



Leicester
City Council

WARDS AFFECTED – ALL

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Audit & Risk Committee

25th March 2020

REVIEW OF WHISTLEBLOWING POLICY

REPORT OF THE CITY BARRISTER AND HEAD OF STANDARDS

1. PURPOSE OF REPORT

This report invites the Committee to review the Whistleblowing Policy

2. RECOMMENDATIONS

That the Committee note the policy and suggest any changes

3. REPORT

The Whistleblowing policy

Whistleblowing refers to circumstances in which a member of staff is permitted to raise legitimate allegations about certain types of conduct of other members of staff, and to receive a concomitant level of legal protection against damage or detriment. The purpose of the legal protection is both to:

- i. Expressly afford that employee (the whistleblower) a level of protection whilst they remain employees

and also to;

- ii. Give that employee a remedy in the Employment Tribunal if they make a claim against their employer as a result of suffering detriment from whistleblowing.

In these respects the term is narrowly defined in law and hence it attaches to a fixed set of 'qualifying disclosures' only. The Whistleblowing policy is not a comprehensive statement of aspiration as to what conduct the local authority expects of its staff. Neither does the Whistleblowing policy attempt to set out a

route for investigating and dealing with such disclosures outside of other established routes.

The Council's proposed whistleblowing policy is attached as **Appendix A**.

4. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

i. Financial implications

None

ii. Legal Implications

The legal implications are addressed throughout the report and detailed legal advice has been obtained in respect of each of the attached policies

| OTHER IMPLICATIONS | YES/ NO | Paragraph/References within the Report |
|--|--------------------|---|
| Equal Opportunities Policy | Yes | |
| Sustainable Environmental and | No | |
| Crime and Disorder Human Rights Act | Yes | |
| Elderly/People on Low Income | No | |
| Corporate Parenting | No | |

5. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

6. CONSULTATIONS

7. REPORT AUTHOR

Kamal Adatia, City Barrister and Head of Standards