

Thursday 25 August 2022, 10am

Independent Inquiry and Whistleblowing Culture Review Update

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To note the progress made in addressing the recommendations agreed at Council in respect of both the Independent Inquiry and Whistleblowing Culture Review.
- 1.2 To note the criticality of considering the implementation of the recommendations in the context of also delivering the commitments in the Council's People Strategy (Our Future Council 2021-2024 approved in April 2021 at the Policy and Sustainability Committee) to support enduring cultural transformation.

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Update on Independent Inquiry and Whistleblowing Culture Review

2. Executive Summary

- 2.1 This report provides an update on the programme of work underway to address all the recommendations and observations agreed by Council.
- 2.2 Progress against timelines has been made across all five themes – Policy, Investigations, Learning, Systems & Processes, and the Redress Scheme.
- 2.3 As highlighted in previous papers, a critical dependency on delivery of recommendations in respect of Systems and Processes is to secure funding for the development of functionality of the HR system, finding a solution to all employee access to the Orb and increasing access to the Council's digital learning platform. A business case is being developed for consideration.

3. Background

- 3.1 The Council commissioned Susanne Tanner QC to lead an inquiry into complaints about the conduct of the late Sean Bell, a former senior manager in its Communities and Families directorate, who passed away in August 2020. The outcome of that Inquiry was reported to Council in October 2021, with a further follow up provided to Council on 25 November 2021.
- 3.2 An additional review into the Council's culture was agreed at the Policy and Sustainability Committee in October 2020. This was an independent assessment of the Council's whistleblowing and organisational culture overseen by Inquiry Chair, Susanne Tanner QC, assisted by law firm Pinsent Masons. The background to this review was set out in the report presented to full Council on 15 October 2020.
- 3.3 The Review team produced a report which identified key issues, findings and recommendations. This was considered and approved by Council in December 2021, together with additional budget to develop and deliver a substantial programme of work to implement all the recommendations.
- 3.4 The programme of work is structured around five themes:
 - 1) Policy review/development
 - 2) Investigations

- 3) Leadership, training, and development
- 4) Systems and processes
- 5) Redress Scheme and other matters.

3.5 In addition to this update report, in person sessions were offered to all elected members on 22, 27 and 29 June to update on progress made.

4. Main report

4.1 Progress has been made across the five themes of work which the recommendations and observations have been aligned to.

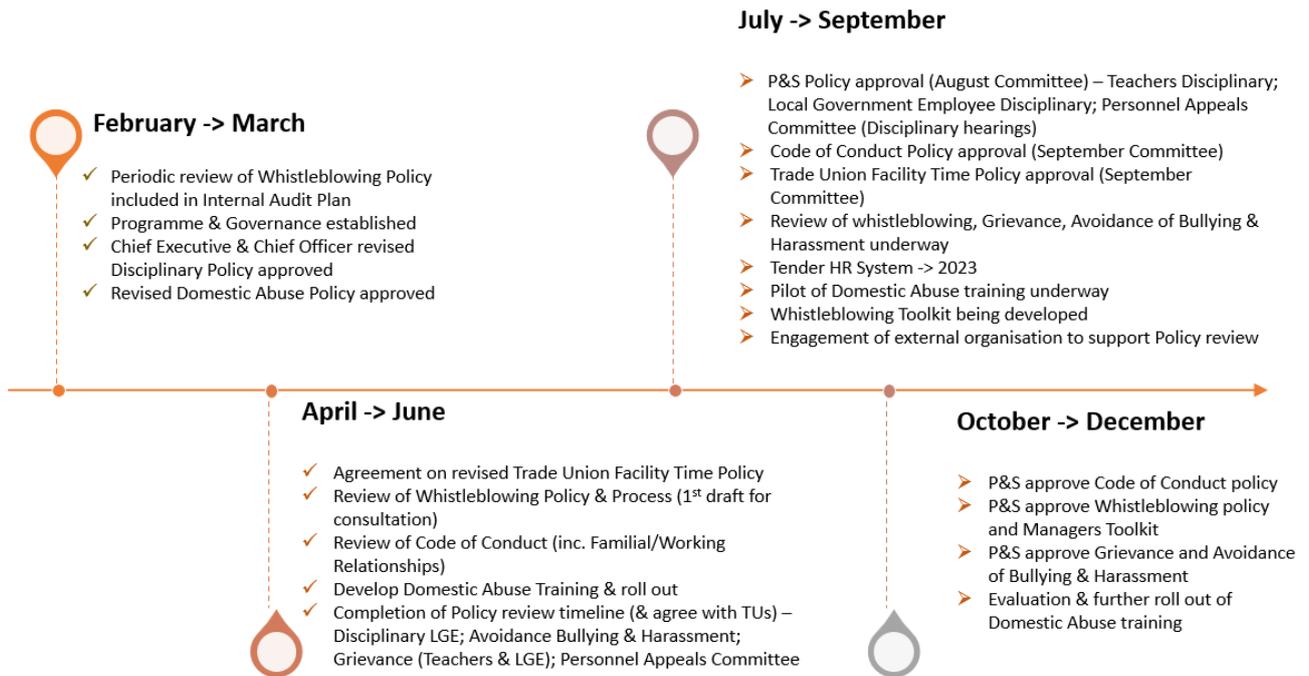
4.2 In addition to the implementation of the recommendations it is critical that the Council focus on maximising this opportunity for true cultural change and therefore recognise the breadth of work required to do this. In essence the delivery of the commitments in the Council's People Strategy (Our Future Council 2021-2024).

4.3 In addition to the progress detailed in this report , steps have been taken to design and implement a 'People Board' which will oversee the quarterly plans to ensure delivery of the Council's People Strategy 2021-2024 and the Inquiry and Review Recommendations and Observations. This approach ensures that we go further than simply implementing the recommendations and observations but facilitate and embed long-lasting positive change in our organisational culture. (See Appendix One for Governance Structure).

4.4 Below provides an update on the progress to implement the recommendations and observations approved by Council against the five themes (as per 3.4). There are number of observations/recommendations which overlap in scope and therefore below combines those that do.

4.5 Policy Development/Review

Progress has been made across all aspects of the Policy workstream. The immediate focus is to secure Committee approval for those policies which have been reviewed and continue to work with Trade Unions on the remaining policies. Significant focus will then be on the communication, training and embedding of policies and their underpinning processes.



4.6 Investigations

Significant progress has been made across delivery of recommendations with the immediate focus having been on the establishment of the new Investigations team and underpinning processes.



4.7 Leadership, learning & development

The organisational agenda related to Leadership, Learning and Development is primarily delivered through the commitments in our People Strategy (Our Future Council 2021-2024) and the Council's Strategic Workforce Plan (2021-2024).

Specifically, in respect the Inquiry and Review recommendations a programme of training and learning has been developed to align with policy review and implementation.



4.8 Systems and Processes

The majority of recommendations have not yet started and are dependent on a procurement exercise for the Council's HR & Payroll system to enable the much-needed improved core functionality. This is currently underway and will be completed by March 2023 and subject to Council approval for the required budget, which will enable a prioritised roadmap of system development/ implementation over 2023/24. This will seek to open up access to our remote workers and improve centralised record keeping (e.g. for note taking and disclosures).

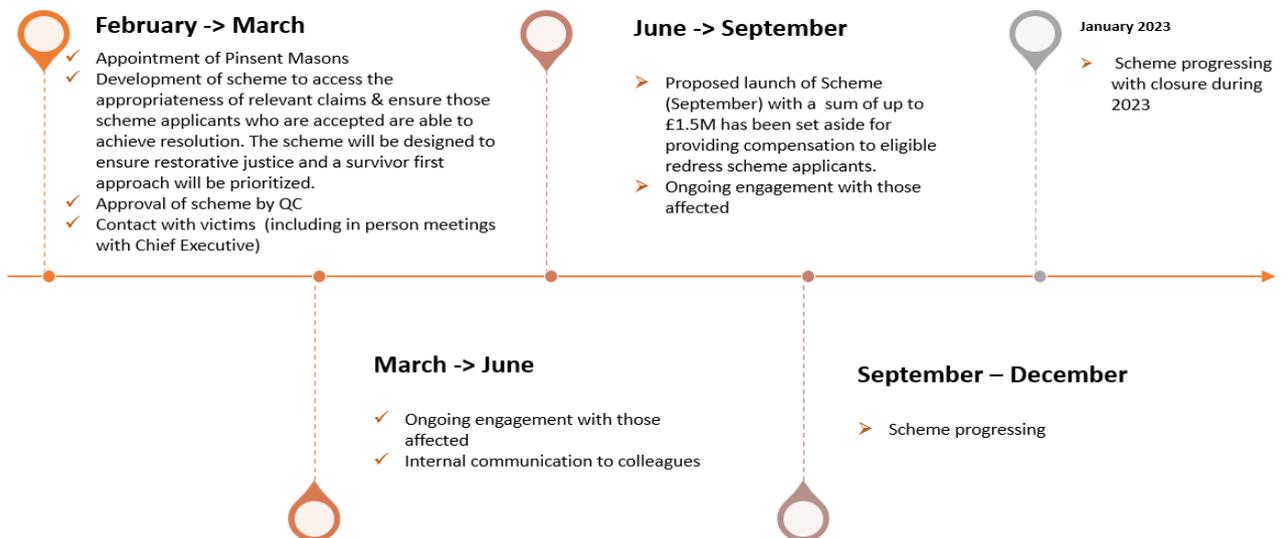
However, the Council will still have a dependency on employees who are not issued with a corporate email address/device (circa 5,000) to provide a personal email address and to use a personal device to be able to access the digital learning platform and the core HR & Payroll system. Without provision in place we remain reliant on system workarounds and tactical solutions.

Additionally, a solution is required in respect of enabling access to employment policies and supporting guidance, wellbeing support (EAP), benefits platform etc. Currently all content is only available on the Orb, and where absolutely required (e.g. Covid-related guidance) must be replicated on the Edinburgh.gov.uk site – our Citizen site. This is duplication of content and resources. Potential solutions are being explored by CGI, the Council's Digital & Comms team and HR.



4.9 Redress scheme

The development of the scheme is underway with a proposed launch date of September 2022.



5. Next Steps

- 5.1 Ongoing delivery of all the recommendations and observations from the Independent Inquiry and Whistleblowing Culture Review with oversight and scrutiny provided by Corporate Leadership Team, Council and Committee (GRBV and Policy and Sustainability).

5.2 A further update to be provided to Council in December 2022.

6. Financial impact

- 6.1 Implementation of the recommendations within agreed budget to deliver the recommendations as agreed at Council 2022.
- 6.2 The Business Case relating to the Council's Human Resources system is being developed and will be completed by year end 2022 for consideration/approval.

7. Stakeholder/Community Impact

- 7.1 Ongoing engagement and communication with relevant stakeholders including colleagues, Elected Members and Trade Unions.

8. Background reading/external references

- 8.1 Independent Inquiry Report Arising Out of Allegations Concerning the Conduct of the late Sean Bell – Report by the Chief Executive (28 October 2021) Investigation Reports
- 8.2 Update on recommendations (25 November 2021) Independent Inquiry Report Arising Out of Allegations Concerning the Conduct of the Late Sean Bell – Update on Recommendations
- 8.3 Review of Whistleblowing and organisational Culture (16th December 2021) - Independent Review into Whistleblowing and Organisational Culture
- 8.3 Independent Review into Whistleblowing Culture (10th February 2022) - Independent Review into Whistleblowing and Organisational Culture

9. Appendices

- 9.1 Governance structure in place in respect of Inquiry and Review

