

# London Borough of Tower Hamlets

## Whistleblowing Policy

01/08/2025



## Contents

1. Introduction .....	3
2. What is Whistleblowing? .....	3
3. Who may use this policy .....	3
4. How to raise a concern .....	4
5. Our Assurances to You .....	5
6. Governance .....	6
7. Procedure .....	7
8. Review of the Whistleblowing Policy .....	7
9. External Contacts.....	7

## 1. Introduction

- 1.1 Tower Hamlets is committed to the highest standards of behaviour, openness, honesty, probity and accountability of all employees, Councillors, and contractors and as such takes any form of malpractice very seriously.
- 1.2 We expect employees, and others who have concerns about any aspect of the Council's work which they believe shows malpractice or wrongdoing, to bring it to our attention. This Policy sets out the mechanism to do so.

## 2. What is Whistleblowing?

- 2.1 Whistleblowing is the term used when someone passes on information concerning wrongdoing. The wrongdoing will typically (although not necessarily) be something you have witnessed at work. A whistleblow must be in the public interest and is likely to involve people other than yourself.
- 2.2 The Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998) protects employees who make a whistleblowing disclosure from harassment and victimisation. In order to benefit from this protection, your disclosure must relate to one of the categories set out in Paragraph 2.4 below and you must believe that your disclosure is in the public interest.
- 2.3 If your disclosure only affects yourself, it is unlikely to be a disclosure covered by the protection in the Employment Rights Act. However, it is likely to be covered by one of the Council policies set out in paragraph 4.1.
- 2.4 If your disclosure affects another person or people, and if you believe that the disclosure relates to wrongdoing in one of the categories below, your disclosure is likely to be covered by the Employment Rights Act, if you are an employee of the Council:
  - Criminal offences (for example fraud, theft or financial impropriety);
  - Failure to comply with a legal obligation;
  - Endangering someone's health and safety;
  - Miscarriages of justice;
  - Damage to the environment;
  - Covering up wrongdoing in any of the above categories.

## 3. Who may use this policy

- 3.1 All employees of London Borough of Tower Hamlets may use this policy. This includes permanent and temporary employees. It also covers agency workers and employees seconded to the Council.

3.2 External stakeholders such as contractors working for the Council or would-be contractors for the Council may also use this Policy, in order to make us aware of any concerns that they, their employees or sub-contractors may have with regard to any contractual or other arrangement with the Council. Any concerns relating to non-Council business, however, should be raised with the relevant contractor's organisation, regulator or other suitable agency.

## 4. How to raise a concern

4.1 Not all concerns will constitute wrongdoing which will be investigated via this policy. In the first instance, concerns from employees (individually or in a group) should be raised with their line manager. Non-employees such as contractors should raise their concern with their contact in the Council. The table below sets out the policies which are likely to assist in identifying the right route.

Concern about the health, safety or wellbeing of a member of staff	Corporate Health & Safety Policy and Handbook (only available internally)	<a href="http://towerhamlets.gov.uk">Corporate Health and Safety Policy (towerhamlets.gov.uk)</a>
Concern that a member of staff is being bullied, harassed or discriminated against	Grievance Policy (only available internally)	<a href="http://towerhamlets.gov.uk">Grievance (towerhamlets.gov.uk)</a>
Concern about fraud, theft, financial impropriety or money laundering	Anti-Fraud and Corruption Strategy	<a href="https://www.towerhamlets.gov.uk/lqnl/council_and_democracy/council_budgets_and_spending/anti_fraud_and_corruption/anti_fraud_and_corruption.aspx">https://www.towerhamlets.gov.uk/lqnl/council_and_democracy/council_budgets_and_spending/anti_fraud_and_corruption/anti_fraud_and_corruption.aspx</a>
Concern about the actions or behaviour of an elected or co-opted member of the Council	Code of conduct for elected and co-opted members	<a href="http://towerhamlets.gov.uk">PartCCodesandProtocols.pdf (towerhamlets.gov.uk)</a>

4.2 In some cases, the nature or sensitivity of the concern may mean that it is not appropriate to raise the concern via your manager, through your Council contact or using one of the policies above. In this case, you should use the email address [whistleblowing@towerhamlets.gov.uk](mailto:whistleblowing@towerhamlets.gov.uk)

4.3 If you raise a concern, either via your manager or Council contact or via

email, please supply as much information as possible, including the background and history, names and dates (if possible), and the reason(s) why you are particularly concerned. Please identify any particular ethical or professional standards which apply in this case.

- 4.4 You are not expected to prove the truth of any allegation or concern you raise. However, you will need to show that there are sufficient grounds for concern to warrant an initial investigation. Please do not undertake investigations yourself before referring the matter to the Council as this may undermine future investigations by the Council or other agencies such as the Police.
- 4.5 Whistleblowers are encouraged to give their name when raising a concern. The Council will do its best to protect your identity if you do not want your name to be disclosed, but the investigation process may reveal your name or allow individuals (including the subject of an allegation) to infer your identity as the source of the information. You may be asked to make a statement as part of the evidence.
- 4.6 Anonymous referrals will be considered at the discretion of the Head of Internal Audit and Anti-Fraud and Risk in consultation with the Monitoring Officer. In exercising this discretion, factors to be taken into account will include:
- Seriousness of the allegation;
  - Credibility of the allegation;
  - Likelihood of being able to obtain the necessary information from attributable sources to corroborate the allegation.

## 5. Our Assurances to You

### **Your safety**

- 5.1 The Mayor, Councillors, the Chief Executive and Corporate Leadership Team are committed to this Policy and recognise that the decision to report a concern can be a difficult one to make. If you raise a genuine concern under this Policy, you will be protected. Provided you are acting in good faith, no action will be taken against you, even if you are mistaken.
- 5.2 It is important to note that this assurance does not extend to those who make malicious or vexatious allegations or who make an allegation for personal gain. This could be construed as gross misconduct and disciplinary action may be taken against you.

### **Statutory protection: Harassment or Victimisation**

- 5.3 The Council will not tolerate any harassment or victimisation (including informal pressures) from your colleagues, peers, managers, or from external sources, and will take appropriate action to protect you when you raise a concern in good faith. Where victimisation or harassment of someone who has made a disclosure under this policy is proven, this would be normally

considered to be:

- Gross misconduct if done by an employee of the Council;
- A reason for the Council to consider termination of a contract, if the harassment or victimisation is done by or at the request of a contractor;
- A matter to be considered under the Code of Conduct if done by or at the request of a Councillor or co-opted member;
- A matter that could affect the service provided to a customer if done by or at the request of a customer.

5.4 If you consider that you have been, are being or are likely to be victimised, dismissed, made redundant or made to suffer some other detriment as a result of making a report under this procedure, you should report your concerns using the email address [whistleblowing@towerhamlets.gov.uk](mailto:whistleblowing@towerhamlets.gov.uk) . The matter will then be dealt with as a new referral under this policy.

5.5 Any investigation into allegations of potential malpractice raised as a whistleblow will not influence or be influenced by any disciplinary, capability, or redundancy procedures that already affect you at the time you make your referral.

### **Your confidentiality**

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

5.7 Therefore, whilst we do not rule out the possibility of conducting investigations where you have not given a point of contact, it should be noted that, in practice, we are unlikely to be able to proceed in the majority of such cases because of the practical difficulties that arise. The lack of a contact point will often present a barrier to effective investigation because it is impossible to contact you to check information received, ask for more details, or give feedback.

## **6. Governance**

6.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this policy. The day-to-day management of this policy is undertaken by the Head of Internal Audit, Anti-Fraud and Risk, who reports to the Monitoring Officer at least once every quarter.

6.2 In addition to the reporting set out in paragraph above, the Head of Internal Audit, Anti-Fraud and Risk will report to the Audit Committee on whistleblowing matters annually, and to the Statutory Officers' Meeting at

least every quarter.

## **7. Procedure**

- 7.1 All referrals should be sent to the email address [whistleblowing@towerhamlets.gov.uk](mailto:whistleblowing@towerhamlets.gov.uk) . Referrals should provide as much detail as possible about the concern, including names and contact details of individuals and / or organisations about whom the concern is raised, dates and times of any specific incidents and full details of the concern and reasons why you are concerned. For reasons set out in paragraphs 5.6 and 5.7 above, please also provide your name and contact details.
- 7.2 Once the email has been received, it will be logged by a member of the team. It will be passed to the Head of Internal Audit, Anti-Fraud and Risk or a member of their team for initial assessment.
- 7.3 The initial assessment will be completed within 10 working days. If it is not accepted as a whistleblowing matter, the referral may be passed to another department for investigation. If accepted as a whistleblowing matter, the aim will be for the investigation to be completed within three months from the conclusion of the initial assessment. If the investigation is complex, it may be necessary for this time to be extended. If possible, the referrer will be informed of progress.
- 7.4 The log of referrals will be kept and will include brief details of the allegation as well as information about the progress and outcome of the referral. If, after initial assessment, the referral is passed to another service rather than being treated as a whistleblowing referral, the log will show to which service the referral was sent. The log will be kept confidential and secure.
- 7.5 All records will be treated as confidential and kept no longer than necessary in accordance with Data Protection rules. Individuals have a right to request and have access to certain personal data: however, some information may be withheld in order to protect a third party.

## **8. Review of the Whistleblowing Policy**

- 8.1 This Policy and reports made under it will be reviewed annually by the Head of Audit, Anti-Fraud and Risk who will make a report to the Audit Committee.

## **9. External Contacts**

- 9.1 Whilst we hope this Policy gives you the reassurance you need to raise such matters internally, we would rather you raised a matter with the appropriate regulator than not at all. If you do not wish to report your concern to the Whistleblowing email address, you can get legal advice from a lawyer, or tell

a prescribed person or body.

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

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

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

- 9.4 If you raise concerns outside the Council, you should ensure that it is to either one of the prescribed persons or bodies as set out in the “prescribed persons list” published by the Department for Business, Innovation and Skill. Through this Policy however, the Council also guarantees like protection if it is a qualified disclosure made to:

- The Police
- Protect: The whistleblowing charity who can provide free advice.
  - 020 3117 2520
  - <https://protect-advice.org.uk/>
- The Local Government and Social Care Ombudsman
  - 0300 061 0614
  - [Home - Local Government and Social Care Ombudsman](#)

- 9.5 You should not disclose information that is confidential to the Council or to anyone else, such as a client or contractor of the Council, except to either one of the prescribed persons or bodies as set out in the “prescribed persons list” or 9.4 above.