


Non-Executive Report of the: Standards Advisory Committee 22 nd September 2016	
Report of: Graham White, Interim Service Head, Legal Services and Deputy Monitoring Officer	Classification: Unrestricted
Update on the Council's Whistleblowing Arrangements	

Originating Officer(s)	Paul Greeno
Wards affected	All wards

Summary

This is a periodic report updating on the Council's whistleblowing arrangements.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Note the updated version of the Whistleblowing Policy at Appendix 1;
2. Note the accompanying Process Chart, Blow the Whistle report form, guidance for investigators, and guidance for managers at Appendices 2 to 5 respectively;
3. Note the whistleblowing concern and investigation monitoring information contained in Appendix 6 to this report;
4. Note the introduction of the 'clear up' team project; and
5. Note that an independent review is to be undertaken on how the Council handles concerns, with particular focus on the whistleblowing process.

1. REASONS FOR THE DECISIONS

1.1 This is a noting report.

2. ALTERNATIVE OPTIONS

2.1 This is a noting report.

3. DETAILS OF REPORT

Whistleblowing Policy

3.1 As part of the steps to improve the Council's organisational culture, the Council's approach to Whistleblowing has been reviewed and improved with a revised procedure accessible on the Council's intranet and website for use by staff and the public. Further work is underway.

3.2 A new stand-alone Whistleblowing Policy has been introduced. This Policy is being kept under regular review and the most up to date version is version 4 which is attached as Appendix 1. The Policy includes version control so that there can be an assurance that the most up-to-date policy is being used. The Policy specifies time limits and a requirement to keep the person raising a concern informed as to progress.

3.3 The new Policy and the investigation process is managed by the Monitoring Officer. A Process Chart, Blow the Whistle report form, guidance for investigators, and guidance for managers have also been prepared and these are attached as Appendices 2 to 5 respectively. These documents are designed to assist persons who wish to raise concerns; managers to whom concerns may be raised and investigators.

Whistleblowing Concerns raised since April 2016

3.4 This new Whistleblowing process was initially introduced in April 2016. Since that time and to date, 19 concerns have been raised under the new Policy. Of those 19, 12 were not whistleblower complaints and were referred to appropriate service area to respond.

3.5 As regards the remaining 7 concerns, 1 investigation has been completed and closed; 2 investigations are underway and further information is required in respect of 3 concerns so that they can be investigated (requests have been made but no additional information has yet been forthcoming). The remaining concern raises matters that overlap with an investigation that is underway and the outcome of that investigation will inform how to proceed with that other matter.

3.6 Whistleblowing concern and investigation monitoring information is contained in Appendix 6 to this report.

Clear-Up Team

- 3.7 A Clear-Up Team is being established to conduct a review of any unconsidered allegations of improper Council decision making or impropriety in the discharge of Council functions which took place between October 2010 and June 2016. The team will not investigate allegations if they have already been considered or satisfactorily investigated through another process.
- 3.8 Allegations can be submitted during a three (3) month period from 8th September 2016 to 8th December 2016 which should allow sufficient time for allegations to be made with a cut-off point after which allegations can be reviewed and where appropriate investigated. It is intended that all investigations will be completed by 31st March 2017.
- 3.9 The governance of the Clear-Up Team will be overseen by the Clear-Up Board which will consist of:
- 3 x Statutory Officers of the Council (Chief Executive (Chair), Section 151 Officer and Monitoring Officer.
 - 1 x DCLG Commissioner.
- 3.10 The Clear-Up Board will meet regularly and will:
- Receive updates from the Programme Manager for the Clear-Up Team who will inform the Board of the number and nature of the allegations received as well as providing indicative timescales for completing the investigations.
 - Consider requests by the Programme Manager where there are issues, such as access to information or to employees in the Council, for the Board to take action to ensure that any blockages are resolved quickly and efficiently.
 - Consider reports from the Programme Manager on each of the investigations detailing:
 1. Whether the allegation has been upheld or rejected
 2. Where an allegation is upheld, a view on whether the impropriety has since been remedied. For example, by changes to Council practices and internal controls
 3. Recommendations for further action, including in relation to individuals involved.
 - The Clear Up Board will consider each investigation report and recommend action, if any, to the appropriate body or person.
 - In any instances where it is not entirely clear whether the allegation has previously been considered or investigated, the Programme Manager will present the summary details of any allegation to the Board who will decide on the merits of investigating any elements of the allegation that have not been identified or sufficiently considered previously.
 - Receive reports of concerns raised under the new Whistleblowing Policy.

- 3.11 At the close of the Clear-Up project, the Board will produce a final report on the work of the Clear-Up Team including details of the number and nature of the allegations made; the number of allegations that were substantiated; and any action taken as a result of the investigations. The report will also summarise any lessons learnt from the project and how these will be fed into policy and practice in the future. The report will be submitted to a public meeting of the Council.

Further Review

- 3.12 An independent review is being commissioned on how the Council handles concerns with the following processes in the scope of the review:

- Whistleblowing Process
- Complaints
- FOIs/MEs
- Accident/Incident Reporting
- CHAD Procedure
- Grievance Procedure
- Standards Board complaint procedure

- 3.13 The review will consider current processes and procedures, compare these with best practice and make recommendations for consideration by the Council. An action plan will be produced based on the agreed recommendations, setting out the timetable for implementation and the resource requirements.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There will be additional costs associated with the independent review and the 'Clear Up Team', which will comprise an independent Programme Manager and independent investigators, the exact number of which will depend on the nature, volume and complexity of issues raised. Costs are estimated to be in the region of £100k-£250k but again will depend on the recommendations made by the independent review, the size of the team required by the Clear Up Team and complexity of issues to be investigated and resolved. However, costs will be monitored carefully and further updates will be provided as part of regular updates to the Clear Up Board. These costs will need to be funded through general reserves or through corporate contingencies.

5. LEGAL COMMENTS

- 5.1 This is a report of Legal Services and any legal implications are addressed in the body of the report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The review of whistleblowing is a continuation of the Council's improvement to its organisational culture. It demonstrates a commitment to put the concerns of employees and local people first and for fair and transparent decision making and which contributes to the delivery of One Tower Hamlets priorities and objectives.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The Council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This is referred to as the Council's best value duty.
- 7.2 By virtue of Directions made by the Secretary of State on 17 March 2015 the Council was required to draw up and agree with the Commissioners a strategy and action plan for securing the Authority's compliance with the best value duty. Part of that plan included a recommendation that the Council set up a Clear-Up Team to ensure that any historic unconsidered allegations of improper Council decision making or impropriety in the discharge of Council functions are properly investigated and determined.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 None.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 Ensuring a culture whereby persons feel empowered to raise concerns when there is a reasonable belief (and it is in the public interest) that one or more of a criminal offence, a breach of legal obligation, a miscarriage of justice, a danger to the health and safety of an individual, damage to the environment, and/ or a deliberate attempt to conceal one of these, has occurred or is likely to occur is an important part of risk management and should reduce risks.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 Ensuring a culture whereby persons feel empowered to raise concerns when there is a reasonable belief (and it is in the public interest) that a criminal offence, a miscarriage of justice is likely to occur should assist in reducing crime.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 - Whistleblowing Policy version 4
- Appendix 2 - Process Chart
- Appendix 3 - Blow the Whistle report form
- Appendix 4 - Guidance for investigators
- Appendix 5 - Guidance for managers
- Appendix 6 - Whistleblowing concern and investigation monitoring information

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- NONE

Officer contact details for documents:

- N/A

APPENDIX 1

LONDON BOROUGH OF TOWER HAMLETS

WHISTLEBLOWING POLICY



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Document Owner:	Paul Greeno
Post Holder:	Senior Corporate and Governance Lawyer
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2. Introduction

The London Borough of Tower Hamlets is committed to the highest standards of openness, probity and accountability.

Whistleblowing is the term used when someone who works in or for an organisation wishes to raise concerns about malpractice, wrongdoing, illegality or risk in the organisation (for example, crimes, civil offences, miscarriages of justice, dangers to health and safety), and/or the cover up of any of these. The malpractice etc. must have a public interest aspect to it, usually because it threatens others. It applies to raising a concern within the organisation as well as externally, such as to a regulator.

An important aspect of accountability and transparency is a mechanism to enable Members, employees, contractors, suppliers and partners to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the Council then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management (although in certain circumstances the line manager would be the appropriate person to be told).

The Public Interest Disclosure Act 1998 and the Enterprise and Regulatory Reform Act 2013 both amend the Employment Rights Act 1996 and gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. This Policy has been introduced to ensure that an employee should not feel at a disadvantage in raising legitimate concerns.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question operational decisions taken by the Council nor should it be used to reconsider any matters which have already been addressed through the Council's existing procedures. Further this Policy is supplemental to and not a substitute for the usual mechanisms. In that regard, it is important to note that the Whistleblowing Policy is not intended to replace any of the complaint/ concern mechanisms already in place at Tower Hamlets.

Whilst the term "whistleblowing" applies to an individual who works in or for an organisation, the Council considers that this mechanism should also be used when members of the public wish to raise public interest concerns and which are not appropriate for consideration under another Council procedure. This Policy is therefore also applicable to members of the public who wish to raise concerns about malpractice, wrongdoing, illegality or risk in the Council.

Anyone, including elected Members, employees, service users, partners and members of the public are encouraged to raise genuine concerns with the Council through existing procedures. These are:

- The Complaints Procedure
- A Complaint against a Councillor pursuant to “The Arrangements for dealing with allegations of a Breach of the Code of Conduct for Members”
- CHAD Procedures
- The Grievance Procedure
- Line Management
- The Directorate Health and Safety co-ordinator
- The Corporate Health and Safety Manager
- The Housing Benefit Fraud Hotline (0207 364 7443)
- The Council General Inquiry number (020 7364 5000)
- The External Auditor
- Public Concern at Work (020 7404 6576)

This Policy should also be read in conjunction with the Council’s Anti-Money Laundering Policy, Anti-Bribery Policy, Enforcement Policy, and Directorate Health and Safety Policies.

Finally, if you are considering raising a concern you should read this policy first.

3. **Aims and Scope of Policy**

This policy is designed to enable you to raise concerns at a high level and to disclose information which you believe shows malpractice, impropriety, criminal activity, or dangers to health and safety. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the instigation of other procedures e.g. disciplinary.

This policy aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon such concerns;
- provide avenues for you to raise those concerns and to receive feedback on any action taken;
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if they are not satisfied;
- reassure you that, as a “whistleblower”, you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have raised any concerns in good faith.

These concerns could include

- Financial malpractice or impropriety or fraud including unauthorised use of public funds
- Theft or abuse of Council property
- Failure to comply with a legal obligation or Statutes
- Dangers to Health & Safety or the environment
- Criminal activity
- Miscarriages of justice
- Improper conduct or unethical behaviour
- Attempts to conceal any of these
- Other unethical conduct

4. **Safeguards**

(i) Protection

This policy is designed to offer protection to you when you disclose such concerns provided that the disclosure is made:

- in good faith;
- that any evidence that the you have gathered has not been obtained inappropriately or unlawfully; and
- in the reasonable belief by you that it is in the public interest and tends to show malpractice, impropriety etc. and that the disclosure is made to an appropriate person (see below).

It is important to note that if you are an employee then no protection from internal disciplinary procedures is offered to those who make malicious or vexatious allegations or makes an allegation for personal gain. This could be construed as gross misconduct and disciplinary action may be taken.

(ii) Confidentiality

The Council will treat all such disclosures in a confidential and sensitive manner. Your identity will be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process could reveal the source of the information and you may need to provide a statement as part of the evidence required. In such cases, we will always ask your consent to disclose your identity. Further, it is always possible that your identity could be guessed.

(iii) Anonymous Allegations

It is not unusual for individuals who are thinking about raising a concern to want to make it anonymously. However it is best that concerns are raised openly as it makes it easier for consideration and investigation of the concern. It is recognised, however, that there are circumstances when you would wish to keep your identity confidential (see above).

Anonymous concerns will not be considered unless in exceptional circumstances where it is decided that it raises a serious issue affecting the public interest and which is capable of investigation without the need to ascertain the your identity. Therefore, whilst we do not rule out the possibility of conducting investigations where you have not given your name, it should be noted that, in practice, we are unlikely to be able to proceed in the majority of such cases because off the practical difficulties that arise. Anonymity will often present a barrier to effective investigation because it is impossible to contact you to check information received, ask for more details, or give feedback.

Reasons why the Council will not accept or adjudicate anonymous concerns include:

- Accepting anonymous concerns make it difficult to assess your veracity as well as the credibility of the facts and evidence on which you have based your concern. Some cases will rise or fall on your credibility. Therefore, who you are can be critical and, in close cases, your credibility can make the difference whether a concern is founded.
- It reduces the likelihood of frivolous concerns or concerns filed with ill-will or malice.

(iv) Untrue Allegations

If you make an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against you. In raising a concern, you should exercise due care to ensure the accuracy of the information. If you make a malicious or vexatious allegation, or make an allegation for personal gain then further action may be taken against you (and if you are an employee that could include disciplinary action).

5. **Procedures for Raising a Concern**

You can raise your concerns in confidence in the following ways:

- Complete the 'Blow the Whistle' report form and which is available:
 - on the Council's website;
 - on the Council's intranet (for employees);and then email it to: monitoring.officer@towerhamlets.gov.uk
- Speak to any Senior Manager in the Council who will help you to complete a 'Blow the Whistle' report form to be sent to the Monitoring Officer at the above email address;
- Via the Whistleblowing Hot Line 0800 528 0294 (a 'Blow the Whistle' report form will be completed and emailed to the Monitoring Officer);

You should provide as much information as possible; including names, dates and places where possible and explaining the reason for the concern as well. Details of any action that you have taken to date should also be included.

You can also raise the concern through a friend, a trade union representative (if an employee), or a professional association representative. This friend or representative can also be present during any meetings or interviews in connection with the concern. Any meetings that need to be arranged can be held off-site, if appropriate.

If there is evidence of criminal activity then the investigating officer will be obliged to inform the police. The Council will ensure that any internal investigation does not hinder a formal police investigation.

Subject to the nature of the concern or the individual(s) who is the subject of the concern then the investigation may be handled internally, referred to the District Auditor or Police, or looked at by another independent investigator.

6. Timescales

Provided that you are not anonymous then within five (5) working days commencing from the first working day following receipt of the 'Blow the Whistle' report form, a written acknowledgement will be sent to you. Within fifteen (15) working days commencing from the first working day following receipt of the 'Blow the Whistle' report form, you will then be informed in writing of how it is proposed to deal with the matter.

This written communication will also give an estimate of how long it is likely to take to deal with the matter. Due to the varied nature of these sorts of matters, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations in this Policy. Such matters are expected to be investigated quickly but without compromising a proper investigation. There is therefore a presumption that the investigation should normally be completed within forty (40) working days commencing from the decision to investigate and you will be advised in writing of an estimated completion date within that time. If it is clear that the investigation will take longer, for example if outside agencies' are involved, then this time may need to be extended. In this event a revised date will be set for completion and all parties informed in writing and setting out the reason for the extension.

Please note that these time estimates are indicative only. The Council will respond to your concerns as quickly as possible but the Council will have to test your concerns. Rest assured though that testing your concerns is not the same as either accepting or rejecting them. The overriding principle for the Council will be the public interest. In order to be fair, initial enquiries will have to be made to decide whether an investigation is appropriate and, if so, what form it should take.

7. Investigating Procedure

The Monitoring Officer or his/ her nominated officer will arrange for the appointment of an investigating officer who will:

- Ensure that full details and clarifications of the concern are obtained.
- Consider the involvement of any external agencies at this stage (e.g. the Police).
- Ensure that the allegations are fully investigated with the assistance, where appropriate, of other individuals / bodies.
- Hold interviews with all relevant people as soon as possible.
- Prepare a written report containing the findings of the investigation promptly at the conclusion of the investigation.
- Keep the complainant informed of the progress of the investigations and, if appropriate, of the final outcome.

If one or more member(s) of staff is implicated then:

- They should be informed as soon as is practicably possible;
- The investigator should liaise with the relevant manager(s), where appropriate;
- The investigator must keep an open mind;
- The investigator's report will be passed to the Monitoring Officer who will decide what further action to take; and
- The Monitoring Officer will inform any individuals under investigation and the relevant manager(s), where appropriate, as to whether or not the concern has been substantiated.

8. Taking The Matter Further

Any concern about the conduct of an investigation should be raised in confidence with the Monitoring Officer. There are other options if you do not wish to report your concern to the Monitoring Officer: you can [get legal advice](#) from a lawyer, or tell a [prescribed person or body](#).

A Prescribed person or body as set out in the “prescribed persons list” published by the Department for Business, Innovation and Skills. The organisations and individuals on the list have usually been designated as prescribed persons because they have an authoritative or oversight relationship with the sector, often as a regulatory body. An up-to-date list can be found here:

(<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>)

For example:

- Any Member of Parliament
www.parliament.uk/mps-lords-and-offices/
- Your legal adviser, in the course of obtaining legal advice
- The Comptroller and Auditor General
National Audit Office
020 7798 7999
www.nao.org.uk/contact-us/
- The Council’s External Auditor
Andrew Sayers,
for and on behalf of KPMG LLP, Appointed Auditor
15 Canada Square, London, E14 5GL
- Commissioners for Her Majesty’s Revenue & Customs
0800 788 887
www.hmrc.gov.uk
- The Charity Commission for England and Wales
0300 066 9197
whistleblowing@charitycommission.gsi.gov.uk
- Children’s Commissioner
020 7783 8330
info.request@childrenscommissioner.gsi.gov.uk

- The Information Commissioner
0303 123 1113
casework@ico.org.uk
- The Health and Safety Executive
<http://webcommunities.hse.gov.uk/connect.ti/concernsform/answerQuestionnaire?qid=594147>
- Care Quality Commission
0300 061 6161
www.cqc.org.uk

If you tell a prescribed person or body, it must be one that deals with the issue you're raising, e.g. a disclosure about wrongdoing in a care home can be made to the Care Quality Commission.

As stated in the introduction to this Policy, the Employment Rights Act 1996 and gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. This protection is also afforded to qualifying disclosures made to a prescribed person or body on "prescribed persons list". Qualifying disclosures are disclosures of information where the worker reasonably believes (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future.

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- Deliberate attempt to conceal any of the above.

Through this Policy, the Council also guarantees like protection if it is a qualified disclosure made to:

- The Police
- Public Concern at Work
020 7404 6576
(The whistleblowing charity who can give advice and help on whistleblowing)
- The Local Government Ombudsman
0300 061 0614
http://www.lgo.org.uk/forms/ShowForm.asp?fm_fid=62

If you, as an employee, raise concerns outside the Council you should ensure that it is to either one of the prescribed persons or bodies as set out in the "prescribed persons list" published by the Department for Business, Innovation and Skill or the additional contacts

as set out above. A public disclosure to anyone else could take you outside the protection of the Employment Rights Act 1996 and of this Policy.

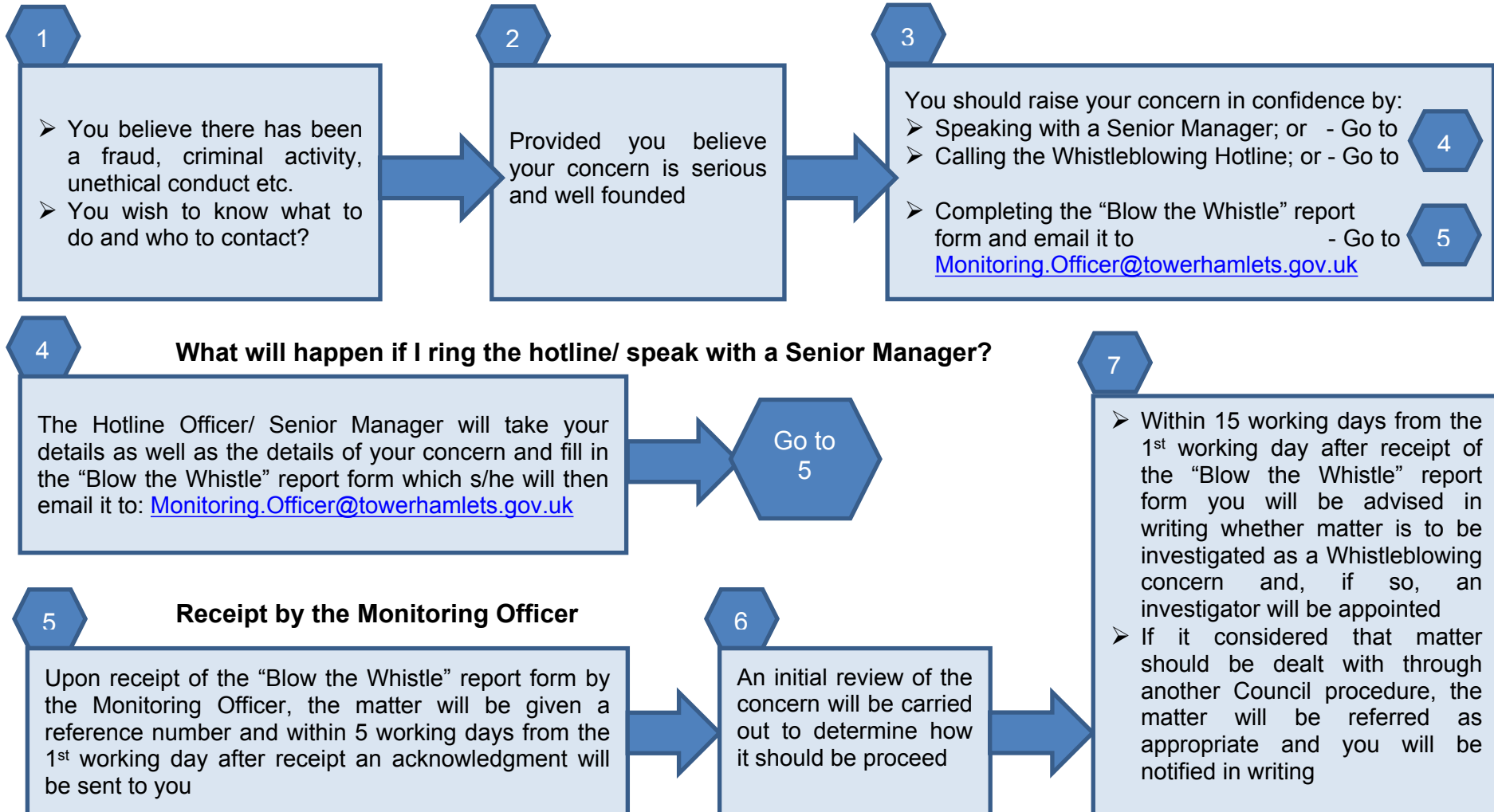
You should not disclose information that is confidential to the Council or to anyone else, such as a client or contractor of the Council, except to either one of the prescribed persons or bodies as set out in the “prescribed persons list” or the additional contacts as set out above.

Ultimately however, this Policy is intended to provide you with an avenue within the Council to raise concerns. The Council hopes you will be satisfied with any action taken where such concerns are raised with it but if you are not and you feel it is right to take the matter outside the Council, then you can raise it with either one of the prescribed persons or bodies as set out in the “prescribed persons list” or the additional contacts as set out above.

APPENDIX 2

RAISING A CONCERN

WHISTLEBLOWING HOTLINE: 0800 528 0294



APPENDIX 3

Blow the Whistle: Report a Concern



Tower Hamlets is committed to the highest standards of transparency, openness, integrity and accountability. In line with this, our whistleblowing policy provides a framework for anyone to raise concerns which they believe are in the public interest and may relate to unsafe, illegal, improper or unethical conduct.

This form should be used where you have a concern of this kind.

In filing this report in good faith you will be protected from detrimental treatment, e.g. victimisation or dismissal. The Whistleblowing Policy complies with the Public Interest Disclosure Act 1998 and the Enterprise and Regulatory Reform Act 2013. You can view the Policy document by following [this link](#), and the process by going [here](#)

Contact Details of the person reporting a concern

Your identity will be kept confidential so long as it does not hinder or frustrate any investigation. We will always ask you for consent if we need to disclose your identity.

Anonymous concerns will not be considered unless there are exceptional circumstances where it is decided that the concern raises a serious issue affecting the public interest and which is capable of investigation without the need to ascertain your identity.

Name	
Address	
Phone number	
Email address	
Please provide your details below if you are a friend, manager or trade union or other representative completing this form on behalf of someone else:	
Name	
Address	
Phone number	
Email address	
For Monitoring Office use only	
Received by:	Date:
Sent to:	Date:
	Acknowledgement due:
	Initial Report estimate:

Nature of the Concern:

Please provide as much information as you can about your concern.		
You should include where possible:		
Name/s of any specific individual/s who's behaviour you are concerned about:		
A description of what specifically concerns you (e.g. what have you observed)?		
The dates and places you observed this:		
Why does this concern you?		
Any names and email/phone numbers of other people who could corroborate your observations.		
Details of any other organisations/ people you have reported this to, such as an external body, your Union or a Senior Manager		
Are there any special circumstances for which you require assistance or appropriate support why we investigate your concern? Please place a X in the relevant box	Yes I would like someone to support me	<input type="checkbox"/>
	I already have the support I need	<input type="checkbox"/>
	I do not need any support	<input type="checkbox"/>
Please advise what those special circumstances are so that we can assess them		

You should email your completed form to: Monitoring.officer@towerhamlets.gov.uk

APPENDIX 4

GUIDANCE FOR MANAGERS – 17TH MAY 2016

- Read and understand the concern that has been raised
- Plan your investigation-
 - What additional information do you need?
 - Who do you need to interview?
 - What outside agencies, if any, do you need to liaise with?
 - Do you need to liaise with the manager(s) of individual(s) who is/ are the subject of the concern.
- Estimate the time to be taken to carry out the investigation. **Remember the presumption is that the investigation should normally be completed within forty (40) working days.**
- Write to the individual who raised the concern to introduce yourself and giving an estimated date for conclusion of the investigation. If any additional information is required before holding interviews then request it at this stage.
- Write to the individual(s) who is/ are the subject of the concern and advise that a concern has been raised and that you have been asked to investigate under the Whistleblowing procedure. Notify the manager(s) of individual(s) who is/ are the subject of the concern, if appropriate.
- Arrange and hold interviews with all relevant people as soon as possible. This is important as memories of events can fade. **Delays in investigating will lessen the effectiveness of the procedure and make it harder to obtain the evidence. Delays can also cause unnecessary concern and resentment for the person under investigation.**
- Send statements/ transcripts of interviews to the individual interviewed following the interview for them to confirm accuracy and add any clarification.
- If there are delays in the investigation, make sure to keep the individual who raised the concern informed and given updated completion estimate.
- Once the investigation has concluded, promptly prepare a written report containing the findings of the investigation. Make sure that if you are summarising interviews that the summaries are accurate. **Remember the decision as to action to be taken is for the Monitoring Officer although you should make a recommendation for consideration.**
- Write to the individual who raised the concern to advise them that the investigation has been completed and a report referred to the Monitoring Officer. **Do not advise that individual as to the outcome of the investigation but advise that the Motoring Officer will consider the report and write to that individual accordingly.**
- Write to the individual(s) who is/ are the subject of the concern to advise them that the investigation has been completed and a report referred to the Monitoring Office. **Again, do not advise as to the outcome of the investigation but state that the Motoring Officer will consider the report and write to that individual accordingly.**

- **REMEMBER CONFIDENTIALITY AND YOU MUST NOT DISCLOSE THE IDENTITY OF THE PERSON RAISING THE CONCERN UNLESS THAT INDIVIDUAL HAS CONSENTED**

- **YOU MUST ENSURE THAT ALL CORRESPONDENCE IS COPIED TO THE MONITORING OFFICER QUOTING THE MATTER REFERENCE NUMBER**

APPENDIX 5

GUIDANCE FOR MANAGERS – 17TH MAY 2016

- If a concern is raised, assess whether it falls within the Whistleblowing Policy or is it should it be raised through other existing procedures (e.g. The Complaints Procedure OR CHAD Procedures)
- Ensure confidentiality and act sensitively so that an individual feels confident in raising serious concerns
- Do not ignore concerns but act upon them as appropriate
- Provide reassurance that an individual raising a concern will be protected from possible reprisals or victimisation as long as the concern is raised in good faith
- Reassure the individual raising concern that their identity will be kept confidential and not disclosed unless their consent has been obtained. Do advise them however, that there is a possibility that the investigation may reveal them as the source of the information
- Advise them that if an investigation is undertaken that it is likely that the investigating officer will need to interview them
- Advise them that if there is evidence of criminal activity that the matter will have to be referred to the Police
- Draw their attention to the Whistleblowing Policy, the flow chart, and the “Blow the Whistle” report form and explain the process to them
- Advise as to timescales:
 - Within five (5) working days commencing from the first working day following receipt of the ‘Blow the Whistle’ report form, a written acknowledgement will be sent
 - Within fifteen (15) working days commencing from the first working day following receipt of the ‘Blow the Whistle’ report form, the individual will then be informed in writing of how it is proposed to deal with the matter. **This time allows initial enquiries to be made and for a decision to be taken as to whether an investigation is appropriate and, if so, what form it should take**
 - The presumption is that the investigation should normally be completed within forty (40) working days of the date that it is decided to investigate
 - **Do advise that timescales are indicative only. The overriding principles are public interest and fairness**
- Do warn that action will be taken if the concern is raised falsely and with the intention of personal gain
- Do consider whether any outside agencies should be involved (e.g. the Health and Safety Executive or the Police)
- Advise that Investigating Officer will prepare a report of the investigation that the decision as to action to be taken is for the Monitoring Officer
- The Monitoring Officer will write to advise as to the outcome of the investigation

- **REMEMBER CONFIDENTIALITY AND YOU MUST NOT DISCLOSE THE IDENTITY OF THE PERSON RAISING THE CONCERN UNLESS THAT INDIVIDUAL HAS CONSENTED**

IF IN ANY DOUBT AS TO HOW TO PROCEED, PLEASE CONTACT THE MONITORING OFFICER FOR ADVICE

APPENDIX 6

Complaint Ref. No.	Date Received by MO	Complainant	Details of Concern	Outcome of initial review	Whistleblow concern	Action taken	Current status
001/WB/2016	11/03/2016	Member of staff	Allegation of threatening behaviour by a Senior Manager and racism by flawed management. Concern ongoing since March 2015	All the matters raised in the concern are matters that had been raised in a CHAD. CHAD investigation undertaken by an external person and CHAD was not upheld. The concerns raised are therefore not whistleblowing but have been dealt with by other procedures	No	28/07/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed
002/WB/2016	15/03/2016	Member of the public on behalf of member of staff (anonymous)	Allegation of a string of gross misconduct offences by a Senior Manager. No details of the offences given	Matter raised falls within the framework of Whistleblowing Policy. As insufficient details given, requested specific details of allegations. No response received	Yes	Specific details of allegations awaited	Open
003/WB/2016	17/03/2016	Member of staff	4 separate concerns but all relate to allegations of management failures	Matter raised falls within the framework of Whistleblowing Policy. Matter allocated for investigation	Yes	Investigation completed & investigating officer compiling report	Open

004/WB/2016	13/04/2016	Member the public and staff (all anonymous)	21 allegations against a Senior Manager including bullying; unhelpful and discriminatory behaviour; making defamatory statements. All over a span of 14 months. No details of specific incidents given.	Matter raised falls within the framework of Whistleblowing Policy. As insufficient details given, requested specific details of allegations. No response received	Yes	Specific details of allegations awaited	Open
005/WB/2016	06/06/2016	Member of the public	Road safety concern for the public living around and visiting Royal London Hospital – could speed calming measures be installed	Not a whistleblower complaint. Matter was referred to Transport and Highways to consider and to reply to complainant by 22/06/2016	No	08/06/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed
006/WB/2016	05/06/2016	Member of the public	Charge Certificate sent to complainant's address. Addressee is another person who has never lived at that address	Not a whistleblower complaint. Matter was referred to Parking to consider and to reply to complainant by 22/06/2016	No	08/06/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed
007/WB/2016	04/06/2016	Member of staff	Allegations of management failures	Matter reviewed and falls within the framework of Whistleblowing Policy. Complaint overlaps with 003/WB/2016	Yes	27/07/2016 – Complainant written to and advised awaiting outcome of earlier investigation	Open

008/WB/2016	09/06/2016	Member of the public	Health & Safety complaint about an injury complainant suffered whilst working at a private business	Not a whistleblower complaint. Matter was referred to Health & Safety Inspectors to consider and to reply to complainant by 22/06/2016	No	15/06/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed
009/WB/2016	09/06/2016	Member of the public	Complaint of property fraud in relation to complainant's ex-husband trying to sell leasehold property without consent. Council only involved as we are freeholder	Not a whistleblower complaint. As property is an ex-Council property purchased under the Right to Buy, matter brought to the attention of Leasehold Property Services who can log information	No	15/06/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed
010/WB/2016	13/06/2016	Member of the public	Complaint of piles of rubbish bags being left out (dumped). Has been happening consistently over the last 6 months	Not a whistleblower complaint. Matter was referred to Waste Enforcement for investigation and reply by 28/06/2016	No	15/06/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed
011/WB/2016	19/06/2016	Member of the public	Complaint of drug dealing by persons unknown. Complainant has complained to the Police several times	Not a whistleblower complaint. Matter for Police but was referred to Council's ASB Investigation Team to consider and reply by 11/07/2016	No	15/06/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed

012/WB/2016	03/07/2016	Member of the public	Traffic blockage due to narrow roads	Not a whistleblower complaint. Matter was referred to Transport and Highways to consider and to reply to complainant by 20/07/2016	No	11/07/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed
013/WB/2016	18/07/2016	Member of staff	HR issues - deletion of post & creation another post	Matter falls within framework of Whistleblowing Policy but concern now overtaken by events as post not authorised & matter being dealt with as part of an organisational review	Yes	27/07/2016 – Complainant written to and advised whilst a whistleblowing matter that corrective actions requested by complainant had been taken	Closed
014/WB/2016	22/07/2016	Member of the public	Complaint of dumping of rubbish at abandoned land	Not a whistleblower complaint. Matter was referred to Waste Enforcement for investigation and reply by 11/08/2016	No	27/07/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed
015/WB/2016	24/07/2016	Member of the public	Health & Safety complaint regarding failure to properly maintain a lift in a residential block	Not a whistleblower complaint. Matter was referred to Health & Safety Inspectors to consider and to reply to complainant by 11/08/2016	No	27/07/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed

016/WB/2016	27/07/2016	Member of the public	Claim that a fraudulent PCN has been issued by a Civil Enforcement Officer	Not a whistleblowing complaint. Complainant admitted not displaying a resident permit and was given a PCN. It is a requirement to display a PCN. Therefore PCN not issued fraudulently. Matter was referred to Parking to consider and to reply to complainant by 11/08/2016	No	27/07/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed
017/WB/2016	21/06/2016	Member of the public	Claim that 2 persons were fraudulently given a tenancy of Flat X XXXX House with the assistance of special favours from key officers in Tower Hamlets Homes	Matter raised falls within the framework of Whistleblowing Policy. Matter allocated for investigation	Yes	Investigation ongoing	Open
018/WB/2016	12/08/2016	Member of the public on behalf of Council staff (anonymous)	Claim of drug dealing by Council officers. Vehicles can possibly be identified by sources but not individuals. Matter referred to Police who took no action	Matter raised falls within the framework of Whistleblowing Policy. Complainant's advised of Safeguards within Policy but Complainant advised probably not sufficient but would check with sources. In the meantime, matter allocated for investigation	Yes	Investigation ongoing	Open

019/WB/2016	23/08/2016	Member of the public	Race discrimination – private advertising properties for rent and stipulating which ethnic groups are eligible.	Not a whistleblower complaint & complainant advised to raise matter with the Equality and Human Rights Commission. Details of website and postal address of Commission given	No	24/08/2016 – Complainant written to and advised not a whistleblowing matter and why	Closed
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