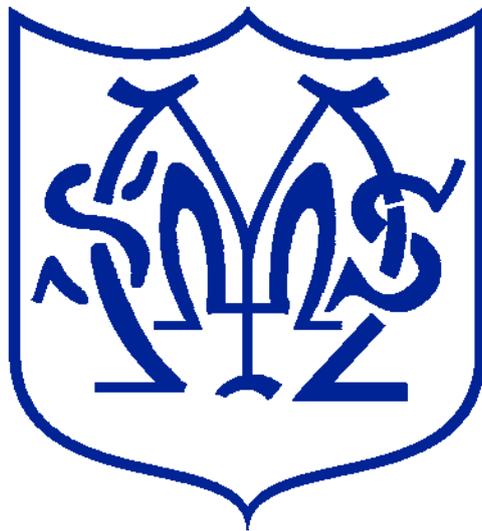


St Mary and St Michael Catholic
Primary School

Whistle-blowing Policy



*“Learning together hand in hand
with our friend Jesus.”*

Whistleblowing Policy

Introduction

The date of this policy is 5th March 2014 and will be reviewed 5th March 2017.

This policy has been presented to and agreed upon by the Governing Body on 5th March 2014

This policy has been developed in conjunction with Tower Hamlets

This policy is also accessible to:

- all staff (permanent, temporary, supply or otherwise)
- advisors/inspectors
- parents (on request)
- St Mary & St Michael RC Primary School Governors

All permanent staff have access to a copy in the staffroom and saved on the school computer system.

'What to do when you suspect fraud and/or corruption'

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**CONFIDENTIAL STAFF HOTLINE
FREEPHONE - 0800 528 0294**

Introduction

It is essential that the Council is able to prevent and detect fraud, thus ensuring that services are provided honestly and efficiently and Public funds are administered

properly. The Anti Fraud and Corruption Strategy outlines the principles that the Council is committed to in preventing and reporting fraud and corruption.

As part of the Borough's Anti Fraud and Corruption Strategy, it is good practice to have a Fraud Response Plan in place. The plan offers staff direction and help in dealing with matters of suspected Fraud and Corruption indicating responsibilities, and sources for guidance.

The Council already has procedures in place to reduce the possibility of irregularity occurring by the application of, inter alia, Standing Orders, Financial Regulations, an Accounting Manual, written procedures and systems of Internal Control and Risk Management.

At the Audit Panel on March 11th 1999 and at Policy and Performance Review Committee on March 24th 1999 the Council's approach to the introduction of an Anti-Fraud and Corruption Strategy was discussed and agreed.

The report proposed to Corporate Management Team options for the implementation of the Strategy.

The cornerstone of an Anti-Fraud and Corruption Strategy is a Whistleblowing facility which would ***enable staff and Members*** to raise concerns of a serious nature in confidence and with assurance that if the matters reported are well-founded they will be investigated without fear of comeback to the whistleblower.

Background

The need to reflect good practice in the administration of public funds by the use of Whistleblowing can trace its origins back to the recommendations of the Audit Commission report "Protecting the Public Purse – Ensuring Probity in Local Government", published in 1993.

The Committee on Standards in Public Life, Chaired by Lord Nolan, further strengthened the need to have clear procedures for staff to raise concerns if they feel that malpractice has occurred.

The introduction of the Public Interest Disclosure Act 1998 has further enshrined the need for an Anti Fraud culture to be present in all Public Service environments. This entails meaningful and accessible means for staff to raise concerns in confidence.

The District Auditor in his review of the Council's arrangements to Prevent Fraud and Corruption 1997/98, commented that generally the arrangements are good. The introduction of an Anti Fraud Strategy and a Whistleblowing facility would demonstrate that the Council had achieved Best Practice.

Definitions of Fraud and Corruption

Fraud "The intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain."

Corruption "The offering, giving, soliciting or acceptance of an inducement or reward which may influence the actions of any person."

Internal Audit

The Internal Audit Service is usually the most appropriate unit to investigate suspected fraud. It is essential, therefore, that every case of suspected fraud is reported to Internal Audit.

The Director of Finance and Personnel will advise and decide on how an inquiry will be progressed and, in conjunction with the Chief Executive, whether external agents such as the Police need to be informed.

Experienced Audit staff will be assigned to manage fraud and/or corruption investigations. Such investigations by Internal Audit will give due regard to Audit Commission Guidelines, Codes of Practice and relevant legislation.

At the conclusion of the investigation, management of the service concerned will be informed as to the outcome together with recommendations as to proposed action.

Reporting suspected Fraud and Corruption

Staff are at the forefront in helping the authority to detect fraud. It is often members of staff who are the first to notice suspected cases of fraud and corruption.

The authority encourages staff to report issues concerning fraud or corruption. Financial Regulations and the Officers Code of Conduct require staff to raise their concerns where irregularity is suspected.

When the employee first uncovers a case of suspected fraud or corruption the action they initially take can often be vital to the success of any investigation that ensues. It is essential that their actions be in line with the guidance given in this document.

Guidance on 'What to do' when you suspect fraud and/or corruption are given in the Sections headed 'Action by Employees' and that on 'Action by Managers'

NB. Your suspected fraud and/or corruption matter should be reported to one of the following :-

Your Line Manager

Your Head of Service

Head of Audit Services - Tony Qayum Ext. 4773

Internal Audit - Senior Auditor - Lino Messore Ext. 4774

The Director of Finance and Personnel - Martin Smith Ext 4700

Via the Confidential Staff Whistleblowing Hotline on Freephone 0800 528 0294

Action by employees

Where fraud or corruption is suspected:

- Write down your concerns immediately
- Make a note of all relevant details e.g. telephone conversations, dates times, names, actions
- Any notes or evidence in their possession, which supports what is being reported, must be kept intact and placed in a secure location
- Report the matter immediately to either your line manager or your head of Service. If this is not possible/or appropriate it can be reported to the Internal Audit Service (Tony Qayum Ext. 4773 or Lino Messori Ext. 4774). Alternatively, the Councils confidential Staff Whistleblowing telephone line can be used for this (0800 528 0294). Give that officer any notes you have made or any evidence that you have gathered
- Do not tell anybody else about your suspicions
- Be prepared to assist Internal Audit or any authorised body in any investigation
- Do not attempt to carry out an investigation yourself as this may jeopardise any future enquiry

Please note that under no circumstances should a staff member speak to or write to representatives of the press, TV, radio, or to another third party about a suspected fraud without the express authority of the Chief Executive.

It is paramount that officers do not act in a manner that may give rise to an action for slander or libel.

Action by Managers

Where fraud or corruption is suspected:

- Listen to the concerns raised by staff and treat every reported case seriously, sensitively and confidentially. Never give members of staff the impression that their well-meaning concerns are being treated with anything other than the utmost seriousness
- All staff concerns should be given a fair hearing, along with reassurance that their report of such issues will not affect them adversely
- Attempt to gain as much information as possible from the member of staff reporting the concern. This should include any notes or evidence in their possession, which supports what is being reported. Such evidence must be kept intact and placed in a secure location
- Assess whether the suspicions may have some foundation before taking the matter further
- Report the matter to the Director of Finance and Personnel Head or to the Acting Head of Audit Services (Internal Audit) and give that officer any notes or evidence that has been gathered
- Be prepared to assist Internal Audit or any authorised body in any investigation
- Do not attempt to carry out any investigation

Regulation of Investigatory Powers Act 2000

To demonstrate the Council's commitment to open/ transparent government it has adopted the Home Office guidelines and documentation for Directed Surveillance and Covert Human Intelligence Sources- Informants/ whistleblowers. This act was introduced in response to the Human Rights Act 1998 and the London Borough of Tower Hamlets is committed to maintaining its principles.

Whistleblowing Process

The Council launched a confidential Whistleblowing telephone line in September 2000 and it was publicised via an article in Pulling Together.

The whistleblowing service is also included within the Authority's Financial Regulations, under Section D 'Specific Financial Provision'. Financial Regulations are now available on the Authority's Intranet under Financial Information.

Do you have a genuine concern about Unlawful or improper conduct by Council officers or councillors?

- If you do, we need to know about it
- You are not a snitch, if you raise a genuine concern you will be helping the council
- You will not be asked to prove your concern is true, only that it is honestly raised
- You must have a concern about unlawful conduct for example possible abuse of authority or dishonest activity
- Your concern should not be a grievance or complaint about services. These have different routes for redress
- You should not raise malicious or false concerns
- If you raise a genuine, but, unfounded concern, you will not be involved in any follow up action
- You can remain anonymous and be treated with strict confidence if you request

CONFIDENTIAL STAFF HOTLINE - FREEPHONE 0800 528 0294

A Supplement not a Substitute – The Usual Channels for Complaint

It is important to note that the Whistleblowing strategy is not intended to replace any of the complaint/concern mechanisms already in place at Tower Hamlets.

Anyone, including elected members, staff, service users, and members of the

Public are encouraged to raise genuine complaints or matters of concern with

the Council through existing procedures.

Where an appropriate avenue exists people should use it. The Whistleblowing procedure is designed to supplement, rather than replace the existing procedures wherever practicable. These channels are :

- ◆ The Councils Complaints Procedure
- ◆ The Grievance Procedure
- ◆ Line Management
- ◆ The Housing Benefit Fraud Hotline (0207 364 7443)
- ◆ The Social Services Hot Line
- ◆ The Audit Commission via the District Auditor
- ◆ Public Concern at Work (0207 404 6609)
- ◆ Health and Safety Executive

Safeguards

The Council recognises that a decision to “blow the Whistle” can be a difficult one to make. This may be influenced by the fear of reprisal from those who may have perpetrated the alleged malpractice or from the organisation as a whole.

The Council will not tolerate any victimisation and will take appropriate action to protect any person who raises a concern in good faith, including any necessary disciplinary action.

Wherever possible, the Council will protect the anonymity of any member of staff who raises a concern and who does not want his/her name to be disclosed.

However, this may not always be possible, as any investigation process may in itself reveal the source of information and a statement by the Whistleblower may be a necessary part of evidence, particularly if it is thought the matter may lead to a criminal prosecution.

The Council will protect individuals and the organisation from false, malicious and vexatious expressions of concern.

The Council will try to ensure that the negative impact of either a false or unfounded allegation on any “accused” person is minimised. This entails acting with the strictest independence and professional confidentiality.

Disciplinary action may be taken against any member of staff who is discovered to have made allegations falsely and maliciously.

Anonymous concerns will be considered at the discretion of the Council.

In determining if action to investigate will take place, the Council will consider the following:-

- ◆ whether it is the Council's business
- ◆ the credibility of the concern
- ◆ the seriousness of the issues raised
- ◆ the likelihood of obtaining the necessary information
- ◆ the experience of previous related reports

Data Matching

The Authority is committed to the prevention and detection of fraud, and actively participates in the regular National Fraud Initiatives, which is a data matching service carried out by the Audit Commission under their powers within the Audit Commission Act 1998. This mainly looks at possible Benefits, Employment and Pension Frauds. In addition data matching is also carried out with the Benefit Agency and the Inland Revenue under their own statutory powers.

Data matching is conducted within the requirements of the Current Data Protection legislation, Audit Commission guidance and Staff Side consultation.

Reporting possible Housing or Council Tax Benefit Fraud

If you have any concerns regarding possible Housing or Council Tax Benefit Fraud, these can be reported using the Benefit Fraud Hotline on (0207 364 7443 – 24 hour answerphone service) or you can speak to a Benefit Investigator direct on 0207 364 7425 or 7426 or 7442

This Service is managed by the Central Benefits Section within the Housing Directorate at Millharbour.

Date: