

## Introduction

As a member of the public you may have concerns that there is something wrong the way that the Council is operating. This policy is designed to encourage you to report your concerns in a way that enables the Council to address any associated risks as early as possible.

The Council is committed to the highest standards of openness, probity and accountability. In line with that commitment, we encourage members of the public, who have serious concerns about any aspect of the Council's work to come forward and raise those concerns with us rather than overlooking a problem or discussing it externally.

## Aims of the Policy

This policy aims to:

- Provide avenues for you to raise concerns and receive feedback on any action taken
- Allow you to take the matter further if you are dissatisfied with the Council's response; and
- Reassure you that your concerns will be taken seriously and investigated appropriately

## What is a 'concern'?

Concerns to be reported under this policy may relate to:

- Failure to comply with a legal or regulatory obligation
- Serious misuse or abuse of authority
- Gross waste or mismanagement of funds
- Damage to the environment
- Criminal offences; including
- Fraud or financial irregularity
- Corruption, bribery or blackmail

If your concern is regarding;

- the safeguarding of children and young people, please call 0113 222 4403 during office hours and the Social Care Emergency Duty team on 0113 240 9536 out of normal office hours.
- the safeguarding of vulnerable adults, please call 0113 222 4401 (Minicom: 0113 222 4410) during office hours and 0113 240 9536 at all other times.
- suspected Benefits Fraud it should be reported to the specialist Benefits Fraud Investigations Team by email to [lbs.control@leeds.gov.uk](mailto:lbs.control@leeds.gov.uk), calling the free phone number 0800 915 6661 or writing to Investigation unit, Selectapost 15, Leeds, LS2 8BA.

### Safeguards and confidentiality

The Council recognises that the decision to report a concern can be a difficult one to make. The Council treats the details of all whistleblowers in confidence and will do its best not to divulge your identity and ensure that your name is not revealed without your consent. However, it must be appreciated that the investigation process may reveal the source of the information without us revealing your identity directly, and in some circumstances a statement by you may be required as part of the evidence.

### Anonymous allegations

Allegations can be made anonymously. However, this policy encourages you to provide your name and contact details when making your allegation, as concerns expressed anonymously are often much more difficult to investigate. For example, we may need to contact you to obtain further information or verify the details you have already given us.

Anonymous allegations will be considered wherever possible at the discretion of the Council. The factors to be taken into account when determining whether to proceed with an investigation in such a cases would include:

- The seriousness of the issues raised
- The credibility of the concern; and
- The likelihood of confirming the allegation from other, attributable sources.

### How to raise a concern (Dos and Don'ts)

**DO NOT ignore the concern.** It is important that you make us aware of your legitimate concerns in the public interest, as this provides the Council with an opportunity to address the associated issues as early as possible.

**DO report your suspicions appropriately in line with this policy** to the relevant service management or Internal Audit using the contact details provided below. The decision on who to report your suspicions to will depend on the seriousness and sensitivity of the issues concerned, and who is thought to be involved in the malpractice. For example, if you believe that management is involved then Internal Audit can give advice and guidance on how the matter can be pursued.

**DO make an immediate note of your concerns and deal with the matter promptly.**

The earlier you express the concern, the easier it is to take the necessary remedial action. Over time these details can be forgotten, or remembered incorrectly, which can make a concern more difficult to investigate and so it would help us if you make a note of them at the time and let us know about your concern as soon as possible.

Although you are not expected to prove an allegation, you will need to demonstrate that there are sufficient grounds for your concern in order to assist us in attempting to investigate it. It would be useful to provide relative information including, where possible, but not limited to;

- the background and history to the case
- the reason why you are particularly concerned
- any specific details available including names, dates, times and places
- details of any particular conversations that support the concerns
- details any personal interest that you may have in the matter; and
- how you think that things may be put right, if possible.

**DO NOT be afraid of raising your concerns.**

We want to encourage people to voice any reasonably held suspicions to help us develop a culture of openness, honesty and accountability. All concerns should be treated sensitively and seriously, and be subject to the necessary investigation and follow up communication where practicable.

**DO NOT approach or accuse any individuals directly or tell anyone about your suspicions other than those with the proper authority.**

If a concern is discussed with someone directly involved then it creates an opportunity for evidence to be tampered with or removed.

Concerns should not be discussed with others who are not involved in an appropriately structured investigation. Restricting any discussions around your concerns to those with the proper authority will ensure that you cannot be accused of making slanderous or libellous comments should your concerns be unfounded, as these could damage the reputation of individuals and the Council even if there is no evidence of any wrongdoing.

**DO NOT try to investigate the matter yourself.**

There are special rules surrounding the gathering of evidence. Any attempt to gather evidence by people who are unfamiliar with these rules may adversely affect the outcome of the investigation as evidence has to be collected in accordance with current legislation. This is of particular importance in regard to surveillance. If you are at all unsure about the gathering of evidence, you should contact Internal Audit for advice.

**Concerns can be raised by the following methods:**

Whistleblowing hotline	(0113) 247 4645 (dedicated hotline answered by a member of the Internal Audit team or an answerphone).
E-mail	<a href="mailto:concerns@leeds.gov.uk">concerns@leeds.gov.uk</a>
Online	complete the 'contact us' form on the <a href="#">Reporting Fraud and Corruption web page</a>
In writing	Internal Audit, 3 <sup>rd</sup> Floor West, Civic Hall, Leeds, LS1 1JF

### How the Council will respond

The action taken by the Council will depend on the nature of the concern. The matters raised may:

- Be investigated internally (this is the most likely option)
- Be referred to the police
- Be referred to the external auditor
- Form the subject of an independent inquiry; or
- Any combination of the above

In order to protect individuals and the Council, initial enquiries will be made to decide whether to investigate and, if so, in what form. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation.

There may be some occasions where the Council recommends that no further action should be taken. These will usually be on the following grounds:

- The Council is not satisfied that there are grounds for reasonable suspicion
- The matter is already the subject of legal proceedings, or has already been referred to the police, or other appropriate authority
- The matter is (or already has been) the subject of the relevant proceedings under one of the other Council procedures.

Within ten working days of a concern being raised, where practicable, the Council will write to you:

- Acknowledging that the concern has been received
- Indicating how it proposes to deal with the matter
- Telling you whether any initial enquiries have been made
- Telling you whether further investigations will take place and, if not, why not.

The Council acknowledges the need to provide you with assurance that the matter has been properly addressed. Thus, subject to legal constraints, you will receive appropriate information about the extent and outcomes of any investigations.

### How the matter can be taken further

This policy is intended to provide you with an avenue to raise concerns within the Council. The Council hopes that you are satisfied. If you are not, and if you feel it is right to take the matter further, the following are possible contact points:

Your local Council Member (if you live in the area of the Council)	A list of Council Members is available from Members Services (0113) 2243206 or on the internet at <a href="http://leeds.gov.uk">leeds.gov.uk</a>
Customer Complaints and Compliments	Complete the on-line form on the internet, call 0113 222 4405, (minicom users 0113 222 4410) or post to: Freepost RLZR-ELTX-RUEH Leeds City Council PO Box 657, LS1 9BS
The external auditor - KPMG Leeds	0113 231 3000
A relevant professional body or regulatory organisation	
Your solicitor	
The Police	