

From: FOI - Generic Email Account
Sent: 25 February 2014 11:45
To: M Phillips <@>
(@)
Subject: FOI RESPONSE - OUR REF - ATI 2014 02 03 001 - WHISTLEBLOWING

Dear M Phillips

Freedom of Information (Scotland) Act 2002
Request for Information – Whistleblowing

I refer to your request for information dated 1 February 2014.

The information you requested was:-

1. Please state the number of reported whistle blowing cases involving staff and officers of the authority for 2011, 2012 and 2013
2. Please state the number of reported whistle blowing cases involving elected members for 2011, 2012 and 2013
3. Please state the number of cases where wrong doing was found against a member of staff or elected member for 2011, 2012 and 2013
4. Please state what actions were taken eg: dismissed for gross misconduct, fraud, theft , a final written warning, a verbal warning, referred to the Standards and Ethics Board etc
5. Has the Local Police Force ever investigated any members of staff or officers or elected members for allegations of fraud, corruption, misappropriation of funds, acceptance of bribes or gifts contrary to the Bribery Act 2010 or theft?
6. If so what was the outcome of any such investigations
7. Has the local Police Force ever removed property, equipment or data from any of the Local Authority premises within the last 3 years
8. Please supply a copy of both your Whistleblowing Policy and your Anti-Bribery Policy

Please find below and attached the information requested:

1. There were less than 5 instances of whistleblowing involving staff in the years you have asked about (see note below about personal information).
2. There were no instances of whistleblowing in connection with elected members.
3. There were less than 5 cases where wrong-doing was found against a member of staff in the years you have asked about (see note below about personal information).
4. Unable to provide this information as individuals may be identified (see note below about personal information).
5. Unable to provide this information as individuals may be identified (see note below about personal information).
6. Unable to provide this information as individuals may be identified (see note below about personal information).

7. No.
8. The relevant policies we have are attached.

Personal Information

I have decided to withhold the exact figures and outcomes of whistleblowing and wrong-doing, as they relate to fewer than 5 people, and individuals may be identified from the statistics provided. Accordingly, an exemption in terms of Section 38(1)(b) and Section 38 (2)(a)(i) of the Freedom of Information (Scotland) Act 2002 has been applied in respect of the information withheld.

The information is personal information as defined by Section 1(1) of the Data Protection Act 1998.

The individuals concerned have not given their consent to the information being disclosed to the person making the request.

Disclosure of the information, and any other information which is likely to come into the possession of the person making the request; would lead to disclosing personal information relating to another individual who can be identified from that information. The release of this personal information would contravene data protection principles.

Specifically the information is exempt under Sections 38(1)(b) with reference to Section 38(2)(a)(i) of the Freedom of Information (Scotland) Act 2002, release of information that would breach data protection principles.

The principles breached would be:-

Principle 1, fairly and lawfully processed: Release of the information would breach this principle as the individuals concerned have no expectation or understanding that this personal information would be released to the public.

Principle 2, processed for limited purposes: Release of the information would breach this principle as the purpose of obtaining and recording the personal information was not to release the information to the public.

You have a right to request a review of the Council's decision. Please click [here](#) to view a copy of our information leaflet which explains the right of review.

Should you require any further explanation or assistance please do not hesitate to contact me.

Yours sincerely

Lucy Sheldon
Freedom of Information Officer
Perth & Kinross Council
Tel: 01738 477936
Fax: 01738 477939
e-mail: FOI@pkc.gov.uk