

TELFORD & WREKIN COUNCIL

AUDIT COMMITTEE – 31st JANUARY 2012

REVIEW AND UPDATE TO THE SPEAK UP POLICY

REPORT OF THE HEAD OF GOVERNANCE

1 PURPOSE

1.1 To obtain approval from the Audit Committee for the updates to the Speak Up Policy.

2 RECOMMENDATIONS

2.1 That the Audit Committee approves the:

- a) revised Speak Up Policy attached as Appendix A incorporating the changes as outlined in paragraph 5.4; and**
- b) delegation to the Monitoring Officer as set out in paragraph 5.6**

and recommends its adoption by the Council.

3 SUMMARY

- 3.1 The Standards & Audit Committee in January 2008 approved a revised Speak Up Policy incorporating a new name, the inclusion of contractors, suppliers and partners within the Policy and a few other changes to make it current within the Council at that time.
- 3.2 Since this review the policy has been in operation supporting the Anti-Fraud and Corruption Policy and was due for a review in 2010. This review was delayed due to restructuring and has now been undertaken.
- 3.3 The changes proposed reflect best practice from other local authorities/Public Concern at Work and the Council's revised senior management arrangements.
- 3.4 Following agreement of the policy it will be promoted internally on posters around Council buildings and through a leaflet on the intranet. This leaflet also forms part of the induction pack for new employees. The policy will also be promoted appropriately with those external parties covered by the policy – partners, school governors, contractors and volunteers.

4 PREVIOUS MINUTES

- 4.1 Standards Committee 13th April 2005
Standards and Audit 11th September 2007
Standards and Audit Committee 29th January 2008

5 INFORMATION

- 5.1 The Council introduced a Corporate Confidential Reporting ("Whistle blowing") policy in 2002 and this has been updated as outlined in paragraph 3.1 above including renaming to the Speak Up Policy in January 2008.
- 5.2 The policy has always outlined that although confidentiality will endeavour to be maintained there maybe investigative, disciplinary or legal reasons why this is not possible.

- 5.3 Previous changes have been made to clarify where the Council’s grievance procedure applies in the context of this policy, the secure position of the hotline telephone, further information on the limitations of anonymous reporting and that if the person raising the concern withdraws from the process that the investigation may continue dependent on the concerns and progress of the investigations at that date.
- 5.4 The current review and update has confirmed that the policy is still fit for purpose and has resulted in minor changes to simplify/clarify the policy and to reflect the revised senior management arrangements.
- 5.5 A revised version of the updated “Speak Up Policy” is attached as Appendix A to this report.
- 5.6 The policy refers in paragraphs 5.4 and 6.1 to concerns raised about Members under the Code of Conduct and that they maybe referred to the Standards Board for England. The arrangement for Member complaints and their Code of Conduct is being revised under the Localism Act. Whilst some initial amendments have been made the Committee is asked to agree a delegation to the Monitoring Officer to amend these paragraphs, following consultation with the Chairman of the Audit Committee, when the new ethical standards framework for Councillors is in place.
- 5.7 This policy has been reviewed by the Senior Management Team prior to presentation to this Committee.
- 5.8 The Council will continue to protect all those providing information under this policy but will take appropriate action against those making malicious or vexatious allegations.

6 OTHER CONSIDERATIONS

AREA	COMMENTS
Equal Opportunities	The policy supports the Council’s policies of equality and diversity. All appropriate concerns will be treated equally.
Environmental Impact	Any concerns raised of an environmental nature will be investigated to ensure that the Councils sustainability and environmental policies have not been breached.
Legal Implications	The policy, although not a legal requirement, reflects good practice. Paragraph 2.7 of the policy document confirms that the operation of the policy will be in accordance with all relevant legislation. In respect of Councillor code of Conduct issues, the current local assessment framework is still in place but it is due to be replaced by 1 st April 2012. As there has not yet been a decision made as to how the new regime under the Localism Act 2011 will operate at the authority it is not possible to be specific in referring to how the Speak up Policy will fit in to the new process. Accordingly some initial changes are proposed but these will need to be reviewed at a later stage hence the request for a delegation to the Monitoring Officer to clarify the position in the policy at the appropriate time.
Links with Corporate Priorities/Community Ambitions	The Co-operative Council values of fairness, honesty, consistency and transparency means that high standards and practices should be followed. This policy allows concerns to be raised to ensure these values are maintained.

Financial Implications	There are no financial implications arising from this policy as any costs associated with its implementation are contained within existing budgets.
Opportunities and Risks	This policy mitigates the reputation risk to the Council of adverse publicity by providing channels for concerns to be raised internally and addressed rather than publicised outside the Council prior to proper investigation
Ward Implications	None

7 BACKGROUND PAPERS

Speak Up Policy 2008

Anti-Fraud & Corruption Policy 2011

Information from other Local Authorities and Public Concern at Work

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