

Council's whistleblowing investigations will 'significantly' run over budget

by Joseph Anderson Local Democracy Reporter

The bill for Edinburgh City Council's whistleblowing investigations is likely to run significantly over budget, according to the authority's chief executive.

The council is set to embark on two investigations – one looking into the handling of complaints against a social work manager who was found dead at Salisbury Crags and a second inquiry into the wider culture of the council.

Andy Jeffries, senior manager, Children's Practice Teams, has been suspended on a "precautionary basis" while an investigation is carried out into the complaints against Sean Bell, who was awaiting trial for sexual assault when he was found dead at Salisbury Crags in August.

The council has agreed to set aside £600,000 from its reserves to fund the first investigation, but concerns have been raised that this is just an estimate and the final cost could be much

higher.

Now, the council's chief executive, Andrew Kerr, has also stated that the cost of the second investigation will be 'significantly higher' than the first.

Fountainbridge and Craiglockhart councillor Gavin Corbett, Green Party, said: "How can we be sure that we won't exceed £600,000 – is there an agreement with the people carrying out the work?"

"My misgiving is that we've agreed 'up to £600,000', it very clearly says to me that's the cap – but all we've got is an estimate of the cost of this.

"Now, what I'm concerned about is that if the work takes off and the bill accumulates well beyond £600,000 we don't have any mechanism to say we've only agreed that amount of money and that eats into our reserves which are obviously finite."

Mr Kerr replied: "I understand that, but that's the facts – that's what you've agreed, that's what the council has agreed.

"I think these are the best estimates, we were quick to ask the people who are conducting the investigation what this is likely to cost, in fact this £600,000 is only for part one of the investigation.

"I think the belief of Pinsent Masons for example is that the second part of the investigation will cost significantly more than that to undertake beyond that work, because this is direct interviewing of witnesses, and a large number of those types of interviews, which of course cost money.

"The need for independence has meant we've had to pay for the intervention of QCs and an investigation team from somewhere else so it's not as connected to Edinburgh in any way, and making sure that's done properly is why there would likely be significant costs as part of the investigation.

“What I would say though is that it’s absolutely vital we investigate, particularly phase one of the investigation, and the particular matter to its fullest extent to make sure we’ve got that absolutely correct, and the second phase of the investigation we can bring back and make a better estimate of what that might cost as we get nearer the time for undertaking that work.”

Speaking on the need to limit the scope of the investigation, Mr Kerr added: “We are in constant contact with Pinsent to make sure the scope of the review is defined.

“It’s less likely to be open in terms of the first part of the review, because it’s a very specific investigation and the second part, which is into the culture of the organisation, needs to be scoped with the independent chair, as agreed with the group leaders.”

Fellow Fountainbridge and Craiglockhart councillor, Andrew Johnston, Conservatives, also raised concerns with the potential bill.

“He said: “I’m very concerned that we’re about to approve £600,000 of reserves with no real understanding about where this enquiry could go in terms of the finances, and my understanding is that sometimes you can agree with legal firms to cap the fees.

“I wonder if there’s been discussions about that or we have any understanding of where the fees could go – is there an hourly rate they are charging?

“I think given the precarious position we find ourselves in with reserves, that whilst it’s completely regrettable that we have to have this enquiry it does have to happen.

“I do wonder if the council has made the decision to approve this, and we’re effectively rubber stamping it, is there anything we can do to put in safeguards so that this is not

another tram enquiry and we're sat here in a year's time and the work is one million, two million, three million – and because the work is vital we have no option to approve it.”

Mr Kerr advised the committee that the council can set a cap on the expenditure that would mean above a certain threshold the contract would be brought to the committee for subsequent approval.

An independent chair is still to be appointed to lead the investigations.