

Audit, Risk & Assurance Committee

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| Date | 29 September 2021 |
| Report title | Terms of Reference - Whistleblowing Panel |
| Accountable Chief Executive | Laura Shoaf, Interim Chief Executive Email: Laura.Shoaf@wmca.org.uk Tel: (0121) 214 7444 |
| Accountable Employee | Satish Mistry, Director of Law and Governance Email: Satish.Mistry@WMCA.org.uk Tel: (0121) 214 7435 |
| Report has been considered by | Not Applicable |

Recommendation(s) for action or decision:

Audit, Risk & Assurance Committee is recommended to:

Consider and approve the draft Terms of Reference for the recently created Whistleblowing and Fraud Panel that has been developed to assess all whistleblowing and fraud cases presented to WMCA.

1. Purpose

- 1.1 The purpose of the panel is to provide strategic guidance in the management and resource provision of whistleblowing and fraud allegations presented to WMCA, to assess the basis of any evidence, and determine the appropriate level and prioritisation of action and resources required for each case. The panel will also consider whether diverting or supplementing Internal Audit resources from the annual plan is justified and appropriate, and by the inclusion of the Chair of ARAC, avoid any accusation of there being a conflict of interest in any decision made.

2. Background

- 2.1 The panel has been established to undertake a preliminary triage of cases being presented to WMCA as a Whistleblowing claim and Fraud allegation for onward management, investigation and resolution and to consider the strength of each case, in order to determine the most appropriate next steps for progression of a case.
- 2.2 A high level review of all claims will be undertaken by officers who will assess the case being presented through the completion of a risk based assessment and will present their findings to the panel to assist in them determining the appropriate response and management arrangements for each case. This will include confirmation of the most relevant department responsible for the handling each case, or where insufficient evidence is available, where a case should be closed with no further action being taken.
- 2.3 Membership of the panel has been identified as the following, with the Chair of ARAC undertaking the role of Chair of the panel to provide an independent view.
- Independent Chair of Audit Risk and Assurance Committee (ARAC)
 - Finance Director
 - Monitoring Officer
 - Head of Human Resources
 - Head of Audit Services (Wolverhampton)
- 2.3 Reporting of all whistleblowing cases will continue to be reported to this committee upon conclusion of all cases within the private agenda.

3. Financial Implications

Not applicable

4. Legal Implications

Not applicable

5. Equalities Implications

Not applicable.

6. Inclusive Growth Implications

Not applicable.

7. Geographical Area of Report's Implications

Not applicable.

8. Other Implications

Not applicable.

9. Schedule of Background Papers

Appendix 1: Whistleblowing Panel Terms of Reference