develop the service.

Recommendations:

1. It is recommended that the Committee:
 - a) Notes the progress outlined in the report;
 - b) Approves the promotional activities and preventative measures in section 8 of this report;
 - c) Approves reporting on whistle blowing to Audit and Governance Committee each April on an annual basis. This will be in conjunction with any related work on whistle blowing conducted by Internal Audit.

Introduction:

2. This report provides Audit and Governance Committee with an update on whistle blowing activity, the results of a staff survey about whistle blowing and seeks Committee's comments and agreements on the actions and plans to continue to promote and develop the service.

Analysis of usage:

3. Since the last report in March 2014 usage of the service has remained fairly consistent. There has been a slight decrease in the year to date average number of calls at around 3.5 per month and an average of 0.8 investigations, compared to 5 calls and 1.1 investigations for the 2013-14 financial year. This level of activity is comparable with other organisations who use Expolink.

Service activity – Expolink – April 2014 to April 2015

Month	Total no. of calls	Total requiring investigation	Main Incidents Reported	Directorate
Apr	2	0		
			Confidential report sent to monitoring officer (Head of Legal services)	
			Allegations of lack of duty of care regarding a policy at a care home	ASC
May	11	3	Grievance regarding a manager	CSF
June	2	1	Allegation of assault to a member of staff by a member of the public	ASC
July	2	0		
Aug	2	1	Confidential report sent to monitoring officer (Head of Legal services)	
Sept	4	0		
			Allegations of bullying and victimisation	Schools
Oct	3	2	Unprofessional behaviour	ASC
Nov	4	0		
Dec	2	0		
Jan	1	1	Allegation of victimisation	ASC
Feb	1	0		
Mar	0	0		
TOTAL this period	34	8		

4. The higher number of calls in May 2014 relates to additions to previous reports, and requests for feedback from staff who have reported an issue with Expolink.

Summary of recent live cases

5. The table below shows an anonymised summary of the recent cases and outcomes reported via the confidential whistle blowing service.

2014 Month		Nature of complaint Outcome
May	Allegations of lack of duty of care regarding a policy at a care home	Much work has been done re this policy and CQC inspectors have also been involved. They have confirmed that this is no longer a safeguarding issue. The whole team are aware of the policy and QA from the inspectors. Investigation has taken place and it was suggested that a discussion by all parties took place to resolve the issues.

	Grievance against manager	An initial investigation has been completed and shared with the Assistant Director for Childrens Services.
June	Allegation of assault to a member of staff by a member of the public	Employee was confused as to who this should be reported to. She did give a statement to the police and she has been supported by her manager during and after the incident.

Breakdown of allegations (not outcomes)

6. The table below shows an analysis of the broad categories of allegations.

Type of allegation	Percentage
Assault	12.5%
Bullying and harassment	25%
Fraud	12.5%
Grievance with manager	12.5%
HR issue	12.5%
Safeguarding	12.5%
Unprofessional behaviour	12.5%

Comparison statistics 2013-14 and 2014-15

7. The table below shows a comparison of the number of calls and investigations between 2 categories of allegations over the last two complete years.

Month	Total no. of calls 2013-14	Total no of investigations 2013-14	Total no. of calls 2014-15	Total no of investigations 2014-15
Apr	3	0	2	0
May	3	1	11	3
June	8	3	2	1
July	11	0	2	0
August	0	0	2	1
September	6	2	4	0
October	4	0	3	2
November	1	0	4	0
December	5	2	2	0
Jan	8	0	1	1
Feb	2	0	1	0
Mar	10	5	0	0
Totals	61	13	34	8
Average per month	5	1.1	2.83	0.6
Ratio of Investigations to Calls		1 : 4.7		1 : 4.2

8. The main type of whistle blowing contact via Expolink is to alert us to conflicts arising from behavioural issues. To ensure our response is robust and effective we have a number of ongoing work streams:
- The introduction of a new case management system that will integrate all cases reported via whistle blowing immediately into the mainstream system;
 - The preferred supplier list for investigators is being reviewed and updated with external investigators, who cover multiple areas of expertise and who can provide a flexible and timely response;
 - Each member of the HR Operational Team, who manage day to day cases, is attending restorative practice-based development sessions to enhance their case management and facilitation skills;
 - We have introduced an end to end restorative practice framework, with supported training, which includes a Fairness Champions network, an Internal Mediation Service and an internal Coaching Pool. The Higher Performance Development Programme will also be pivotal for managers to identify, facilitate and resolve conflict in the early and preventative stage;
 - We are devising a change in Governance whereby the Head of Operational HR, who oversees all cases, will receive whistle blowing reports. This will allow a faster, more integrated response and direct recording onto the new case management system.

Whistle blowing information searched by staff via s-net (intranet)

9. The following table shows the activity of staff accessing information on whistle blowing on the intranet and shows a healthy level of enquiry about the policy.

No visits s-net 2014-15	What happened next?
1701	942 ended session 173 downloaded policy 111 viewed flowchart 88 viewed FAQs 49 viewed Ending Bullying & Harassment page 47 viewed Expolink page

Staff survey of whistle blowing Autumn 2014:

10. A survey was conducted during October 2014, to help us understand staff views about whistle blowing and to increase awareness of the service and support available. A very good response was received, with approximately 600 replies, and some helpful feedback on how to raise awareness. The key findings of the survey are as follows:
- 87% of respondents know what whistle blowing is, of which 70% have medium to high awareness;

- 65% of respondents are aware that the council has an externally delivered whistle blowing service;
 - 40% have a general awareness of what to use our service for;
 - 27% would definitely use the whistle blowing service - because it's external, confidential and anonymous;
 - 61% say they would use it depending on the circumstances;
 - 11% of people said they would not report an incident at all.
11. Feedback given by staff as part of the survey has shown that not all staff members know the circumstances in which they can use Expolink (our external provider) and would like further clarification. There is a need to continue to publicise the duty of all employees to report any incidents which come under the whistle blowing definition. See further information on promotional activities set out in paragraph 15.
12. The survey shows that a lot of staff prefer to raise an issue with their manager, or someone else internally, before using an external provider and would only use Expolink as a last resort. Most people would use Expolink if no action was taken in response to their raising an issue directly with management. Some staff have concerns about a negative impact on themselves, if they were identified, with a minority not having trust in either approach. It is evident that there is an underlying positive feeling of protection through anonymity and confidentiality, but a few people still don't feel confident about this.
13. There have been 239 visitors to the Whistle Blowing Survey Results Autumn 2014 page on s-net since it was published.
14. In conclusion, there is a generally good level of understanding of whistle blowing and a staff see this as a service which is there to use if the circumstances demand. It is encouraging that staff feel they can and will resolve issues directly with management. It is interesting that staff may choose to whistle blow, if management fails to address concerns. We need to improve the awareness of the confidential service provided since staff see anonymity and confidentiality, as a key benefit to using this service.

Promotional activity and action planning:

15. As a response to feedback via the survey, we have continued to improve promotional materials, including a new leaflet about whistle blowing. We believe this will improve awareness across the council, increase people's confidence in using the whistle blowing service, and emphasise the confidentiality aspect. This will be given to all new employees at induction and distributed widely across the organisation, with a particular aim of reaching those staff who don't have access to electronic communication. We will continue to promote whistle blowing by:
- Mainstreaming promotion of whistle blowing into promotion of staff benefits in general during 2015;

- Distributing new leaflet summarising key points via induction, road shows, snet, ebrief and to managers of staff who do not have electronic access;
- Asking line managers to include whistle blowing as an agenda item at team meetings for brief discussion of the key points, using the leaflet as a guide;
- Working with Internal Audit, and other corporate functions, to adopt a joined up approach to any campaigns/initiatives around fraud;
- A question and answer article will be placed on Chat zone (s-net) giving further details of the service and how to access it, together with other interventions such as Local Workplace Fairness Champions;
- Whistle blowing promotion will be a topic at a future series of Bursar briefings for schools, to ensure awareness and encourage promotion throughout Surrey County Council schools;
- An article will be published in the SOS (School Office Support) bulletin to raise awareness among teachers new to Surrey;
- Information on Expolink continues to be placed on payslips in 2014; and
- Work will be done to explore the issue of raising awareness of whistle blowing among suppliers.

Schools access to Expolink

16. All maintained schools with the exception of Academies have access to Expolink. In the past confusion has arisen where a school, which is under Diocese direction does not appear to have followed internal procedures before contacting Expolink. In these cases the individual should be encouraged by Expolink and corporate HR to follow the internal procedures, however it is also understood that this may not always be possible or practical
17. In such situations, the issue should be passed to the Head of Education Personnel at Babcock 4S who will action or pass on as appropriate and we are meeting with Babcock to consider these arrangements.

Financial and value for money implications

18. There are no financial impacts identified as a result of this report. Having whistle blowing procedures in place helps the local authority to identify and tackle issues which could otherwise have financial implications.

Equalities and Diversity Implications

- 19. All equality strands will be applicable to ensure staff have access to reporting concerns, and the outcomes are monitored to ensure the overall well-being of staff. In addition the organisation/services will benefit from robust application of Strategy against Fraud & Theft. Any issues that arise through whistle blowing are addressed as they arise.

Risk Management Implications

- 20. There are no risks identified as a result of this report. Having whistle blowing procedures in place helps the local authority to identify and manage risks.

Next steps:

- 21. The HR team will take forward implementation of the promotional action plan over the next 12 months.

Report contact :

Ken Akers, Strategic HR Relationship Manager
ken.akers@surreycc.gov.uk, 07792 511083

Sources/background papers: n/a.

This page is intentionally left blank