



**Havering**  
LONDON BOROUGH

# Confidential Reporting Policy 'Whistleblowing'

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# Whistleblowing Policy

Our policy is part of the Council's Corporate Governance Framework that seeks to promote a culture of openness and a shared sense of integrity throughout the Council by inviting employees to act responsibly in order to uphold the reputation of the Council and maintain public confidence.

## What is Whistleblowing?

Whistleblowing encourages and enables people resources to raise serious concerns within the Council rather than ignoring a problem or "blowing the whistle" outside.

Individuals working for or on behalf of the Council are the first to spot anything that is seriously wrong within the organisation. However, they might not say anything because they think this would be disloyal, or they might be worried that their suspicions are not justified. They may also be worried that they or someone else may be victimised.

That is why we have produced this Whistleblowing policy to help individuals with concerns to come forward and report them with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

We are committed to being open, honest and accountable. For this reason concerns/disclosures of malpractice and impropriety are taken very seriously.

We expect our people resources and other organisations working for or with the Council to bring to our attention any issues of concern, malpractice or other wrongdoing.

## Who is covered by this Policy?

All Employees and other workers (including those designated as casual/seasonal, temporary, agency, authorised volunteers or work experience) and those contractors working for the Council on Council premises, for example, builders or technicians. It also covers suppliers and those providing services under a contract with the Council in their own premises, for example, care homes and sheltered accommodation.

## What types of action are covered by the Policy?

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following:

Misuse of Council funds;

Misuse of Council computer systems;

Bribery and corruption;

Fraud;

Improper or unauthorised use of Council money;

Clients, children or students, particularly children and adults in our care, being mistreated;

Abuse of position for any unauthorised use or for personal gain;

None adherence to a Council policy, an official code of practice or any law or regulation;

Failure to meet appropriate professional standards; and

Other instances where attempts have been made to conceal or cover up wrongdoing.

Your concern may be about members of staff, people who work directly for the Council, suppliers, or people who provide services to the public on the Council's behalf.

## What is not covered by the Policy?

You cannot use this policy to deal with serious or sensitive matters that are covered by other procedures, for example:

- Staff complaints about their employment. These complaints are dealt with through our Grievance or Bullying and Harassment Policies and Procedures;
- Customers' complaints about our services. These complaints are dealt with through our Corporate Complaints Procedure; and

- Allegations against councillors.

Also, you cannot use this policy to raise issues that have already been settled through other procedures, for example, matters previously resolved under the Council's Disciplinary Rules Procedure.

## Protecting you

If your allegation is true, you have nothing to fear. But we understand that deciding to blow the whistle is not easy.

If you raise a concern which you believe is true, we will take appropriate action under the Public Interest Disclosure Act 1998 to protect you from any harassment, victimisation or bullying.

We will protect your identity and keep your concerns confidential.

There may be occasions when you will need to provide statements of evidence in order for us to conclude the investigation. In this case we will not reveal your name or position without your permission or unless we have to do so by law, for example, if the evidence is required in Court then your anonymity may be subject to the decision of the Courts.

If you work for the Council, you should also know that any allegation you make will not influence, or be influenced by, any unrelated disciplinary action against you.

## Anonymous allegations

Because we will treat the information you provide as confidential, we encourage you to give your name when you make an allegation. Concerns raised anonymously tend to be far less effective and if, for example, we do not have enough information, we may not be able to investigate the matter at all.

If you feel that you cannot give your name, the Internal Audit and Corporate Risk Manager will decide whether or not to consider the matter. This will depend on: the seriousness of the matter; whether your concern is credible; the likelihood of confirming the allegation from credible sources; and whether we can carry out an investigation based on the information you have provided.

## Untrue Allegations

If you make an allegation which you believe is true, but it is not confirmed by our investigation, we will not take any action against you.

However, if the investigatory process finds you have made an allegation which you know is untrue, frivolous, malicious or for personal gain; we will take appropriate disciplinary or legal action against you.

## How to raise a concern

Depending on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing, you may want to discuss your concern with someone in your chain of management from your line manager to Group Director or Assistant Chief Executive. The Assistant Chief Executive Legal and Democratic is the Council's Monitoring Officer, and plays a key role in the Council's Governance arrangements as does the Group Director Finance & Commerce as the Council's s151 Officer both are therefore alternative contacts for concerns.

It is usual for Whistleblowing reports to be investigated by the Internal Audit Team therefore if you prefer you can contact the Internal Audit & Corporate Risk Manager or the Corporate Fraud manager direct, you can do so in any of the following ways:

By phoning the Whistleblowing hotline on 01708 432946. You can leave a confidential voice-mail message 24 hours a day.

By writing to the Internal Audit and Corporate Risk Manager, Room CG6, Town Hall, Main Road, Romford, Essex, RM1 3BD.

By sending an e-mail to: [tellusaboutfraud@haverling.gov.uk](mailto:tellusaboutfraud@haverling.gov.uk)

If you are putting your concerns in writing it is best to give as much information as possible - including any relevant names, dates, places and so on.

You should also provide:

- The reason why you are concerned about a situation
- Background information

- What you personally witnessed or extent to which you have experienced the problem
- If possible you should provide documentary evidence.
- The earlier you raise a concern, the easier it will be to take effective action.
- Although you will not have to prove beyond the shadow of a doubt that your allegation is true, you will have to show that there are reasonable reasons for your concern.
- The earlier you raise a concern, the easier it will be to take effective action.

## Help for you

You may want to discuss your concern with your trade union representatives who can give you general support and advice, or act for you if this would help. This could be useful, particularly if you wish to remain anonymous.

## How we will respond

The person with whom you raise your concerns; will acknowledge receipt of them within 5 working days and within 20 working days, will respond by writing to you:

- acknowledge that we have received your concern
- indicating the proposals to deal with the matter
- the name and details of the investigating officer for future contact
- giving an estimate of how long it will take to provide a final response;
- tell you whether further investigations will take place and if not, why not; and
- tell you what support is available to you.

It is difficult to set further timescales as they depend on the nature of the allegation and the type of investigation we need to carry out.

The way we deal with the concern will depend on what it involves. If we need to take urgent action, we will do this before carrying out any investigation.

We will first make enquiries to decide whether we should carry out an investigation and, if so, how we should go about it. Throughout all our enquiries and any investigation, our main concern will be to put the interests of the public first.

Your concern may be investigated by council management, our internal audit investigators, or we may refer it to:

- the police;
- other agencies (for example, if it involves the abuse of children or vulnerable adults it may be referred to the relevant Director of Services);
- our external auditor; or
- an independent investigator.

If your concern or allegation can be handled under any other procedure or policy, we will pass it on to the relevant person and let you know.

The amount of contact you have with the investigating officer will depend on the nature of your concern, the potential difficulties involved, and whether or not the information you have given us is sufficiently clear.

If you need to have a meeting, you can be accompanied by a friend or a representative from a trade union or professional association.

We will take steps to reduce any difficulties you may experience as a result of raising a concern. For instance, if you need to give evidence in criminal or disciplinary proceedings, we will arrange for you to get advice on the procedure.

If the investigation finds that misconduct and/or gross misconduct has occurred, disciplinary action may be initiated in accordance with the Council's Disciplinary procedures.

In all cases we will seek to apply the most appropriate sanction against employees considered to be guilty of malpractice. This includes commencing disciplinary action, which may lead to dismissal, and, in the case of unlawful wrongdoing may also involve criminal proceedings; however, the nature and outcome of any disciplinary action taken will remain confidential.

**Further Support, Tools & Guidance**



## **Who is responsible for this Whistleblowing policy?**

The Group Director Finance & Commerce is responsible for this Policy which is approved by the Council's Governance Committee. The Internal Audit and Corporate Manager will take an independent view of any concerns raised and maintains a confidential record of all concerns raised and the outcomes. Annually a report containing Whistleblowing activity is presented to the Audit Committee who have also been delegated a role regarding Corporate Governance and are responsible for approving the Council's Annual Governance Statement.

## **What if a concern involves the officer involved in the Whistleblowing procedure?**

If a concern involves the Internal Audit and Corporate Risk Manager, the matter should be referred to the Council's Monitoring Officer.

If a concern involves the Chief Executive, the matter should be referred to the Leader of the Council.

## **How you can take a matter further**

We hope you will be satisfied with any action we take. If you're not, and you want to take the matter outside the Council, you could contact:

our external auditor; contact details on the council website

the Audit Commission; email: [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk)

You're local Citizens' Advice Bureau

relevant professional bodies or regulatory organisations

a relevant voluntary organisation; or

the police

## **Independent advice**

You can get independent advice or support from an organisation called Public Concern at Work. Their address is:

Public Concern at Work

3rd Floor, Bank Chambers, 6-10 Borough High Street, London, SE1 9QQ

Phone: 020 7404 6609

The latest version of the Whistleblowing Policy and all of our documents can be obtained from either contacting the Corporate Fraud Manager – or by visiting our intranet pages: <https://intranet.havering.gov.uk/index.aspx?articleid=11676>

If you have any comments or feedback to do with this document, we would like to hear from you, so please get in touch and email us at the following address:

[Vanessa.bateman@havering.gov.uk](mailto:Vanessa.bateman@havering.gov.uk)

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