

Audit Panel		
Report Title	ANTI FRAUD AND CORRUPTION TEAM (A-FACT) UPDATE	
Key Decision	NO	Item No. 6
Ward	ALL	
Contributors	Interim Head of Audit & Risk A-FACT Group Manager	
Class	Part 1	Date: 21 November 2012

### 1. Purpose of the Report

- 1.1. The purpose of this report is to present the Audit Panel with a review of the work of the Anti-Fraud and Corruption Team (A-FACT) in the last period.

### 2. Recommendations

- 2.1. It is recommended that the Audit Panel note this report for information.

### 3. Special Investigations

- 3.1. Details of work and comparative figures for the same period in the prior year are shown below, along with the previous two full year figures for reference.

Summary of special investigations work	2012/13	2011/12	Change		2011/12	2010/11
	P6 YTD	P6 YTD	Number	%	FY	FY
b/f	30	84	(54)	-64%	84	
New	50	50	0	0%	61	
Closed	(29)	(63)	(34)	-54%	(115)	(137)
c/f	51	71	(20)	-28%	30	84
Of which						
E'ee cases	15	29	(14)	-48%	53	41
- resulting in action	12	7	5	71%	20	20
Other cases	14	34	(20)	-59%	62	96
- resulting in action	1	6	(5)	-83%	10	9

- 3.2. The majority of the cases classified as "Other" relate to enquiries to assist other organisations or Boroughs with their investigations. Many of which have no direct impact on Lewisham.
- 3.3. The drop off in cases closed (-54%) is compensated for by the higher rate of employee cases closed and resulting in action (71%). This indicates two things; 1) the team is currently working on more complex cases which take longer to conclude, and 2) with such a hit rate the team is working to capacity on a reactive basis only.

#### Employee Related cases

- 3.4. Of the 29 cases closed 15 concerned employees. Of these employee cases 12 concluded with action being taken. The form that action took is detailed below:

Analysis of employee fraud	2012/13	2011/12	Change		2011/12	2010/11
	P6 YTD	P6 YTD	Number	%	FY	FY
Dismiss. & Convicted	1	1	0	0%	2	0
Resigned/Dismissed	1	2	(1)	-50%	9	10
Other disciplinary	2	4	(2)	-50%	8	9
Monies repaid	1	0	1	100%	0	0
Management action	4	0	4	400%	1	1
Identity issue cleared	3	0	3	300%	0	0
<b>Total</b>	<b>12</b>	<b>7</b>	<b>5</b>	<b>71%</b>	<b>20</b>	<b>20</b>

- 3.5. In addition to the cases previously reported to Audit Panel, the actions taken against employees included:
- The prosecution of an employee who made false pay claims totalling over £70k. They resigned during the investigation and went onto be sentenced to 16 months in custody. Lewisham is also seeking to recover the defrauded monies.
  - Warning letter issued for receipt of hospitality.
  - Management in two departments to remind staff of the Council's acceptable use of ICT policy following instances of inappropriate use.

- 3.6. A further 51 cases are still in progress, not including Lewisham Homes and pre-employment checks.

#### Lewisham Homes

- 3.7. A-FACT continues to undertake investigation work on behalf of Lewisham Homes under a Service Level Agreement. This equates to just over one full time equivalent member of staff and a proportion of the police officer's time. The outcome of these investigations is reported by Lewisham Homes to their Audit Committee.

#### Pre-employment Checks

- 3.8. A-FACT support Human Resources by undertaking part of the Council's recruitment checks. Each potential employee of the Council is required to complete a pre-employment check focusing on any issues relating to benefits, council tax, rent and personal business interests which may cast doubt on the individual's integrity or potential conflicts for their work going forward.

Summary of pre-employment checks	2012/13	2011/12	Change		2011/12	2010/11
	P6 YTD	P6 YTD	Number	%	FY	FY
Checks completed	183	131	52	40%	334	279
Action taken	13	10	3	30%	21	

- 3.9. In 13 cases outstanding declarations were highlighted that were subsequently resolved satisfactorily.

## 4 Benefit Investigations

4.1 Details of work and comparative figures for the same period in the prior year are shown below, along with the previous two full year figures for reference.

Summary of benefit investigations work	2012/13	2011/12	Change		2011/12	2010/11
	P6 YTD	P6 YTD	Number	%	FY	FY
b/f	<b>349</b>	381	(32)	-8%	381	416
New	<b>147</b>	115	32	28%	264	591
Closed	<b>(267)</b>	(151)	116	77%	(296)	(626)
c/f	<b>229</b>	345	(116)	-34%	349	381
Sanctions resulting	<b>37</b>	24	13	54%	84	181
Of which						
Admin penalty	<b>4</b>	4	0	0%		
Caution	<b>26</b>	15	11	73%		
Prosecution	<b>7</b>	5	2	40%		
Overpayment value £	<b>294,368</b>	138,107	156,261	113%	640,355	846,022

- 4.2 Since the last report to Audit Panel there has been one successful prosecution. This case was included in a press release (see Appendix 1).
- 4.3 The significant jump in cases closed (77%) to date reflects a clear out in May 2012 of old cases unlikely to result in any further action. The rise in sanctions (54%) reflects more cautions being issued in the first half of the year, which, along with the increased prosecutions, has pushed up the level of overpayment to be recovered.
- 4.4 The DWP estimate is that 0.77% of benefit claims are fraudulent, although a recent report from Westminster City Council suggests this significantly underestimates the real level. On Lewisham's caseload of 35,000 claims with an average annual value of £5,000 one might therefore predict, using the DWP forecast, that there are 270 fraudulent claims with an annual benefit value of £1.35m. Looking to the Benefit investigation team's work for the last two years this means that annually we are finding approximately a third to a half of these. Or to put it another way – if you manage to make a fraudulent claim in Lewisham you have a 30% chance or more of being caught within a year.
- 4.5 Last year we did a benchmarking poll of other London Boroughs to understand our relative productivity. At that time Lewisham was third out of 27 Boroughs in terms of number of sanctions per benefit investigator. We have undertaken the same exercise this year to which ten Boroughs have responded. Of the ten, Lewisham are second in terms of number of sanctions per benefit investigator and eighth in terms number of investigators per 1,000 benefit caseload. This suggests two things; 1) the work of the team is well focused and productive, and 2) we are getting good results from a low base (recognising a diminishing cost benefit return as one goes after a greater proportion of the predicted fraudulent cases).
- 4.6 The precise details of the move to the Single Fraud Investigation Service are still awaited from the DWP but is now unlikely to have a significant impact on service delivery over the next couple of years.

## 5 Housing Investigations

5.2 Details of work and comparative figures for the same period in the prior year are shown below, along with the previous two full year figures for reference.

Summary Housing investigation work	2012/13	2011/12	Change		2011/12	2010/11
	P6 YTD	P6 YTD	Number	%	FY	FY
b/f	<b>48</b>	60	(12)	-20%	72	59
New	<b>28</b>	40	(12)	-30%	66	60
Closed	<b>(21)</b>	(29)	(8)	-28%	(90)	(47)
c/f	<b>55</b>	71	(16)	-14%	48	72
Resulting in action	<b>8</b>	14	(6)	-43%	18	16

- 5.1 The eight cases resulting in action are made up of four false applications for housing on the basis of Homelessness, one false application under the Council's Cash Incentive Scheme, and three prosecutions.
- 5.2 The figures show a fall off in the number of cases resulting in action (-43%) but that overall for the year we are approximately half way to where we would expect to be based on the anticipated full year outcome. This is because an unusually a high number of cases concluded in the first half of 2011/12, not any new trend in 2012/13.
- 5.3 Since the last report to Audit Panel another successful prosecution has concluded resulting in a four month custodial sentence. This case was included in a press release.

## 6 DCLG Housing Bid funding

- 6.1 The DCLG has, as part of the Government's commitment to tackling social housing fraud, allocated Lewisham Council £100,000 in both 2011/12 and 2012/13 for tackling social housing fraud. Work is being directed by Strategic Housing (Customer Services) and delivered by A-FACT working in Lewisham and with the South East London Housing Partnership (SELHP). In 2011/12 the lead was taken by the London Borough of Southwark with Lewisham taking the lead for 2012/13.
- 6.2 During the period April to September 2012 fifteen tenancies have been recovered - eight for L&Q, four for Regenter B3 / Pinnacle, two decants from Milford Towers, and one for Lewisham Homes.
- 6.3 Comparative figures are not available for the same period last year as the Lewisham scheme only started in January 2012.
- 6.4 Overall to assess our relative performance, along with the request for benefit benchmark information (see 4.5 above), we have sought comparable information from other Boroughs. For this exercise we combined our results from Housing and DCLG work (sections 5 & 6 of this report). To date eight Boroughs have responded placing Lewisham fifth equal in terms of frauds identified/properties recovered per investigating officer. We will consider this result in conjunction with the broader counter fraud CIPFA benchmarking exercise currently underway (see 8.2 below).
- 6.5 At the start of their programme DCLG indicated that future funding may be available for this work in 2013/14 and 2014/15. We are now trying to confirm the likelihood of this actually becoming a reality because, even with the increase in resource directed to identifying housing fraud (within the Council, Lewisham Homes or other RSLs), the number of cases identified continues to remain high. This suggests there is more fraud out there to be tackled to bring the trend down. Not unexpected given the

structural incentive created by the significant difference between full market and social housing rent levels in London.

## **7 Publicity**

- 7.1 A-FACT has issued two press releases during August and September. One relates to an application for housing using false identity documents and the other to a benefit fraud. The release on the benefit fraud case also included an overview of the other work of A-FACT, as requested by the Audit Panel. Copies of the articles are attached as Appendix 1.
- 7.2 A-FACT has also launched it's own page on the Council's website. This includes information on the work undertaken by A-FACT and how to report fraud. The page will continue to be developed over time as we learn what information users want.
- 7.3 A "News for You" release was also posted on the Council's intranet site to encourage reports of fraud. It is too early to say whether this has had any impact.

## **8 Fraud Awareness Training**

- 8.1 A-FACT have not delivered any training since the summer period but are in the process of arranging refresher training for the Council's Recruitment team. This will focus primarily on the forged and counterfeit documents which may be produced by perspective employees.
- 8.2 In addition, the A-FACT manager is on the working party responsible for the CIPFA counter fraud benchmarking survey. This is now out in the field and Lewisham will complete a return to seek to gain a better understanding of our relative strengths and areas for improvement. We will report on the results in a future update.
- 8.3 At the last Audit Panel members requested sight of the Council's whistle blowing policy to be able to consider how it links in with and supports staff specifically and counter fraud efforts more generally. The Council's whistle blowing policy is attached at Appendix 2.

## **9. Metropolitan Police Seconded**

- 9.1. Detective Constable Norris on secondment from the Metropolitan Police to August 2013 continues to effectively contribute and enhance the work of the A-FACT by providing advice, assistance and applying Police powers where appropriate.
- 9.2. He is also an Accredited Financial Investigator and has used his powers under the Police and Criminal Evidence Act to obtain Production Orders for information from Financial Investigations for ongoing investigations.

## **10. Legal Implications**

- 10.1. There are no legal implications arising directly from this report.

## **11. Financial Implications**

- 11.1. There are no financial implications arising directly from this report.

## **12. Equalities Implication**

- 12.1. There are no specific equalities implications arising directly from this report.

## **13. Crime and Disorder Implications**

- 13.1. There are no crime or disorder implications arising directly from this report

**14. Environmental Implications**

14.1. There are no specific environmental implications arising directly from this report.

**15. Background Papers**

15.1. There are no background papers reported.

If there are any queries on this report, please contact

David Austin at [david.austin@lewisham.gov.uk](mailto:david.austin@lewisham.gov.uk) or on 020 8314 9114, or

Carol Owen at [carol.owen@lewisham.gov.uk](mailto:carol.owen@lewisham.gov.uk) or on 020 8314 7909

## **Jail sentence for woman who used fake documents to get a council home**

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**A woman who used a false passport in order to get a council home she wasn't entitled to has been jailed for four months following a prosecution by Lewisham Council.**

Funmilayo Bolumole Ore, aged 54, told Lewisham Council's housing team that she was homeless when she presented herself at the office in March 2006. As proof of her status in the UK she provided a Home Office letter stating that she had indefinite leave to remain. She also produced a Nigerian passport, an NHS card and a bank statement, all of which appeared to be genuine documents. Miss Ore was housed by the Council as she had a young child at the time.

A regular national data-matching exercise, co-ordinated by the Audit Commission, found that Miss Ore was likely not to have leave to remain in the UK as she had stated and the Council was alerted.

Lewisham Council's Anti-Fraud and Corruption Team undertook an investigation and established that neither the passport nor the Home Office document she had originally provided were genuine. When arrested Miss Ore admitted that all the documents she had provided were false.

On 3 August 2012, Funmilayo Bolumole Ore pleaded guilty to offences under the Counterfeiting and Forgery Act 1981. She was sentenced to four months imprisonment. A Forfeiture of Destruction of the false documentation was also ordered under the Powers of Criminal Courts (Sentencing) Act 2000.

Action is being taken by Lewisham Homes, the Council's ALMO, to recover the tenancy in order that the property can be allocated to a family in housing need.

Lewisham Council's Anti-Fraud and Corruption Team investigates all allegations of fraud against Lewisham Council including fraudulent applications for housing. Suspected fraud can be reported to the Council's fraud hotline. Call 0800 085 0119 or email [reportfraud@lewisham.gov.uk](mailto:reportfraud@lewisham.gov.uk). All calls and emails are treated in the strictest confidence.

Published: 26-September-2012

# Benefit cheat ordered to pay back £10,000

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A benefit cheat who defrauded over £10,000 has received a Community Order following a prosecution by Lewisham Council.

Noora Sharif, 32, of Edward Street, Deptford in south east London, was sentenced to a 12 month Community Order of 150 hours unpaid work and ordered to pay costs of £200 at Bromley Magistrates Court on 12 September.

Ms Sharif was in receipt of Income Support and Housing Benefit as a single parent but had failed to declare part-time earnings from a job she had at a community centre.

Ms Sharif was prosecuted by Lewisham Council following a joint investigation with the Department for Works and Pensions, which proved she had defrauded a total of £10,200 which she will have to repay.

Between April and July 2012 the Council's Anti-Fraud and Corruption Team took action against 25 people who had committed housing benefit fraud. This included 6 prosecutions, 16 cautions and 3 cases where the claimant had to pay an administrative penalty, similar to a fine. In all cases the individuals will have to repay the money they defrauded.

In the same period, 22 cases of housing related fraud, including subletting and fraudulent applications for social housing, were discovered. Action was taken either to prevent the allocation of housing or recover the property for reallocation to a genuine applicant.

The Council received funding from the Department for Communities and Local Government which enabled it to increase the work undertaken on housing fraud and subletting. As a result, the Anti-Fraud and Corruption Team has been able to work with local housing providers in the borough, such as L&Q and Regenter B3/Pinnacle.

Lewisham Council's Anti-Fraud and Corruption Team investigates all allegations of fraud against Lewisham Council including fraudulent applications for housing. Suspected fraud can be reported to the Council's fraud hotline. Call 0800 085 0119 or email [reportfraud@lewisham.gov.uk](mailto:reportfraud@lewisham.gov.uk). All calls and emails are treated in the strictest confidence.

## Contact

### Report fraud

Tel: 0800 085 0119

Email: [reportfraud@lewisham.gov.uk](mailto:reportfraud@lewisham.gov.uk)

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## Appendix 2

### Whistleblowing Policy

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## Whistleblowing Policy

The Council is committed to the provision of the highest quality services for local people and to full accountability for the services it provides. The Council is also committed to the highest standards of conduct and has in place detailed rules, regulations, quality standards and procedures to ensure that these standards are observed. However, sometimes malpractice and wrongdoing may occur. Lewisham is not prepared to tolerate any such malpractice or wrongdoing in the performance of its services.

The Council acknowledges that the greatest deterrent to malpractice or wrongdoing is the probability that it will be discovered, reported and investigated thoroughly and that those responsible will be held to account. This policy is intended to be a clear and unequivocal statement that whenever any malpractice or wrongdoing by the Council, its employees, contractors or suppliers is identified or reported to the Council, it will be promptly and thoroughly investigated and that the alleged malpractice or wrongdoing will be rectified as necessary. The Council will also investigate means of ensuring that such malpractice or wrongdoing can be prevented for the future.

The Council is committed to ensuring compliance with its statutory obligations. This policy is one of a number of corporate policies, including the Lewisham Anti-Bribery Act 2011 policy, which together demonstrates and reinforces Lewisham's commitment to the prevention of malpractice in public life.

### The scope of the whistleblowing policy - The principles

The policy is based upon the overriding principle that the public interest and the needs of service users must come first.

 The Whistleblowing Policy complies with the requirements of the Public Interest Disclosure Act 1998.

### What's covered?

 It is intended that any significant concern which a member of staff, service user, Councillor or member of the public has about

- ▶ any aspect of service provision
- ▶ the conduct of officers or Members of the Council, or
- ▶ the conduct of any other parties acting on behalf of the Council, which may be:
  - ▶ unlawful (including fraud or corruption)
  - ▶ against the Council's Standing Orders or policies
  - ▶ contrary to established professional or other standards, the Council's Member and Employee Code of Conduct or any other established Codes of Practice can be reported under this procedure.

It is not intended however, that this procedure should replace existing processes such as the grievance or disciplinary codes. Instead it may be that once the whistle has been blown, action under other processes (such as the disciplinary code) may ensue.

## **A supplement not a substitute**

Anyone, including Councillors, employees, service users and members of the public are encouraged to raise complaints or matters of genuine concern with the Council. There are already in existence a number of channels available to raise such concerns. Where an appropriate avenue exists to deal with that concern, people are urged to use it. This whistleblowing policy is intended to supplement, rather than replace the existing procedures wherever practicable. These channels are:-

### **▶Service Managers/Directors**

Anyone with a complaint about Council services is encouraged to contact the manager directly responsible for that service or the relevant Executive Director. In most cases where there is concern this avenue will be the first point of reference. If a complaint relates to an Executive Director, it should be referred to the Chief Executive.

### **▶The Council's Complaints Procedures**

The Council has a corporate complaints procedure by which it invites any person to raise a complaint they may have about Council Services. Information about this procedure is available from the Advice and Information Service on extension 48761.

### **▶Local Councillors**

Members of the public are encouraged to refer matters of concern to their local Councillor who can then either identify the best point of contact for them to report the matter or take up the issue on their behalf. Information about how to contact local Councillors is available from Governance Support at Lewisham Town Hall on extension 49455.

### **▶The Council's Grievance Procedure**

 This deals with complaints relating to an individual employee's conditions of employment. The whistleblowing policy is not intended to replace the grievance procedure and should not be used to deal with matters which relate to an individual's contract of employment. If a concern is raised through the whistleblowing policy which would be more properly dealt with through the grievance procedure, it will be referred to Andreas Ghosh, Head of Human Resources.

### **▶Anti-fraud Procedures**

The Council's Anti-Fraud & Corruption Team (A-FACT) investigates all allegations of fraud within and against Lewisham Council and is part of the Audit & Risk Group based within the Resources and Regeneration Directorate. As well as Housing Benefit and Council Tax Benefit fraud the team has specialist officers covering housing fraud, employee fraud, fraud relating to contractors, blue badges etc.

### **▶Internal Fraud**

The Council's Financial Regulations state that it is the responsibility of any employee discovering or having reasonable suspicion of any irregularity, misconduct or fraud immediately to notify the relevant Executive Director or Audit and Risk Manager. When so informed, the Executive Director shall appraise the circumstances and shall notify and discuss the action to be taken concurrently with the Audit and Risk Manager. All information shall be treated in complete confidence.

Reports of suspected fraud may also be made to the suspected fraud, corruption or other financial irregularity can also be made to the Anti-Fraud & Corruption Team Manager who will conduct an investigation and make recommendations for appropriate action. Further information about this procedure can be obtained from Carol Owen ext. 47909.

### ►Benefit Fraud

All allegations of Benefit fraud should be made to Carol Owen, Anti-Fraud & Corruption Team Manager, preferably by email to, [carol.owen@lewisham.gov.uk](mailto:carol.owen@lewisham.gov.uk).

### ►Tenancy Fraud

The Council has a dedicated Housing Investigator who investigates fraudulent applications for housing. They also receive allegations of subletting on behalf of Lewisham Homes and other housing providers. All allegations of housing related fraud should be made to Juliet Bennett, Housing Investigation Practitioner, preferably by email to, [juliet.bennett@lewisham.gov.uk](mailto:juliet.bennett@lewisham.gov.uk)

Any reports of suspected, corruption or other financial irregularity may also be made to [reportfraud@lewisham.gov.uk](mailto:reportfraud@lewisham.gov.uk) or to the team's 24 hour freephone Hotline on 0800 0850119.

### ►Statutory Officers

In addition the officers who have particular responsibility for regulating the conduct of the Council and its activities. They are as follows:

Chief Executive - Head of Paid Service                      Barry Quirk ext 46444

Responsible for overall management of the workforce.

Executive Director for Resources                              Janet Senior ext 48013

Chief Finance Officer - The Council's officer with responsibility for the financial management, audit and financial probity of the Council.

Head of Law - Monitoring Officer                              Kath Nicholson ext 47648

Dealing with advising on the probity and legality of the Council's decision making. The Head of Law, as Monitoring Officer, is the Council's Whistleblowing officer.

Employees with serious concerns about Councillors should in the first instance raise them with the Head of Law.

### ►The Standards Committee

The Council also has a Standards Committee made up of councillors and independent people. It is currently chaired by an independent person, Sally Hawkins. The role of the Standards Committee is to promote the highest standards of ethical conduct amongst members.

### **In the First Place...**

People are primarily encouraged to use any and all of the mechanisms for raising concerns as set out above. For Councillors, public and staff it is likely that the majority of concerns will be dealt with by bringing the matter to the attention of management in the relevant Directorate. Such references are positively welcomed by the Council and once the issue is brought to light the manager will treat the complaint seriously, investigate it promptly and inform the complainant of the outcome. The investigation officer will be expected to interview both the individual raising the complaint and the person complained against, as well as any other individuals as appropriate. If no further action is proposed, the complainant will be given an explanation. If further action is proposed under a separate Council procedure (such as the disciplinary code) the complainant will also be informed.

If a concern is raised by a member of staff, it would be normal for their first reference to be to their direct line manager. However, depending on the nature and sensitivity of the issue, or the identity of the alleged wrongdoer, the line manager may not be the appropriate manager. In such cases it may be more appropriate to raise the issue with a Head of Service or other senior manager. A member of staff may be accompanied by a friend when meeting management to raise a concern. In short, managers within Directorates will adopt a flexible and open approach so that those having concerns feel confident that they may raise them.

### **But if the usual channels aren't appropriate?**

Circumstances may arise where none of the channels above are reasonably available. It may be that the whistleblower fears repercussions for example, or senior members of staff or Councillors may be implicated. Alternatively the whistleblower may have used those channels but still feel that there is real cause for concern. In such circumstances the whistleblower may refer their concern to the Head of Law directly.

 The Head of Law will then ensure that the matter is dealt by her either personally or by a whistleblowing officer nominated by her and operating under her supervision.

### **How will the whistleblowing officer respond?**

Acting under the supervision of the Head of Law the whistleblowing officer will first receive and record the complaint in a register kept specially for the purpose. An initial assessment will then be made to decide what sort of investigation ought to take

In the most serious cases, it may be that a Police enquiry will ensue or an independent investigation may be called for. In some cases the issue will be referred for a management investigation, possibly by the Chief Executive or another officer nominated to act on his behalf. Allegations of fraud, corruption or financial irregularity will be referred to the Special Investigations Manager for investigation.

In other cases however, it may not be appropriate to conduct any further enquiry at all. People are encouraged to raise genuine concerns and do not have to prove them. But understandably they do need to demonstrate that there is a sufficient basis for investigation. This initial consideration will allow the Council to decide on the appropriate method of enquiry and to ensure that resources are not wasted where investigation would be inappropriate.

Unless the issue is raised anonymously then the whistleblowing officer will generally interview the whistleblower as part of this initial assessment. If the whistleblower requests

that his or her identity remains confidential then all possible steps will be taken to respect that wish.

If an investigation is to ensue then the whistleblower will be informed of the fact and given an estimate of the time by when the investigation will be completed. Normally the investigation will be conducted within 28 days, though the time taken to conduct an enquiry will depend on the nature of the concern and its complexity. The whistleblower will be informed of the outcome and this will be noted in the register.

In appropriate circumstances the Head of Law and/or the whistleblowing officer will prepare a report for the Council and for the Standards Committee dealing with the outcome of a particular investigation, the action taken to rectify the situation and prevent a recurrence.

Each year the Head of Law will prepare for the Standards Committee a report dealing with the application of the whistleblowing policy in the previous year, and making suggestions where necessary for changes to improve its efficiency.

Issues raised by Members of the Council or by the public shall be dealt with in a similar manner to those raised by employees, though serious concerns about the conduct of Councillors should in all cases be referred to the Head of Law.

## ***Some General Safeguards***

### **▶ No Victimisation**

The Council recognises that the decision to blow the whistle can be a difficult one to make, not least because there is a fear of reprisal from those who may be perpetrating malpractice or others. The Council will not tolerate any victimisation of a person who raises a concern in good faith and will take appropriate steps to protect them, including where appropriate disciplinary action.

### **▶ Confidentiality and Anonymity**

The Council will, wherever possible, protect the identity of the whistleblower who raises a concern and does not want his/her name to be disclosed. However this may not be possible in all circumstances as the very fact of the investigation may serve to reveal the source of the information and the statement of the whistleblower may be needed as part of evidence against the perpetrator.

### **▶ False and Vexatious Complaints**

Just as the Council will seek to protect those who raise concerns in good faith, so it will seek to protect those against whom claims are made which turn out to be unfounded. A concern which is made in good faith and sincerely expressed may transpire to have no basis in reality. In addition it is possible that vexatious or malicious claims may be made. The Council will take disciplinary action against any employee who makes a vexatious claim. In either case, where it turns out that the claim was without foundation, the Council will use its best endeavours to ensure that any negative impact on the person complained of is minimised. However the Council acknowledges that it may not be able to prevent all such impact in every case.

### ▶ **Alternative methods of complaint**

As well as the initial complaints and whistleblowing procedures set out in this policy, any member of the public who wishes to make a complaint about the Council may contact one of the following organisations:

▶ Local Government Ombudsman - who receives and investigates complaints of mal-administration against the Council. He can be contacted at 21 Queen Ann's Gate, London SW1H 9BU, telephone 020 7915 3210.

▶ The District Auditor - who investigates complaints of financial irregularity or unlawful expenditure leading to financial loss by the Council. To contact the District Auditor write to him at Millbank Tower, 4th Floor, Millbank Road, London SW1P 4QP. Telephone 020 7233 6400.

▶  Further information about this whistleblowing policy can be obtained from Kath Nicholson ext. 47648 or Helen Glass ext. 49968.