

LONDON BOROUGH OF ENFIELD

WHISTLE BLOWING POLICY & PROCEDURES

INTRODUCTION

The Council is committed to developing the highest possible behavioural standards and a culture encouraging openness, probity and accountability of all employees, councillors and council contractors.

The Whistle Blowing Policy is a framework to enable and encourage you to raise and report any concerns regarding any aspect of the Council's work which may include:

- The unauthorised use of public funds
- A failure to comply with a legal obligation
- Any conduct which may damage the Council's reputation
- A danger to the health and safety of an individual
- Damage to the environment
- Possible fraud and corruption
- Possible acts of bribery
- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice; and/or
- Other unethical conduct.

The Council's Whistle Blowing Policy applies to all employees and those contractors working for the Council on Council premises, for example, agency staff and consultants. It also covers suppliers and those organisations providing services under a contract with the Council on their own premises, for example, care homes.

HOW TO RAISE A CONCERN

As a first step, you should normally report any concerns to your line manager or their manager, preferably in writing. However, if you feel the matter is extremely serious, sensitive or involves your line manager or their manager, you may report the matter straight to your Director.

If you feel that it is not appropriate to report your concerns to the individuals above then you should contact:

Contact	Contact number	Position
James Rolfe	020 8379 4601	Director of Finance, Resources and Customer Services
Asmat Hussain	020 8379 6438	Assistant Director of Legal Services
Timothy Strong	020 8379 4141	Assistant Director of Human Resources
Rob Leak	020 8379 3901	Chief Executive
Stuart Brown	020 8379 4641	Head of Internal Audit and Risk Management

When raising your concern you may wish to take advice on the matter from any of those listed in the section above or discuss your concerns with a colleague first. It is advisable that you report your concern as early as possible. A significant delay in reporting the matter may make the subsequent investigation difficult to pursue.

In raising your concern in writing, you should give as much detail as possible, i.e. the background and history, names and relevant dates and the reasons why you are particularly concerned about the situation.

If you feel hesitant about putting your concern in writing at this stage you should telephone the manager to whom you wish to make the report and arrange to meet them. However you may be asked to put the details in writing at later stage.

Officers receiving a report under this section should notify the Audit and Risk Management Service of the report as soon as possible so that the Council meet their requirements to keep a central record of whistle blowing concerns raised.

As a second step, if you believe that your management is involved you should contact one of the following staff from the Internal Audit and Risk Management Service listed below.

Contact	Contact number	Email address
Leslie Marshall	020 8379 4043	leslie.marshall@enfield.gov.uk
Bob Cundick	020 8379 4028	bob.cundick@enfield.gov.uk

Please advise whether you want to raise the matter in confidence to enable appropriate arrangements to be made. (Remember Audit and Risk Management has a degree of independence that allows officers to raise concerns without being identified as the source).

As a third step, if these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact:

Contact	Contact number	Email address
John Austin	020 8379 4094	xxxx.xxxxxx@xxxxxxx.xxx.xx

If the above steps do not provide a suitable resolution then you can also contact any of the following independent organisations outside the Council for assistance with your concern:

- Audit Commission Public Interest Disclosure Act Hotline Tel: 0845 053 2646
- Public Concern at Work Tel: 020 7404 6609 or visit their website: <http://www.pcaw.co.uk/>
- Citizens Advice Bureau
- Relevant professional bodies or regulatory organisation
- Relevant voluntary organisation
- The police.

If you do take the matter outside the Council you should ensure that you do not disclose confidential information.

HOW WE WILL HANDLE THE MATTER

Once you have raised your concern, the Council will undertake an initial assessment to determine what action needs to be taken. This may involve an internal inquiry or a more formal investigation. Do not forget that testing out your concerns is not the same as either accepting or rejecting the concern.

Where appropriate, the matters raised may:

- be investigated by management, officers from the Council's Audit and Risk Management Service, or through the disciplinary process;
- be referred to the police or appropriate agency such as Her Majesty's Revenue and Customs (HMRC) or the United Kingdom Borders Agency (UKBA);
- be referred to the Council's External Auditor; or
- form the subject of an independent inquiry.

When you raise your concern you may be asked how you think the matter might best be resolved. You will also be required to disclose any personal interest in the matter at the outset. Any concerns that should be dealt with through the Grievance Policy will be redirected.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

You will be advised of the officer handling the matter, how you can contact them and whether further assistance is required. Where requested, you will receive a letter summarising your concern and proposed actions that will be taken.

While the purpose of this Policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as permissible. If requested, we will confirm our response to you in writing. Please note, however, that we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.

It should be noted that where a concern raised is linked to a potential redundancy, disciplinary and/or other managerial issue these processes will continue in parallel with the investigation of the alleged wrongdoing and will not prevent the Council from pursuing any subsequent action through to conclusion. This principle is not intended to prevent staff raising concerns.

Where staff have genuine concerns about potential wrongdoing they are expected to raise these concerns at the earliest opportunity and not raise these in response to other managerial actions being instigated.

In all cases, when a concern is raised, the responsible person will write to you:

- Acknowledging that the concern has been received
- Indicating how we propose to deal with the matter
- Providing an estimated timeframe to provide a final response
- Advising whether any initial enquires have been made
- Supplying you with information on staff support mechanisms, and
- Informing you whether further investigations will take place and if not, why not.

EXTERNAL CONTACTS

While we hope this Policy gives you the reassurance you need to raise such matters internally, we would rather you raised a matter with the appropriate regulator than not at all. Provided you are acting in good faith and you have evidence to back up your concern, you can also contact:

External contact	Issue type
Health and Safety Executive	Health and safety issues
Environment Agency	Environmental issues
HM Revenues & Customs	Financial irregularities
Grant Thornton (Council's Appointed Auditor)	Public sector finance issues or financial irregularity
Information Commissioner's Office	Data protection issues

IF YOU ARE DISSATISFIED

While we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and in accordance with this policy. If you are dissatisfied with our response it may be appropriate to seek external advice.

OUR ASSURANCES TO YOU

The Chief Executive and the Corporate Management Board are committed to this Policy and recognise that the decision to report a concern can be a difficult one to make. If you raise a genuine concern under this Policy, you will be protected from possible reprisal or victimisation. Provided you are acting in good faith, it does not matter if you are mistaken, no action will be taken against you.

Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue. If you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

By reporting or raising a concern you will be doing your duty to your employer and those for whom you are providing a service.

Statutory Protection

The Public Interest Disclosure Act 1998 establishes your right to raise such concerns and provides individuals with protection from victimisation, dismissal or any other detriment provided they have a reasonable belief that what they have reported is true and the report is in good faith.

Harassment or Victimisation

The Council will not tolerate any harassment or victimisation (including informal pressures) from you colleagues, peers, managers, or from external sources, and will take appropriate action to protect you when you raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary, capability, or redundancy procedures that already affect you.

If you consider that you have been, are being or are likely to be victimised, dismissed, made redundant or made to suffer some other detriment as a result of making a report under this procedure, you should report your concerns to the Council's Monitoring Officer. The matter will then be dealt with as a new referral under this procedure.

Your confidentiality

We recognise that you may want to raise a concern in confidence under this Policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where we are unable to resolve the concern without revealing your identity (for example where you are needed to come forward as a witness or to give evidence in court), we will discuss with you whether and how we can proceed.

Anonymous allegations

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Council.

In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Remember if you do not tell us who you are, it will be much more difficult for us to look into the matter, to protect your position or to give you feedback.

OUTSIDE THE WHISTLE BLOWING POLICY

The Policy does not normally cover:

- Matters that concern day to day issues relating to an employee's terms and conditions of employment or a complaint about another employee which can usually be referred to their line manager, or if necessary be pursued using the Council's Grievance Procedure.

- Matters that concern schools are covered by a separate Schools Whistle Blowing Policy. The Schools Whistle Blowing Policy should be used in the first instance. If after reading the School's Whistle Blowing Policy, you feel that your concern or issue is not covered, you can telephone the Ofsted Whistle Blower Hotline on 0300 123 3155 or email: whistleblowing@ofsted.gov.uk
- Matters that would normally be dealt with by the Council's collective bargaining arrangements with its recognised trade unions which should be reported to (GMB) 020 8379 3147 or (UNISON) 020 8379 4082.
- Matters relating to child abuse which should be reported to the Children in Need Service from 9am to 5pm: Telephone 020 8379 2483 and the Enfield Out of Hours Team outside office hours: Telephone 020 8379 1000.
- Matters relating to the abuse or neglect of an adult at risk should be referred to the Enfield Adult Abuse Line: Telephone 020 8379 5212.
- Allegations which you would normally make to Internal Audit and Risk Management concerning fraud or financial irregularity should continue to be made direct to Internal Audit and Risk Management by calling 020 8379 4043 or via email benefits.investigatxxx@xxxxxxxx.xxx.xx
- Complaints from the public that relate to the standard of service delivered by the Council or Council Contractors which should be reported through the Council's Corporate Complaints procedure.

REVIEW OF THE WHISTLE BLOWING POLICY

The Policy and reports made under it should be reviewed at least annually by the Monitoring Officer who will submit a report to the Audit Committee.