

COUNCIL

26 APRIL 2012

ANTI-FRAUD AND CORRUPTION AND WHISTLEBLOWING POLICIES

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Summary

To present proposed changes to the Anti-Fraud and Corruption Policy and Whistleblowing Policy for Council approval.

1. Budget and Policy Framework

1.1 The Anti-Fraud and Corruption Policy and the Whistleblowing Policy are included within the Constitution and so approval of these are a matter for Council.

2. Background

2.1 These linked policies have both been reviewed to take account of best practice and the opportunity has also been taken to clarify wording and for some general revision.

Anti Fraud and Corruption Policy

2.2 The Audit Committee is responsible for the initial consideration of the Council's Anti-Fraud and Corruption Policy prior to consideration at Employment Matters Committee and final consideration and approval at Council.

2.3 The proposed revisions are highlighted on the attached document at Appendix 1. The words crossed through represent deletions, whilst the words that are shaded indicate additions or significant change to the order of the contents of the document.

2.4 The purpose of the changes to the document is to update the document in relation to:

- The Bribery Act 2010
- Providing a full Policy Statement that can be used across the Council

- Remove the detailed reference to the recruitment fraud risk, given this is detailed in the Employee Code of Conduct
 - Clarify the responsibilities of the Council's Audit Services
Titular change – from Counter Fraud Team to Corporate Anti-Fraud Team to reflect the wider investigation and fraud resilience remit of the team; and Immigration Services to UK Border Agency
 - Clarify the role of the Head of Audit Services in receiving allegations under the Whistleblowing Policy
 - A general rationalisation of the document.
- 2.5 The revisions have been reviewed and agreed by management, including Legal Services.
- 2.6 A Diversity Impact Assessment (DIA) screening was undertaken (see Appendix 2) and it is noted that it is not necessary to undertake a full impact assessment.
- 2.7 The draft policy was circulated to the trades unions for comments. No comments were received by the deadline (23 March 2012).

Whistleblowing Policy

- 2.8 The Audit Committee agreed on 24 November 2011 that the Whistleblowing Policy be reviewed to incorporate relevant changes under the Bribery Act 2010 and provide staff with a clear route for raising concerns.
- 2.9 The Council's Whistleblowing Policy covers acts of fraud, corruption, bribery, unethical conduct and malpractice.
- 2.10 The draft policy was circulated to the trades unions for comments. No comments were received by the deadline (23 March 2012).
- 2.11 The Council's existing Whistleblowing Policy has been reviewed and a revised draft is set out at Appendix 3 for Members' consideration.
- 2.12 The draft Whistleblowing Policy amends the Council's existing Policy, with the following revisions.
- 2.12.1 Emphasises the importance of raising concerns internally in accordance with the Council's Whistleblowing Policy.
- 2.12.2 Identifies the forms of conduct; which will be investigated under the Whistleblowing Policy, including Bribery.
- 2.12.3 Refers specifically to the documents that should be read in conjunction with the Whistleblowing Policy.
- 2.12.4 Identifies the individuals protected under the Whistleblowing Policy.
- 2.12.5 Identifies specialist teams and nominated Whistleblowing Officers to investigate concerns.

- 2.12.6 Identifies that whilst it may be attractive to alert the Media to a concern, that such action may be a disciplinary matter under the Council's Disciplinary Procedure or could potentially prejudice an investigation, should an investigation be warranted.
- 2.12.7 Informs individuals that all whistleblowing cases (anonymised information) shall be reported to the Audit Committee annually.
- 2.12.8 Informs staff that there may be occasions where more than one Whistleblowing Officer or Specialist Team may be alerted. For example, where a concern is raised about financial irregularity within service areas; and
- 2.12.9 Advises that the Whistleblowing Policy is not applicable to Academies.
- 2.13 A Diversity Impact Assessment screening was undertaken (see Appendix 4) and it is noted that it is not necessary to undertake a full impact assessment.

3. Audit Committee

- 3.1 The Audit Committee considered the two policies on 29 March 2012 and agreed to refer the revised policies, as set out in Appendices 1 and 3, to the Employment Matters Committee for consideration and referral to Council for approval.

4. Employment Matters Committee

- 4.1 The Employment Matters Committee considered the two policies on 11 April 2012 and agreed to refer the revised policies, as set out in Appendices 1 and 3, to Council for final approval.
- 4.2 In addition, the Committee agreed that it should receive annual report on whistleblowing cases to examine the management issues which impact on the organisation including where training needs may be identified. This is included in the revised Whistleblowing Policy (paragraph 11.2 refers).

5. Risk Management, Financial and Legal implications

- 5.1 There are no risk management, financial or legal implications arising directly from this report.

6. Recommendation

- 6.1 That Council approves:
- The Anti Fraud and Corruption Policy as set out in Appendix 1 to the report and;
 - The Whistleblowing Policy as set out in Appendix 3 to the report.

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Background Papers:
None

Anti-Fraud and Corruption Policy

Anti-Fraud and Corruption Policy Index

- 1.0 Introduction
- 2.0 Policy Statement
- 3.0 Responsibilities
- 4.0 The ten general principles of public life
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1.0 - Introduction

1.1 - As Medway Council ('The Council') is funded by the "public purse", it is constantly under scrutiny from a number of sources about how it spends the money allocated to it. The Council has developed comprehensive financial practices and procedures to help ensure that acts of fraud or corruption are not committed against it, as anyone committing such an act will damage the integrity of the Council and those with whom they work.

~~1.2 – The Audit Commission recommends (and it is now acknowledged best practice) that public sector bodies and organisations introduce and adopt a Corporate Anti-Fraud and Corruption Policy.~~

1.2 - In order to protect public funds against fraud and corruption the Council is committed to an effective Anti Fraud and Corruption Policy to ensure that the opportunity for fraud and corruption is reduced to the lowest possible risk.

1.3 - The Council's expectation on propriety and accountability is that members and staff at all levels ensure adherence to statutory and internal rules and regulations, procedures and recommended practices.

1.4 Definitions relevant to this policy are as follows:

Fraud – is any intentional act or omission designed to deceive others, resulting in, or intended to result in the victim suffering a loss and/or the perpetrator achieving a gain (as defined in The Fraud Act 2006). Offences may also include:

- **Theft** – The Theft Act 1968 defines theft as the dishonest taking of property belonging to another person with the intention of depriving the owner permanently of its possession.
- **Money Laundering** - The Money Laundering Regulations put in place 2007 set out the requirement for organisations to put in place anti-money laundering controls.

Corruption - is the abuse of one's position for direct or indirect personal gain. It covers the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person. Corruption may include:

- **Bribery** - The Bribery Act 2010 creates offences of making or receiving bribes, and also creates a new offence of failure of an organisation to prevent bribery by persons associated with it, including third party service providers.

2.0 - Policy statement

2.1 ~~The Council requires~~ All staff and elected members must act honestly and with integrity at all times and safeguard the resources for which they are responsible. ~~Fraud is an ever present threat to these resources and hence~~ must be a concern to all members of staff and elected members. ~~The purpose of this statement is to set out specific responsibilities with regard to the prevention of fraud.~~

2.2 Medway Council is committed to

- The creation of an *anti-fraud culture*;
- *Prevention* of fraud wherever possible;
- Prompt *detection* of fraud;
- Professional *investigation* of detected fraud;
- The use of *sanctions*, including legal action against people committing fraud;
- Steps to ensure *recovery* of funds defrauded.

2.3 Members and staff at all levels must ensure adherence to statutory requirements and internal rules and regulations, procedures and recommended practices. The Council has developed comprehensive practices and procedures to help ensure that acts of fraud or corruption are not committed against it.

2.4 It is often the alertness to the possibility of fraud and corruption, of all those involved in a business activity with the Council, that enables detection to occur. Under the Council's Employee Code of Conduct, employees have a duty to report any suspected cases of fraud or corruption to their immediate line manager (unless the said manager is implicated). The manager is also required to inform the Chief Finance Officer (CFO). Reporting cases in this way is essential to the Anti Fraud and Corruption Policy.

2.5 Frauds are often discovered as a result of whistleblowing and the Council has arrangements in place to enable such information to be properly dealt with, and the whistleblower protected. All whistleblowing cases related to fraud and financial irregularity will be subject to initial enquiries by the Audit Services Manager to confirm or repudiate suspicions raised, and if the concerns are substantiated a full investigation will be undertaken.

2.6 - There are mechanisms in place within the Council to act in cases of fraud and corruption. These include the following:

2.7 - The Council's [Employee Disciplinary Procedures](#) identify "fraud, theft or other criminal acts" as examples of gross misconduct. This and other fraudulent or corrupt conduct will normally lead to dismissal.

2.8 - The Council will seek full redress through the legal processes available to counter any internal or external fraudulent activities perpetrated against it. This redress will be achieved through criminal and/or civil courts as considered appropriate.

3.0 Responsibilities

Section 151 Officer

3.1 The Chief Finance Officer is responsible for:

- Proper administration of the Council's financial affairs, reporting to Members and the External Auditors if the Council, or one of its representatives makes, or is about to make, a decision which is unlawful, or involves illegal expenditure or potential financial loss (Local Government Finance Act 1998 s.114).



Managers

3.2 All managers are responsible for:

- Maintaining internal control systems and ensuring that the Council's resources and activities are properly applied in the manner intended;
- Identifying the risks to which systems and procedures are exposed;
- Developing and maintaining effective controls to prevent and detect fraud;
- Ensuring that controls are being complied with.

3.3 Key mechanisms for fraud prevention are the checks included in working procedures relating to financial, contract and procurement procedures, and the recruitment procedures for ensuring employees are appointed on merit, and appropriate pre-appointment checks are completed to eliminate the appointment of unsuitable persons.

Employees

3.4 Each member of staff is responsible for:

- His or her own conduct and for contributing towards the safeguarding of corporate standards (including declarations of interest, gifts and hospitality offered and received, private working, Whistleblowing, etc);
- Acting with propriety in the use of official resources and in the handling and use of corporate funds, whether they are involved with cash or payments systems, receipts or dealing with contractors or suppliers;
- Reporting details immediately to their line manager or the Chief Finance Officer, if they suspect that a fraud has been committed or see any suspicious acts or events.

Internal Audit

3.5 Audit Services, which includes Internal Audit and the Corporate Anti-Fraud Team is responsible for:

- Acting as the Council's consultant on issues of fraud and corruption;
- Completing annual assessments of the Council's fraud risk;
- Undertaking proactive work to support management in strengthening fraud resilience;
- Undertaking proactive work to identify fraud committed against the Council
- The independent appraisal of control systems for managing fraud risk; ~~and for assisting managers in the investigation of irregularities~~
- The investigation of allegations and suspicions of internal fraud or corruption, ~~if directed to do so by the Chief Finance Officer~~ and then advising and leading the Council, in conjunction with Human Resources (HR) and Legal Services, with regard to prosecution, disciplinary, or alternative sanctions;
- The investigation into allegations of Housing and Council Tax Benefit fraud.
~~□ In conjunction with Legal Services, the prosecution of such offences (or the application of an alternative sanction)~~

3.6 In undertaking investigations Audit Services

- Ensures the consistent treatment of information regarding fraud and corruption;
- Facilitates proper investigation of suspected cases;
- ~~Ensures that the~~ individual's and the Council's interests are protected.

External Audit

3.7 - The External Auditors have specific responsibilities for:

- Reviewing the stewardship of public money;
- Considering whether the Council has adequate arrangements in place to prevent fraud and corruption;
- The External Auditor also has powers to independently investigate fraud and corruption.

Members

3.8 - Each elected member of the Council is responsible for:

- His/her own conduct and for contributing towards the safeguarding of corporate standards (including declarations of interest, gifts and hospitality offered and received, Whistleblowing, etc);
- Contributing towards the safeguarding of ~~Corporate Standards, as detailed in by~~ compliance with the Members Code of Conduct.

3.9 - The Council is accountable to all the people of Medway and is responsible for conducting its business in an open, honest, equal and fair manner. In doing so, it will take positive action against any identified fraudulent or corrupt activities.

3.10 - The Council's employees and elected Members are important elements in its stance on fraud and corruption and they are positively encouraged to raise any concerns, which they may have on issues associated with the Council's activities. They can do this in the knowledge that such concerns will be treated in confidence, properly investigated and fairly dealt with.

3.11 In recent years there has been a rapid increase of fraud perpetrated against local authorities in general. The nature and scope of much of this fraud is varied and cross-jurisdiction. Accordingly it has become necessary to liaise with and undertake joint working with certain agencies, including (but not limited to):

- Other local authorities;
- The Department for Work and Pensions (DWP);
- Police;
- UK Border Agency. ~~Immigration Service~~

3.12 - The Council is committed to working and co-operating with other organisations to prevent organised fraud and corruption. Wherever possible, the Council will assist and exchange information with other appropriate bodies to assist in the investigation of and to combat fraud. ~~The Council's Corporate Anti-Fraud Team will co-ordinate all assistance and exchange of information.~~

National Fraud Initiative (NFI)

3.13 - The Council is legally required under s.6 of the Audit Commission Act 1998 to provide relevant data and to participate in NFI.

3.14 - The Council provides information obtained from its databases, which is matched with that of other authorities and agencies, to identify possible fraud and corruption.

3.15 - Details of matches are returned to the Council's Internal Audit Service, where the data is shared with the relevant managers to identify potential cases of fraud. Where further internal investigations are required the matter is referred to Internal Audit ~~undertaken to identify and~~ to pursue cases of fraud and irregularity perpetrated by employees.

3.16 - Cases identified that relate to members of the public abusing the benefits system, are also referred to the Corporate Anti-Fraud Team for investigation.

4.0 - The ten general principles of public life

4.1 - The Council has adopted the ten principles of standards in public life as recommended by the Standards Board for England (the model Members Code of Conduct) issued in April 2007. These principles, which apply equally to Members and officers are:

- **Selflessness** - should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.
- **Honesty and integrity** - should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.
- **Objectivity** - should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.
- **Accountability** - should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.
- **Openness** - should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.
- **Personal judgement** - may take account of the views of others, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.
- **Respect for others** - should promote equality by not discriminating against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.
- **Duty to uphold the law** - should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.
- **Stewardship** - should do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.
- **Leadership** - should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

4.2 The Council will be adopting a new Member Code of Conduct in accordance with the Localism Act 2011 in 2012. This Code must (in line with the Localism Act 2012) be consistent with the following principles

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

4.0 Definitions

4.1 An irregularity is any action by employees, Members, contractors, suppliers, agents and any external body involved in a business activity with the Council, that breaches the required high standards of financial integrity expected by the public.

4.2 Irregularities fall broadly within the following categories:

- ~~Theft~~ — the dishonest taking of property belonging to another person with the intention of depriving the owner permanently of its possession.
- ~~Fraud~~ — generally defined as the intentional distortion of financial statements or other records by persons internal or external to the Council, carried out to conceal the misappropriation of assets (or otherwise) for gain.
- ~~Bribery and corruption~~ — defined as the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person.
- ~~Failure to observe Financial and contract rules, codes of conduct or other recognised codes of practice.~~

5.0 - Constitution

5.1 - The Council has agreed a constitution, which sets out how the Council operates, how decisions are made, and the procedures to follow to ensure that these are efficient, transparent and accountable to local people. While some of these processes are required by law, others are a matter for the Council to choose. The constitution also has a number of codified rules and regulations to make sure that financial, working and organisational procedures are properly controlled. These are an important part of the internal control processes, and it is important that all members and staff know about them.

5.2 - The most notable ones are:

- Financial rules (Chapter 4, part 6)
- Contracts rules (Chapter 4, part 7)
- Employment rules (Chapter 4, part 8)
- Whistleblowing Policy (Chapter 4, part 9)
- Members code of conduct (Chapter 5, part 1)
- Employee code of conduct (Chapter 5, part 3)
- Code of corporate governance (Chapter 5, part 6)

5.3 - Chief Officers must ensure that relevant rules and regulations are up to date, that all staff have access to the relevant rules and regulations, and that staff receive suitable training.

5.4 - Members and employees must ensure that they read and understand the rules and regulations that apply to them and act in accordance with them.

~~6.0 – Prevention of fraud and corruption~~

~~6.1.0 – Regulatory framework~~

~~6.1.1 – The Council has a wide range of mechanisms in place aimed at prevention and detection of fraud and corruption. These include the main rules and regulations set out in this document in addition to the financial and contract rules.~~

~~6.1.2 – Rules and regulations must be regularly reviewed and updated, to reflect changes in circumstances.~~

~~6.1.3 – Chief Officers must ensure that adequate levels of internal checks are included in working procedures, particularly financial, contract and procurement procedures.~~

~~6.2.0 – Staff recruitment and checks~~

~~6.2.1 – The Council's recruitment procedure ensures that employees are appointed on merit and provides controls to eliminate the appointment of unsuitable persons.~~

~~6.2.2 – Applicants are required to complete an application form and declare any criminal convictions that are not spent. Where appropriate, applicants may also be subject to a criminal records disclosure. Written references are requested and obtained for all successful applicants.~~

~~6.2.3 – Where appropriate, the previous employment records of any potential employee (whether permanent or temporary) are checked with previous employers and the validity of formal qualifications declared, are verified.~~

~~6.2.4 – Documentary checks are conducted on all new employees to ascertain their eligibility to employment in accordance with Asylum and Immigration Act 1996 s.8 (as amended) effective 1 May 2004.~~

~~6.3.0 – National Fraud Initiative (NFI)~~

~~6.3.1 – The Council is legally required under s.6 of the Audit Commission Act 1998 to provide relevant data and to participate in NFI.~~

~~6.3.2 – The Council provides information obtained from its databases, which is matched with that of other authorities and agencies, to identify possible fraud and corruption.~~

~~6.3.3 – Details of matches are returned to the Council's Internal Audit Service, where further internal investigations are undertaken to identify and pursue cases of fraud and irregularity perpetrated by employees.~~

~~6.3.4 – Cases identified that relate to members of the public abusing the benefits system, are also referred to the Counter Fraud Team for investigation.~~

~~7.0 – Detection and investigation~~

~~7.1 – The range of preventative systems within the Council, particularly internal control systems, help to provide indicators of fraud (and error) and help to detect any fraudulent activity.~~

Appendix 1

~~7.2— It is the responsibility of Chief Officers and their managers to prevent and detect fraud and corruption. However, it is often the alertness, to the possibility of fraud and corruption, of all those involved in a business activity with the Council, that enables detection to occur and appropriate action to take place when there is evidence of the occurrence of fraud or corruption.~~

~~7.3— Despite the best efforts of managers and auditors, frauds are often discovered as a result of whistleblowing and the Council has arrangements in place to enable such information to be properly dealt with.~~

5.5 - Whistleblowing

5.5.1 - The Council's Whistleblowing Policy is intended to encourage all individuals to raise serious concerns. Those reporting concerns this way are afforded certain rights and protection through legislation enacted under the Public Interest Disclosure Act 1998. Everything possible will be dealt with in a confidential manner and protect them from reprisals.

5.5.2 - Management are responsible for reporting all allegations and suspicions of fraud and/or corruption from Whistleblowing sources to the Audit Services Manager, as Head of the relevant Specialist Team, who will determine any initial investigation required and inform the Chief Finance Officer. ~~who will determine whether further investigation is necessary and if so who to carry it out.~~ Annual Reports will be provided to Audit Committee on the number, nature and status of all whistleblowing events, and reports will be provided to the Audit Committee on the findings of full investigations relating to fraud and/or corruption.

~~7.6— Under the Council's Employee Code of Conduct², employees have a duty to report any suspected cases of fraud or corruption to their immediate line manager (unless the said manager is implicated) and to the Chief Finance Officer. The latter will determine who will carry out initial enquiries to confirm or repudiate suspicions raised, and if substantiated initiate further investigation. Reporting cases in this way is essential to the Anti Fraud and Corruption Policy, and:~~

- Ensures the consistent treatment of information regarding fraud and corruption
- Facilitates proper investigation of suspected cases
- The individual's and the Council's interests are protected

5.6 Outcomes of irregularity reports are reported to the Audit Committee; breaches of conduct by employees are dealt with through the Council's disciplinary procedures. The Standards Committee deals with Members who breach the Code of Conduct.

6.0 - Training

6.1 Implementing a successful Anti Fraud and Corruption Policy is largely dependent on the awareness and responsiveness of employees and Members throughout the Council.

6.2 The Council supports the concept of fraud awareness training for Members and employees to ensure that their responsibilities and duties in respect of this are regularly reviewed and reinforced.

6.3 The Council is also committed to training and developing staff who are involved in investigating fraud and corruption and suitable training will be provided where necessary.

7.0 - Conclusion

7.1 - The Council will target and fight all identified or suspected instances of fraud or corruption including but not limited to:

- Financial irregularity
- Misuse of office
- Misuse of Council property
- Corruption
- Collusion
- Theft
- Bribery
- Stealing supplies
- Working while on sick leave
- Falsifying time sheets and expense claims
- Selling Council equipment
- Failure to declare an interest
- Fraudulent tendering process
- Fraudulent property letting
- Fraudulent certification for payment of goods or services not received.

7.2 - The Council has a number of systems and procedures in place to assist in the fight against fraud and corruption. These arrangements need to keep pace with future developments in prevention and detection techniques.

7.3 - Furthermore, the Council will also ensure that this policy document is regularly reviewed, so that it remains current and effective.

Diversity Impact Assessment: Screening Form

<p>Directorate</p> <p>Business Support Department</p>	<p>Name of Function or Policy or Major Service Change</p> <p>Anti-Fraud and Corruption Policy</p>		
<p>Officer responsible for assessment</p> <p>Alison Russell, Audit Services Manager Mick Hayward, Chief Finance Officer</p>	<p>Date of assessment</p> <p>14 March 2012</p>	<p>New or existing?</p> <p>Existing</p>	
<p>Defining what is being assessed</p>			
<p>1. Briefly describe the purpose and objectives</p>	<p>The Anti-Fraud and Corruption Policy sets out the Council's stance on fraud and corruption within and committed against the Council. It defines what is meant by fraud and corruption, provides a policy statement as to the Council's commitment in preventing, detecting, and investigating fraud, and confirms the potential use of sanctions and recovery of funds defrauded.</p>		
<p>2. Who is intended to benefit, and in what way?</p>	<p>The policy has been introduced to benefit the Council, employees and service users.</p>		
<p>3. What outcomes are wanted?</p>	<p>Desired outcomes:</p> <ul style="list-style-type: none"> - Clarity and publication of the Council's commitment to be fraud resilient; - Clarity as to the roles and responsibilities of employees of the Council; - minimising the risk of adverse media and/or bringing the council into disrepute. 		
<p>4. What factors/forces could contribute/detract from the outcomes?</p>	<p>Contribute</p> <ul style="list-style-type: none"> - Raising awareness to all staff of the policy and what it means; - fraud and corruption cases being dealt with promptly and appropriately; - a circulated and effective Whistleblowing Policy 	<p>Detract</p> <ul style="list-style-type: none"> - employees not understanding their responsibilities in relation to fraud and corruption; - employees not seeing evidence of the Council taking fraud and corruption seriously 	
<p>5. Who are the main stakeholders?</p>	<p>The council, employees and service users.</p>		
<p>6. Who implements this and who is responsible?</p>	<p>The lead for this policy is Mick Hayward, Chief Finance Officer. The Audit Services Manager is the author of the review and also takes the lead on the Council's Fraud Resilience Strategy. The work of Audit Services is driven by risk assessment and the Fraud Resilience Strategy and Internal Audit Strategy are both subject to DIA review. Implementation overall of the policy falls to all employees who are required to act in accordance with the Employee Code of Conduct. There is a Disciplinary Policy and other HR policies, along with the Whistleblowing Policy, which are relevant to delivery of the Fraud and Corruption Policy and these are also subject to DIA review.</p>		

Appendix 2

Assessing impact		
7. Are there concerns that there <u>could</u> be a differential impact due to <i>racial groups</i>?	NO	See above
What evidence exists for this?	In addition to the note above to Q6: The Anti-Fraud and Corruption Policy: - has been shared with the Trade Unions and no concerns were raised in this regard. -	
8. Are there concerns that there <u>could</u> be a differential impact due to <i>disability</i>?	NO	See above
What evidence exists for this?	In addition to the note above to Q6: The Anti-Fraud and Corruption Policy: - has been shared with the Trade Unions and no concerns were raised in this regard. -	
9. Are there concerns that there <u>could</u> be a differential impact due to <i>gender</i>?	NO	See above
What evidence exists for this?	In addition to the note above to Q6: The Anti-Fraud and Corruption Policy: - has been shared with the Trade Unions and no concerns were raised in this regard. -	
10. Are there concerns there <u>could</u> be a differential impact due to <i>sexual orientation</i>?	NO	See above
What evidence exists for this?	In addition to the note above to Q6: The Anti-Fraud and Corruption Policy: - has been shared with the Trade Unions and no concerns were raised in this regard. -	
11. Are there concerns there <u>could</u> be a have a differential impact due to <i>religion or belief</i>?	NO	See above
What evidence exists for this?	In addition to the note above to Q6: The Anti-Fraud and Corruption Policy: - has been shared with the Trade Unions and no concerns were raised in this regard. -	
12. Are there concerns there <u>could</u> be a differential impact due to people's <i>age</i>?	NO	See above
What evidence exists for this?	In addition to the note above to Q6: The Anti-Fraud and Corruption Policy: - has been shared with the Trade Unions and no	

Appendix 2

	concerns were raised in this regard.	
13. Are there concerns that there <u>could</u> be a differential impact due to <i>being transgendered or transsexual</i>?	NO	See above
What evidence exists for this?	In addition to the note above to Q6: The Anti-Fraud and Corruption Policy: - has been shared with the Trade Unions and no concerns were raised in this regard. -	
14. Are there any <i>other</i> groups that would find it difficult to access/make use of the function (e.g. young parents, commuters, people with caring responsibilities or dependants, young carers, or people living in rural areas)?	NO	See above
What evidence exists for this?	In addition to the note above to Q6: The Anti-Fraud and Corruption Policy: - has been shared with the Trade Unions and no concerns were raised in this regard.	
15. Are there concerns there <u>could</u> have a differential impact due to <i>multiple discriminations</i> (e.g. disability <u>and</u> age)?	NO	See above
What evidence exists for this?	In addition to the note above to Q6: The Anti-Fraud and Corruption Policy: - has been shared with the Trade Unions and no concerns were raised in this regard.	

Conclusions & recommendation		
16. Could the differential impacts identified in questions 7-15 amount to there being the potential for adverse impact?	YES	N/A
	NO	
17. Can the adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or another reason?	YES	N/A
	NO	
Recommendation to proceed to a full impact assessment?		
NO	This function/ <u>policy</u>/ service change complies with the requirements of the legislation and there is evidence to show this is the case.	
NO,	What is required to	Employees must be mindful of their responsibilities under the Dignity at Work (Bullying and Harassment)

Appendix 2

BUT ...	ensure this complies with the requirements of the legislation? (see DIA Guidance Notes)?	Policy and the implications of discriminating against colleagues, service users or others. This policy and other employment policies are promoted periodically and are available at all times on the council's intranet.
YES	Give details of key person responsible and target date for carrying out full impact assessment (see DIA Guidance Notes)	N/A

Action plan to make Minor modifications		
Outcome	Actions (with date of completion)	Officer responsible
Planning ahead: Reminders for the next review		
Date of next review	On-going	
Areas to check at next review (e.g. new census information, new legislation due)	Check changes in legislation	
Is there <i>another</i> group (e.g. new communities) that is relevant and ought to be considered next time?		
Signed (completing officer/service manager)	Date	
A Russell	14/3/12	
Signed (service manager/Assistant Director)	Date	



Whistleblowing Policy

March 2012



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1. Introduction

- 1.1 The Council is committed to tackling all types of unlawful acts including fraud, bribery, corruption, unethical conduct and malpractice regardless of who commits them, or where in the Council they are committed. In this way the Council ensures that its services are used in the best interests of the local community.
- 1.2 The Council has agreed a constitution, which sets out how the Council operates, how decisions are made, and the procedures to follow to ensure that these are efficient, transparent and accountable to local people. While some of these processes are required by law, others are a matter for the Council to choose. The constitution also has a number of codified rules and regulations to make sure that financial, working and organisational procedures are properly controlled. These are an important part of the internal control processes, and it is important that all members and staff know about them. The most notable are:
 - 1.2.1 Financial rules (Chapter 4, part 6);
 - 1.2.2 Contracts rules (Chapter 4, part 7);
 - 1.2.3 Employment rules (Chapter 4, part 8);
 - 1.2.4 Members code of conduct (Chapter 5, part 1);
 - 1.2.5 Employee code of conduct (Chapter 5, part 3); and
 - 1.2.6 Code of corporate governance (Chapter 5, part 6).
- 1.3 The Council aims to ensure that anyone wishing to raise a concern feels confident in the process under this Policy. This Policy is designed to allow you to raise a concern without fear of reprisals or victimisation, if your disclosure is made in good faith.
- 1.4 To encourage and enable you to do this, the Council will ensure that anyone who uses this Policy to raise a concern will be protected from any form of detriment, harassment or victimisation regardless of:
 - the content or severity of the concern you raise;
 - with whom you raise the concern; and
 - whatever the outcome of raising the concern.
- 1.5 The Policy provides an opportunity for your concern to be dealt with internally, after all that is where the solutions will be found, or through an agreed external body.
- 1.6 There is always a temptation to take a concern directly to the media, but this does not necessarily mean that the issues raised are appropriately addressed and often fails to protect innocent parties. You should remember that you have a duty of confidence

to your employer and that unauthorised disclosure of information maybe a disciplinary offence. Please refer to section 16 below.

- 1.7 Staff should consider the repercussions of making disclosures to parties other than a specialist Whistleblowing Officer (Appendix one). Where concerns are of a serious/severe nature, it is possible that an inadvertent or deliberate disclosure to a third party could result in prejudicing a criminal investigation, if such a criminal investigation is warranted.
- 1.8 The best advice before you decide on what action to take is to seek the advice of one of the specialist Whistleblowing Officers.

2. What is covered by Whistleblowing?

- 2.1 A concern can relate to any unethical or unprofessional conduct within the Council, including malpractice, and abuse. The Policy not only covers acts that have actually occurred but also potentially unethical or unprofessional conduct.
- 2.2 The person making the disclosure must do so in the reasonable belief that it shows one or more of the following:
 - A criminal offence has been committed, is being committed, or is likely to be committed;
 - A person has failed, is failing, or is likely to fail to comply with any legal obligation to which she/he is subject;
 - A miscarriage of justice has occurred, is occurring, or is likely to occur;
 - Acts or potential acts of fraud and corruption, bribery or the misuse of public funds;
 - Failure to prevent acts of fraud and corruption or bribery under the Council's Anti-Fraud and Corruption Policy;
 - The health & safety of any individual (employee or member of the public) has been, is being, or is likely to be endangered;
 - The environment has been, is being or is likely to be damaged;
 - Actual or potential acts of all forms of discrimination;
 - The actual or possible abuse (sexual or physical) of clients in the Council's care;
 - Actual or potential acts of harassment or bullying of, or by, someone working for the Council;
 - Any unethical conduct that causes concern or brings the reputation of the Council into disrepute;
 - The deliberate concealment of information that would indicate any of the above; or
 - Information tending to show any matter falling within any one of these points has been, is being, or is likely to be concealed.
- 2.3 Other relevant documents to consider when considering raising a concern are:

- 2.3.1 The Council's Anti-Fraud and Corruption Policy;
- 2.3.2 The Employee's Code of Conduct; and
- 2.3.3 The Members' Code of Conduct.

2.4 If you are in any doubt as to whether or not to raise a concern then confidential advice can be sought from HR Services (contact employeerelations@medway.gov.uk) or your trade union representative (contact details are available on the Just4you intranet).

Note: If, when disclosing a concern you commit a criminal offence, for example accepting a bribe and or acts of corruption, you may lose your rights to protection from detriment. Further advice can be sought from one of the specialist teams.

3. Who Is Covered By the Whistleblowing Procedure?

3.1 The Public Interest Disclosure Act 1998 will protect Workers who disclose information in the correct manner from dismissal or penalisation. "Workers" include individuals who are;

- Employees employed under a contract of employment;
- Employed under any other contract, under which they perform personally any work or services;
- Agency workers; or
- Undertaking work experience as part of a training course.

4. How am I Protected?

4.1 Under the Public Interest Disclosure Act 1998, to qualify for protection for disclosure the Worker must:

- Be acting in good faith; and
- Have reasonable grounds for believing that the information disclosed indicates the existence of one of the problems itemised in section 2 above.

5. Confidentiality

5.1 The Council accepts that wherever possible the confidentiality of anyone wishing to raise a concern will be protected. There might however be occasions where your confidentiality cannot be protected, for example, where there is the involvement of the Police.

5.2 If there is any possibility that your confidentiality cannot be protected you will be told of the reasons and offered appropriate advice and support.

6. Raising a concern

6.1 You are encouraged to raise a concern provided that:

- You have reasonable belief that the information you hold, or the allegation is accurate; and
- You make the disclosure in good faith.

6.2 Under no circumstances should you investigate a concern yourself. This shall avoid prejudicing any investigation, including a criminal investigation, if it is warranted. Further, this will protect you from any repercussions.

7. Anonymously raised concerns

7.1 Concerns expressed anonymously will be investigated on the basis of their merits. However, an investigation may be hampered by the inability to gain further information and the Council would encourage you to provide some method of contacting you to assist in the investigation.

8. Who can concerns be raised about?

8.1 You can raise a concern about the practice of anyone who undertakes work for, or on behalf of, the Council, including:

- Employees of the Council;
- Contractors;
- Councillors;
- Volunteers; and
- School Based staff (not Academies).

8.2 **School based staff** - In a school you would normally raise a concern with your direct Line Manager. If this is inappropriate then your Head Teacher or Chair of Governors should be contacted, who may involve the nominated Whistleblowing Officer.

8.3 Medway Council has a legal responsibility to deal with any issues raised under the Whistleblowing Policy, regardless of the type of School you work in, be it controlled, aided or foundation. If it is not appropriate for a School based whistleblower to raise a concern with the Head Teacher or Chair of Governors then they should contact the Head of HR Services.

8.4 This Whistleblowing Policy does not relate to Academies.

9. How to raise a concern

- 9.1 No matter with whom you raise your concern it will be dealt with under this Policy. If the person with whom you raise the concern feels it necessary, they may refer your concern on to either a specialist team or a more senior Council officer, whichever is appropriate. If this is the case you will be contacted first and have the opportunity to discuss any issues this may raise.
- 9.2 Staff should be aware that raising a concern by email might result in third parties identifying a Whistleblower. Staff should therefore consider arranging a meeting with the relevant Whistleblowing Officer/Specialist Team if they are concerned about third parties accessing emails.

As a First Point of Contact

- 9.3 A concern would normally be raised initially with your Line Manager or Supervisor. However this may not always be possible, dependent on the nature of the concern and who is involved.

As an alternative

- 9.4 If you feel unable to raise the matter with your Line Manager or Supervisor you may wish to contact your Director of Service or the Director of the Service to which your concerns relate (if different).
- 9.5 You may wish to refer your concern directly to one of the Council's specialist teams as listed in Appendix one.
- 9.6 All the Whistleblowing Officers have received specialist training in dealing with concerns and will follow the procedure as laid out in this Policy.

10. Misuse of the Whistleblowing Policy

- 10.1 Raising a concern with malicious intent or for personal gain or the gain of others is not acceptable and may lead to disciplinary action under the Council's Disciplinary Policy. If in any doubt employees should contact the relevant Whistleblowing Officer.

11. **Responsible Officer** Frauds are often discovered as a result of whistleblowing and the Council has arrangements in place to enable such information to be properly dealt with, and the Whistleblower protected.

- 11.1 Referrals to particular Specialist teams may be forwarded to the Internal Audit/Finance team if there is a financial aspect to a complaint. In particular, all whistleblowing cases related to fraud and financial

irregularity will be subject to initial enquiries by the Audit Services Manager to confirm or repudiate suspicions raised, and if the concerns are substantiated a full investigation will be undertaken.

- 11.2 The Chief Finance Officer needs to be informed of all fraudulent matters and will decide on the appropriate action following the results of the investigation. A report of instances of all uses of this Policy shall be provided to the Audit Committee and the Employment Matters Committee. This report will not identify any parties using this Policy, but is intended to monitor Whistleblowing procedures.

12. The Procedure

12.1 What to consider when expressing a concern –

To enable your concerns to be dealt with in a proper and effective manner here are some guidelines for you to consider:

- Be as clear as possible about what the concern is and to whom and what it relates. You may also want to discuss the concern with others to see if it is shared.
- Be as clear as possible about who maybe involved, when and where actions may have taken place. Please ensure the facts are recorded i.e. record the dates and times in a diary. This way you can be clear about what has actually been heard or seen and when, rather than rely on memory or hearsay.
- Ensure you ask for your concerns to be dealt with under this procedure.

13. The procedure to be followed

- 13.1 To ensure that all concerns raised are taken seriously and are fully investigated the Council has agreed a procedure to be followed in all cases.

- 13.2 Staff should be aware that raising a concern by email might result in third parties identifying a Whistleblower. Staff should therefore consider arranging a meeting with the relevant Whistleblowing Officer/Specialist team if they are concerned about third parties accessing emails.

- 13.3 If, at any stage of the procedure, you are asked or wish to meet with someone addressing the concerns you have raised you have the option to be accompanied by a work place colleague, trade union representative or representative from a professional body.

- 13.4 Upon raising a concern:

- 13.4.1 However you wish to express your concern, by telephone or in person, you will:

- Receive an acknowledgement of your concerns within five working days of notifying the investigating person to whom you have expressed the concern (this can be sent to your home address);
- The investigating person will then decide how to progress your concern. This may mean undertaking an investigation. This does not mean that the concern is either true or untrue, but will help to assess the gravity of the complaint and establish the facts. It could be possible that concerns raised may be the result of a misunderstanding or an authorised change in practice.

13.4.2 Within ten working days of making your concerns known you will either:-

- Have a confidential meeting with the investigating person to discuss further your concerns; or
- Have received, in writing, an outline of how the investigating person intends to deal with the concerns raised.

13.4.3 Dependent on the nature of the concerns you may have subsequent meetings with the relevant investigating persons. These can be held “off-site” if preferred.

14. The outcome of your concern

14.1 Having raised the concern, the Council recognises that you will need to be assured that the issues have been dealt with correctly. You will be kept informed on a regular basis of what actions are being taken and the final results of any investigations.

14.2 In some situations, such as referrals to external bodies, it may not be appropriate (or legally possible) to supply you with the full information discovered. However the reasons for this will be explained at the appropriate time.

14.3 All uses of this Policy will be formally recorded and a register maintained.

15. Taking your concern further

15.1 If you have exhausted all these channels and you still have concerns, or feel that the issues have not been fully or appropriately addressed, you can contact the Chief Executive, or have him contacted on your behalf, to discuss your concern in confidence. At this point, you may also raise your concerns with elected members.

15.2 However you should not refer the matter outside the organisation without first ensuring that all other possible avenues have been exhausted.

15.3 Details of regulatory bodies can be found in Appendix two.

16 Contacting the media

16.1 If a Worker is considering contacting the Press, they are strongly advised to seek guidance from professional or other representative bodies and to discuss the matter where possible with line and professional managers. Please be aware that contacting the media before allowing the Whistleblowing team to investigate could result in prejudicing any investigation.

16.2 If you decide to proceed with contacting the media, you must inform the Chief Executive of the action you have taken or are proposing to take and the Chief Executive will brief Group Leaders on the matter.

16.3 Disclosures to the media can be made under the law, and will be protected if the following circumstances are met:

- The disclosure is made in good faith;
- The employee reasonably believes the information and any allegations are substantially true;
- The employee does not act for personal gain.

16.4 **Additionally, one or more of the following conditions must be met:**

- The Worker reasonably believes they would be subjected to a detriment if disclosure were made to the employer or prescribed person;
- In the absence of an appropriate prescribed person, the Worker reasonably believes a disclosure to their employer would result in the destruction or concealment of information about the wrongdoing;
- The Worker has previously disclosed substantially the same information to their employer or prescribed person; and
- It must be reasonable to make the disclosure.

16.5 Please be aware that premature contact with the media, where none of the conditions above are met, may result in disciplinary action under the Council's Disciplinary Policy.

Appendix one

Specialist Teams and Whistleblowing Officers

Please note that there may be circumstances where it may be necessary for a concern to be sent to more than one Whistleblowing Officer, for example, where a concern spans two service areas.

Specialist Team	Concerns	Whistleblowing Officer	Contact number
Financial / Audit and Corporate Fraud team	Fraud, corruption or misappropriation of Council assets or resources or financial irregularity	Alison Russell Audit Services Manager	01634 332355
Adult and Community	The care and welfare of adults and community issues; e.g. the conduct of care staff, or housing staff	Genette Laws Social Care Commissioning and Voluntary Sector Manager	01634 331345
Children	The care and welfare of children e.g. the use of school funds (may overlap with the Financial / Audit team).	Ralph Edwards, Head of HR	01634 331090
	A child is being neglected or abused please contact the Local Authority Designated Officer	Clare Wilkes, The Local Authority Designated Officer	01634 331229
Human Resources	The conduct of employees in general and specific issues of discrimination, harassment etc	Lizzie Hunt Employee Relations Consultant	01634 334092
Information Technology	The misuse of information technology such as e-mail and the internet	Moira Bragg, Corporate Projects Manager	01634 332087
Regeneration	Environmental issues, e.g. building control, planning etc	Joy Kirby, Business Quality Assurance Manager	01634 331422
All matters relating to the Council	Monitoring Officer	Perry Holmes	01634 332133

Additional Information

Trade Unions: - contact details for the trade unions are available on the Just4you intranet at:

<http://just4you.medway.gov.uk/hr/a-zofhrinformation/tradeunions.aspx>

Equalities Forums - (Black Workers Forum (BWF), Disabled Workers Forum (DWF) and Lesbian, Gay, Bisexual and Trans staff (LGBT) Forum).

Concerns relating to all matters affecting the Council, contact details for the forums are available on the Just4you intranet at the following link:

<http://just4you.medway.gov.uk/support/staffforums.aspx>

Regulatory and professional bodies

Health & Safety Executive www.hse.gov.uk
Tel. 0845 345 0055

Care Quality Commission www.cqc.org.uk
Tel. 03000 616161

Health Professions Council (HPC) www.hpc-uk.org
Tel 0800 328 4218

General Social Care Council www.gsccl.org.uk/
Tel 01788 532405

Nursing and Midwifery Council (NMC) www.nmc-uk.org
Tel 0207 333 9333

General Medical Council (GMC) www.gmc-uk.org
Tel 0161 923 6602

Audit Commission www.audit-commission.gov.uk
Tel. 0844 7983131

Local Government Ombudsman www.lgo.org.uk
Tel. 0300 061 0614

Information Commissioner's Office www.ico.gov.uk
Tel. 0303 123 1113

Equality and Human Rights Commission www.equalityhumanrights.com
Tel. 0845 604 6610

Ofsted www.ofsted.gov.uk
Tel. 0300 123 4666

Institution of Civil Engineers <http://www.ice.org.uk/homepage/index.asp>
Tel. 020 7222 7722

Diversity Impact Assessment: Screening Form

Directorate	Name of Function or Policy or Major Service Change		
Business Support Department	Whistleblowing Policy		
Officer responsible for assessment	Date of assessment	New or existing?	
Tricia Palmer, Assistant Director, Organisational Services	19 March 2012	Existing	
Defining what is being assessed			
1. Briefly describe the purpose and objectives	The Whistleblowing Policy provides a mechanism for employees to raise a concern internally about suspected fraud, corruption, unethical conduct and malpractice without fear of reprisals or victimisation. This enables the council to deal with a concern before it has an adverse affect on others or brings the Council into disrepute with the public or the media		
2. Who is intended to benefit, and in what way?	The policy has been introduced to benefit the Council, employees and service users.		
3. What outcomes are wanted?	Desired outcomes: <ul style="list-style-type: none"> - employees using the policy to raise their concerns; - concerns raised internally and dealt with in an efficient and appropriate manner; - minimising the risk of adverse media and/or bringing the council into disrepute. 		
4. What factors/forces could contribute/detract from the outcomes?	Contribute <ul style="list-style-type: none"> - Raising awareness to all staff of the policy and what it means; - Whistleblowing cases being dealt with promptly and appropriately; -Whistleblowing cases being handled internally wherever possible; - Trained Whistleblowing officers. 	Detract <ul style="list-style-type: none"> - employees not understanding the protection afforded to them under this policy and therefore failing to use it; - employees feeling intimidated and in fear of reprisals. 	
5. Who are the main stakeholders?	The council, employees and service users.		
6. Who implements this and who is responsible?	The Assistant Director, Organisational Services		

Assessing impact		
7. Are there concerns that there <u>could</u> be a differential impact due to <i>racial groups</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> - has been shared with the Trade Unions, and at time of writing no concerns have been raised in this regard. - does not require a whistleblower to provide details about their race; - explicitly states that acts of discrimination can be reported under this policy.; - will be made available in other languages if requested. 	
8. Are there concerns that there <u>could</u> be a differential impact due to <i>disability</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> - has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard. - do not require a whistleblower to provide details about their disability; - explicitly states that acts of discrimination can be reported under this policy; - will be accessible in different formats if required. 	
9. Are there concerns that there <u>could</u> be a differential impact due to <i>gender</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> - has been shared with the Trade Unions and at the time of writing no concerns have been raised in this regard - do not require a whistleblower to provide details about their gender; - explicitly states that acts of discrimination can be reported under this policy; 	
10. Are there concerns there <u>could</u> be a differential impact due to <i>sexual orientation</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> - has been shared with the Trade Unions and at the time of writing no concerns have been raised regarding sexual orientation; - do not require a whistleblower to provide details about their sexual orientation; - explicitly states that acts of discrimination can be reported under this policy; 	

11. Are there concerns there <u>could</u> be a have a differential impact due to <i>religion or belief</i> ?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> - has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard; - do not require a whistleblower to provide details about their religion or belief; - explicitly states that acts of discrimination can be reported under this policy. 	
12. Are there concerns there <u>could</u> be a differential impact due to people's <i>age</i> ?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> - has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard; - do not require a whistleblower to provide details about their age; - explicitly states that acts of discrimination can be reported under this policy. 	
13. Are there concerns that there <u>could</u> be a differential impact due to <i>being transgendered or transsexual</i> ?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> - has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard; - do not require a whistleblower to provide details of whether they are transsexuals or being transgendered; - explicitly states that acts of discrimination can be reported under this policy. 	
14. Are there any <i>other</i> groups that would find it difficult to access/make use of the function (e.g. young parents, commuters, people with caring responsibilities or dependants, young carers, or people living in rural areas)?		If yes, which group(s)?
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> - has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard; - explicitly states that acts of discrimination can be reported under this policy. 	

15. Are there concerns there <u>could</u> have a differential impact due to <i>multiple discriminations</i> (e.g. disability <u>and</u> age)?		Brief statement of main issue
	NO	
What evidence exists for this?	The Whistleblowing Policy: <ul style="list-style-type: none"> - has been shared with the Trade Unions, and at the time of writing no concerns have been raised in this regard; - explicitly states that acts of discrimination can be reported under this policy. 	
Conclusions & recommendation		
16. Could the differential impacts identified in questions 7-15 amount to there being the potential for adverse impact?	YES	N/A
	NO	
17. Can the adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or another reason?	YES	N/A
	NO	
Recommendation to proceed to a full impact assessment?		
NO	This function/ policy/ service change complies with the requirements of the legislation and there is evidence to show this is the case.	
NO, BUT ...	What is required to ensure this complies with the requirements of the legislation? (see DIA Guidance Notes)?	Employees must be mindful of their responsibilities under the Dignity at Work (Bullying and Harassment) Policy and the implications of discriminating against colleagues, service users or others. This policy and other employment policies are promoted periodically and are available at all times on the council's intranet. This policy is included within the staff handbook.
YES	Give details of key person responsible and target date for carrying out full impact assessment (see DIA Guidance Notes)	Tricia Palmer, Assistant Director, Organisational Services.

Planning ahead: Reminders for the next review		
Date of next review	On-going	
Areas to check at next review (e.g. new census information, new legislation due)	Check whether the policy is being used and whether employees are aware of the policy and its purpose.	
Is there <i>another</i> group (e.g. new communities) that is relevant and ought to be considered next time?		
Signed (completing officer/service manager)	Date	
Signed (service manager/Assistant Director)	Date	