

GMCA Audit Committee

Date: 20th September 2023
Subject: Annual report on the outcome of fraud and whistleblowing referrals
Report of: Steve Wilson, GMCA Treasurer

PURPOSE OF REPORT

This report has not changed since the version circulated to Members in July 2023

In line with the requirements of Paragraph 2.7 of Section G of the GMCA Constitution “Complaints and Whistleblowing”, this report provides a report to Audit Committee on the outcome of Whistleblowing Referrals received during the financial year 2022/23 and on the effectiveness of whistleblowing procedures.

RECOMMENDATIONS:

Members are requested to note the report

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Equalities Impact, Carbon and Sustainability Assessment:
N/A

Risk Management

<u>BOLTON</u>	<u>MANCHESTER</u>	<u>ROCHDALE</u>	<u>STOCKPORT</u>	<u>TRAFFORD</u>
<u>BURY</u>	<u>OLDHAM</u>	<u>SALFORD</u>	<u>TAMESIDE</u>	<u>WIGAN</u>

N/A

Legal Considerations

N/A

Financial Consequences - Capital

N/A

Financial Consequences - Revenue

N/A

Number of attachments included in the report:

BACKGROUND PAPERS:

N/A

TRACKING/PROCESS		
Does this report relate to a major strategic decision, as set out in the GMCA Constitution		No
EXEMPTION FROM CALL IN		
Are there any aspects in this report which means it should be considered to be exempt from call in by the relevant Scrutiny Committee on the grounds of urgency?		No
TfGMC	Overview & Scrutiny Committee	
N/A	N/A	

1. Background

- 1.1. Greater Manchester Combined Authority is committed to the highest possible standards of openness, probity and accountability. The GMCA Whistleblowing Policy is a vital part of the GMCA's governance arrangements and is designed to allow employees or others, with serious concerns about any aspect of the GMCA's work or that of its partners, to come forward and voice those concerns without fear of reprisal.
- 1.2. In the event that an individual becomes aware of activities which they believe to be illegal, improper, unethical or inconsistent with this Constitution, individuals are encouraged to report their concerns in line with procedures set out in the Whistleblowing policy.
- 1.3. Whistleblowing concerns related to the GMCA functions, including Greater Manchester Fire and Rescue Service, are referred to the Deputy Director, Audit and Assurance.
- 1.4. Section G of the GMCA Constitution "Complaints and Whistleblowing" states that the GMCA Standards Committee are responsible for reviewing the Whistleblowing Policies and approving any necessary changes. The GMCA Treasurer and Chief Executive Officer are responsible for monitoring the effectiveness of the Whistleblowing Policy and process with periodic reports provided to Audit Committee on the outcome of whistleblowing referrals.
- 1.5. This report provides the Audit Committee with a summary of the outcomes of whistleblowing referrals received by the Head of Audit and Assurance in the financial year 2022/23.

2. Referral and investigation process

- 2.1. The Whistleblowing Policy is in place to support employees in making disclosures relating to suspected wrongdoing, malpractice, illegality or risk in the workplace. It should not to be used where other more appropriate internal reporting procedures are available, such as grievances or disciplinary matters.
- 2.2. Upon receipt of a disclosure, the Deputy Director, Audit and Assurance (or other nominated recipient if the disclosure relates to Internal Audit) first determines whether the report is a "qualifying disclosure", which means it is made in the public interest. Qualifying disclosures generally fall into one or more of the following:
 - a. a criminal offence has been committed, is being committed or is likely to be committed;
 - b. a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
 - c. a miscarriage of justice has occurred, is occurring or is likely to occur;
 - d. fraudulent or corrupt activity has occurred or is occurring;
 - e. unethical conduct and actions deemed unprofessional or inappropriate; this could include breaches of regulations and of the 'Nolan Principles' which are the basis of ethical standards expected of public office holders;

- f. the health or safety of any individual has been, is being or is likely to be endangered;
- g. the environment has been, is being or is likely to be damaged as a result of the GMCA's actions; or
- h. information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

2.3. If confirmed, the disclosure will then be investigated in line with the Whistleblowing Policy. If the disclosure does not fall within the Whistleblowing Policy it will be passed on to the relevant Officer/organisation to manage it through the appropriate mechanism (such as grievance or disciplinary processes).

3. 2022/23 Referrals

3.1 From 1 April 2022 to 31 March 2023 five whistleblowing reports were received by the Deputy Director, Audit and Assurance. An additional case was initially reported to People Services but in consultation with the Deputy Director, Audit and Assurance, was subsequently assessed as being a protected disclosure under the GMCA Whistleblowing Policy and therefore included in the record of whistleblowing reports received.

3.2 Of the six reports received, three were assessed to not require progressing further through the GMCA whistleblowing route: one related to GMP (and was referred to GMP), one was referred to the GMCA Disciplinary process and one was assessed as not being credible.

4. Outcomes of whistleblowing investigations

4.1 One investigation is ongoing, the outcomes of that have yet to be determined. One case has led to disciplinary actions being taken due to complaints of misconduct being upheld and in the other case, organisational recommendation to improve recording of decisions made in relation to complex employee cases.

5. Effectiveness of whistleblowing arrangements

5.1 The GMCA Whistleblowing Policy was subject to review and refresh during the year, with only one minor amendment made which was to include a reference within the policy to the Freedom to Speak Up initiative that has been established within GMFRS. The GMCA Standards Committee approved the refreshed Policy in February 2023 and this has been made available on the intranet and internet.

5.2 The number of whistleblowing cases received in the year is consistent with previous years

5.3 There are various routes for reporting whistleblowing which are described in the GMCA Whistleblowing Policy, during the year various methods have been used,

including by telephone, post and referral from the Freedom to Speak Up process indicating that the various routes are understood and can be accessed

5.4 Looking ahead, Internal Audit will continue to

- review guidance and process to enable anyone with concerns to be able to easily make a report.
- liaise with People Services to make sure any cases reported directly to People Services that are determined to be qualified disclosures are treated as such and it is made clear to all parties involved that whistleblowers are protected under the Public Interest Disclosure Act.
- Report on a regular basis the outcomes of whistleblowing investigations