

WHISTLEBLOWING

2021 Annual Report



July 2021

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The matters raised in this report are only those that came to our attention during the course of our work – there may be weaknesses in governance, risk management and the system of internal control that we are not aware of because they did not form part of our work programme, were excluded from the scope of individual audit engagements or were not brought to our attention. The opinion is based solely the work undertaken as part of the agreed internal audit plan.

Introduction

Key Messages

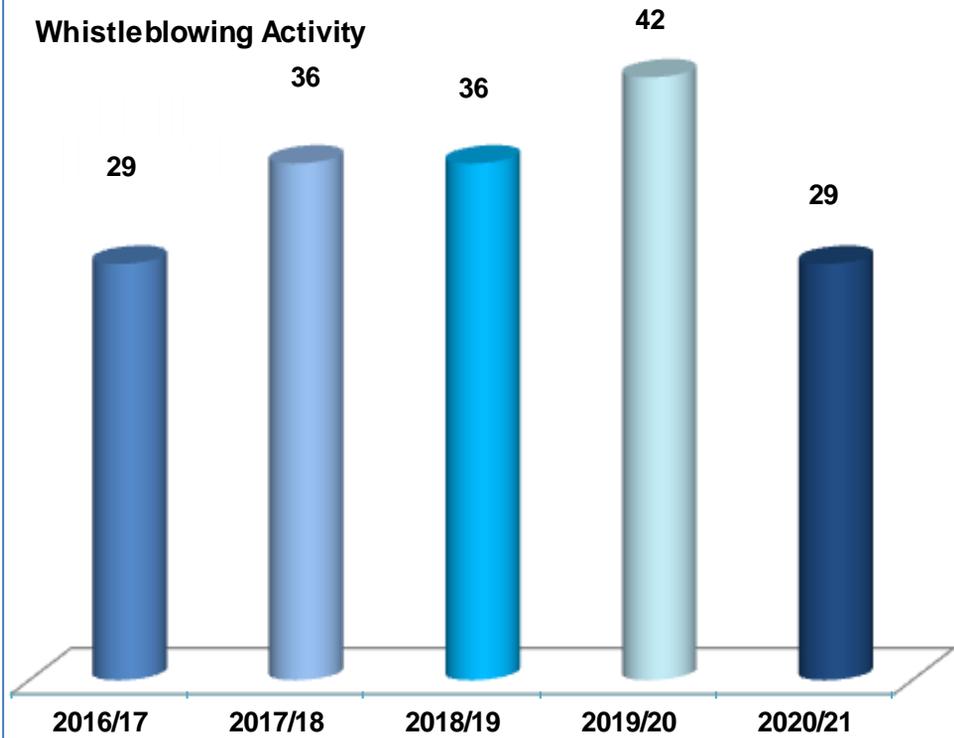
Whistleblowing

Whistleblowing is a key element in the Council's governance arrangements and Lincolnshire County Council is committed to the principles of honesty, openness and accountability. It is vital that councils provide effective whistleblowing arrangements to ensure that fraud and wrongdoing can be reported and that these referrals are dealt with seriously, confidentially and with sensitivity.

29 whistleblowing reports in 2020/21

This year saw the first decrease in activity in some time with 29 calls being received – this was a reduction of 30% on 2019/20 and comparable to the level of reports received back in 2016/17.

The reasons for the drop in activity, after a sustained increase over several years, is not clear. However, it is likely that with more staff being home based, this had led to reduced issues in the workplace being reported by employees.



One pleasing statistic is that **90%** of whistleblowers felt able to waive their anonymity when making reports.

This level has improved over recent years and demonstrates confidence those making reports will be protected.

31%
of reports received related to Covid-19 issues being submitted. These were passed to the relevant agencies to deal with

Disclosures

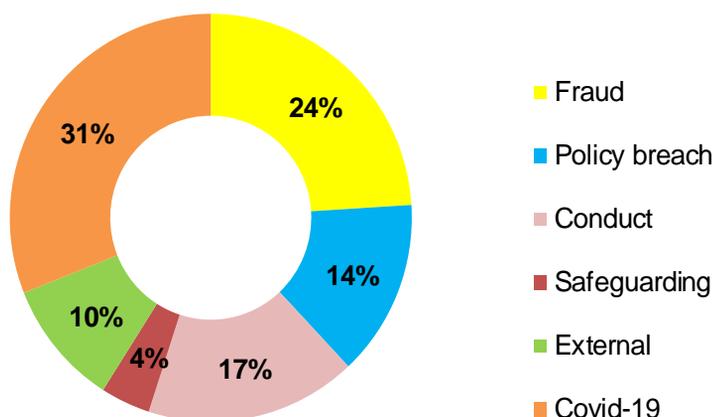
Most types of whistleblowing disclosures have reduced with marked falls in reports around fraud, conduct and safeguarding.

The major exception is the number of calls regarding Covid-19 - 31% of whistleblowing in 2020/21 related to this area. Most of the calls were received in the early stages of lockdowns and related to breaches in government guidelines – the information was collected and duly passed on to the relevant agencies (usually Trading Standards or Police) to address.

Reports of potential fraud represent the next largest area.

We also noted that the level of reports of general policy breaches was consistent with 2019/20.

2020/21 - Nature of Whistleblowing Disclosures



26 of the 29 whistleblowers (90%) felt confident enough to disclose their identity. This is encouraging and continues the upward trend seen in recent years.

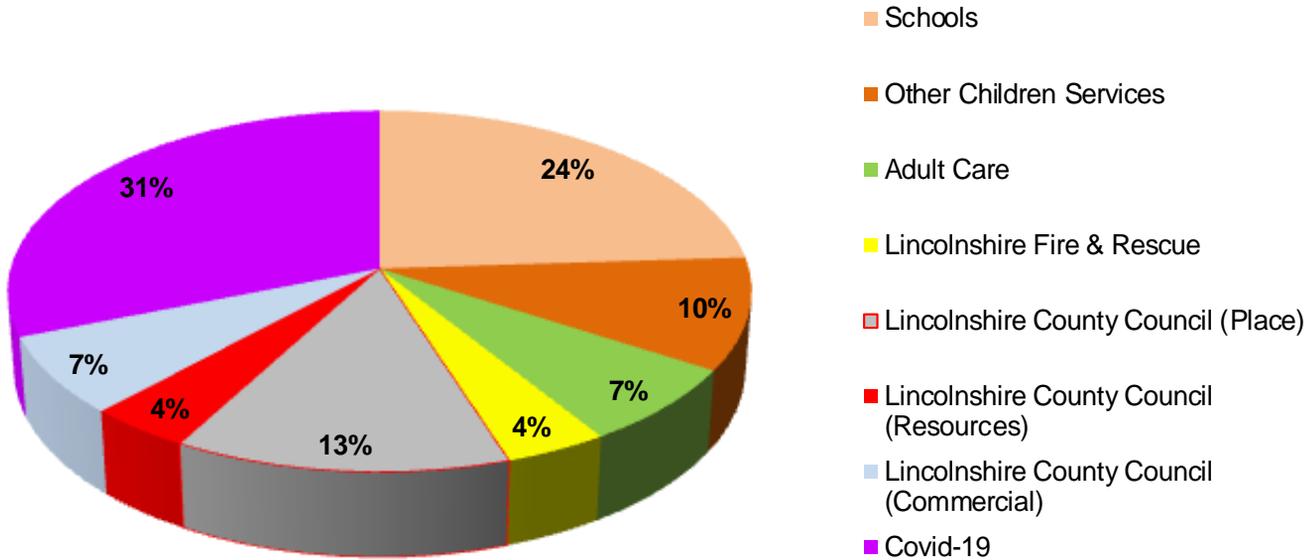
Where identity was disclosed, we noted an even split between employees (54%) and public (46%)

The Counter Fraud and Investigation Team operate the whistleblowing facility on behalf of all Lincolnshire councils.

96 reports were made during the year – this represents a decrease of 27% on the previous year. It's likely that the reason for the reduction is due to the pandemic. It is difficult to exactly pinpoint why there would be less reports overall but working from home arrangements could be a contributory factor as could the lockdowns resulting in changes to everyday business and routines.

Disclosures

2020/21 Disclosures By Service Area



The disclosures made during 2020/21 generally follow the pattern identified in previous years – as demonstrated by the charts above. Schools referrals are again more prevalent, reflecting inherent risks and the number of employees that work in schools. However, this does represent a reduction on the previous year and a general downward curve in the proportion of activity from this service area since 2018/19.

There was an increase in calls in Place service area - there is no clear pattern or trend in the nature of these reports. Another positive is decrease in activity in whistleblowing reports for Adult Care.

31% of calls received related to reports related to the Covid-19 pandemic. All reports were received during the April to July 2020 period i.e. the first lockdown and most of those received were from the public reporting business for breaking government guidelines and restrictions – these have led to a somewhat skewed picture. These reports were passed to the relevant officers to address.

It is difficult to further explain and evaluate the other statistics obtained – it is likely that Covid-19 and the requirement for most to work from home has impacted on the reports of issues internally.

Resolutions & Outcomes

On receiving whistleblowing reports, there are several possible routes to resolve the issues involved. If serious enough, they may warrant further independent investigation by the Counter Fraud & Investigation Team. However, in some cases it may be possible to address the issue through management action – this is preferable for minor issues without the need for any further action required.

We were required to make some form of investigation in 12 cases:

- 3 reports progressed to full investigation. After investigations were completed these resulted in management action being taken including 1 dismissal at an external provider.
- 9 needed preliminary enquiries only.

In some cases, the issues reported may be unfounded or provide insufficient evidence – in these cases we log the issues but take no further action. 8 reports were included in this category.

2020/21

12

whistleblowing cases required further enquiries referred to CFIT

3

cases progressed to full investigations

9

cases completed after preliminary enquiries

1

dismissal

8

cases require no further action

Benchmarking

Comparison through benchmarking is difficult when trying to assess performance in whistleblowing response. Lincolnshire County Council does publish its whistleblowing activity but this is not a mandatory requirement under the Transparency Code so many authorities do not disclose.

The annual CIPFA survey (Fraud and Corruption Tracker) published its report in September 2020. This identified that 64% of respondents reported that they annually reviewed their whistleblowing arrangements in line with the ISO 37002 “Whistleblowing Management Systems” guidelines. LCC responded positively to this question as we regularly review our arrangements to ensure compliant.

The survey also noted that 85% of councils responding confirmed that staff and the public had access to a helpdesk. Again, Lincolnshire County Council operate a facility that allows various methods of communication channels for whistleblowing reports to be submitted. We are highly proactive in promoting use of whistleblowing and ensure staff are aware of how they can report any matters.

The report identified that an average of 6 cases were logged by each authority that responded to the survey. The previous year’s Tracker report also reported the same average figure. Even in 2020/21 when the unprecedented Covid-19 situation has seen a drop in referrals, the activity in Lincolnshire has been well above this national level reported for several years.

The sustained high levels of reports submitted through our whistleblowing facility provides evidence of confidence in the Council’s ability to receive and address whistleblower’s concerns in the correct manner.

This demonstrates effective and trusted policy and arrangements for staff and public to raise issues of potential wrongdoing.

