



# WHISTLEBLOWING POLICY

JULY 2006

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*Fraud Liaison Manager*

## **1. INTRODUCTION**

- 1.1** Employees are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances employees may ignore the concern rather than report what may be a suspicion of malpractice. This should not happen. Employees should expect the Council to deal with their complaint appropriately, efficiently and in confidence.
- 1.2** The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees and others that we deal with, who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. However, some serious matters may require disclosure of information to outside agencies, such as the Audit Commission, the Local Government Ombudsman, the Standards Board and the police. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3** This policy document represents the Council's commitment to creating an environment in which you can raise your concern without fear of victimisation, subsequent discrimination or disadvantage.
- 1.4** The policy applies to all employees and those contractors working for the Council on Council premises, for example, agency staff. It also covers suppliers and those providing services under a contract with the Council on their own premises, for example, care homes.
- 1.5** These procedures are in addition to the Council's complaints procedure for the referral mechanisms for allegations of breach of the Members Code of Conduct and other statutory procedures that apply to some departments. You are responsible for making service users aware of the existence of these procedures.
- 1.6** This policy has been discussed with the relevant trade unions and professional organisations and has their support.
- 1.7** This code aims to:
- Encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice.
  - Provide avenues for you to raise those concerns and receive feedback on any action taken.
  - Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
  - Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

**1.8** There are existing procedures in place to enable you to lodge a grievance relating to your own employment (Please use the Council's Grievance and Dignity at Work Policies). This Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures. It includes:

- Conduct which is an offence or a breach of law (**please refer to the FRAUD RESPONSE PLAN for guidance**);
- Disclosures related to miscarriages of justice;
- Health and safety risks, including risks to the public as well as other employees;
- Damage to the environment;
- The unauthorised use of public funds (**please refer to the FRAUD RESPONSE PLAN for guidance**);
- Possible fraud and corruption (**please refer to the FRAUD RESPONSE PLAN for guidance**);
- Sexual or physical abuse of clients, or
- Other unethical conduct.

**1.9** Thus, any serious concerns that you have about any aspect of service provisions or the conduct of officers or Members of the Council or others acting on behalf of the Council can be reported under the Confidential Reporting Code. This may be something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Council subscribes to; or
- is against the Council's Standing Orders policies or Codes of Conduct; or
- falls below established standards of practice; or
- amounts to improper conduct.

## **2. ANONYMOUS ALLEGATIONS**

**2.1** This policy encourages you to put your name to your allegation whenever possible.

**2.2** Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Council.

**2.3** In exercising this discretion the factors to be taken into account would include:

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

### **3. HOW TO RAISE A CONCERN**

**3.1** As a first step, you should normally raise concerns with your line manager or their manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved, you should approach the Chief Executive, Chief Financial Officer, Monitoring Officer or Audit and Fraud Manager.

**3.2** Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- set out the background and history of the concern (giving relevant dates);
- explain the reason why you are particularly concerned about the situation.

**3.3** The earlier you express the concern the easier it is to take action.

**3.4** Although you are not expected to prove beyond doubt the truth of any allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

**3.5** If you are unsure whether or how to use this Code or want independent advice, you may contact the independent charity Public Concern at Work – this is a charity that provides free and strictly confidential legal help to anyone concerned about a malpractice that threatens public interest. They operate on a helpline on **020 7404 6609** or at [whistle@pcaw.demon.co.uk](mailto:whistle@pcaw.demon.co.uk) or at **Suite 306, 16 Baldwins Gardens, London, EC1N 7RJ**

**3.6** If you wish to make an internal disclosure you can contact: -

- **0161 770 4969**                      **Confidential Hotline (Corporate Counter Fraud Team)** or e-mail [investigations@oldham.gov.uk](mailto:investigations@oldham.gov.uk)

Or, if you wish, you may contact

- **0161 770 4900**                      **Director of Finance and ICT**
- **0161 770 4810**                      **Director of Legal and Democratic Services (Monitoring Officer)**
- **0161 770 4190**                      **Chief Executive**

**3.7** You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

**3.8** You may invite your trade union, professional association representative or a work colleague to be present during any meetings or interviews in connection with the concerns you have raised.

**3.9** If you wish to raise a matter with a person who is neither an Elected Member nor an officer of the Council, you may contact the Chairs of either the Council's Standards or Audit Committees. They are independent members of the council in the sense that they are neither elected members nor employees of the council. They chair Committees, which are responsible for ensuring that high ethical standards of probity and good corporate governance are maintained. They can be contacted through the contacts set out at paragraph 3.6 above.

**3.10** The Council recognises that there are instances when an employee will feel legally and morally obliged to report a very serious matter, such as an assault in a care home, at once to the Police. It is desirable that they also report the matter to management but employees are not expected to put themselves in breach of the law and are entitled to the same protection as if they had raised the matter through the Council managers.

#### **4. UNTRUE ALLEGATIONS**

**4.1** Whistle blowing is encouraged by the Authority in cases where individuals feel concerned that a fraud or irregularity is being, or has been, committed. You need not worry if you make an allegation in good faith but it is not confirmed by the investigation. Action will not be taken against you. If you have any doubts whatsoever about whether to raise a concern, please do not hesitate to contact one of the officers named in **3.6** where you can discuss any issues in confidence before doing so.

**4.2** However, allegations that are found to have been made frivolously, maliciously or for personal gain cannot be tolerated by the Authority and therefore will be pursued accordingly with the result that appropriate disciplinary action could be taken against you.

#### **5. HOW THE COUNCIL WILL RESPOND**

**5.1** The Council will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

**5.2** Where appropriate, the matters raised may:

- Be investigated by management, the Corporate Counter-fraud Team, Internal Audit, or by disciplinary procedures;
- Be referred to the police;
- Be referred to the external auditor; or
- Form the subject of an independent inquiry.

**5.3** In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is warranted by the evidence provided and, if so, what form it should take. The overriding principle, which the Council will have in mind, is the public interest. Concerns or allegations, which fall within the scope of specific procedures (for example, child protection or discrimination

issues), will normally be referred for consideration under those procedures.

**5.4** Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

**5.5** Within ten working days of a concern being raised, the responsible person will write to you:

- Acknowledging that the concern has been received;
- Indicating how it is proposed to deal with the matter;
- Giving an estimate of how long it will take to provide a final response;
- Telling you whether any initial enquiries have been made;
- Supplying you with information on staff support mechanisms; and
- Telling you whether further investigation will take place and if not, why not.

**5.6** The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Council will seek further information from you.

**5.7** Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a work colleague.

**5.8** The Council will take steps to minimise any difficulties, which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Council will arrange for you to receive advice about the procedure.

**5.9** The Council accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will be informed of the outcome of any investigation.

## **6. THE RESPONSIBLE OFFICER**

**6.1** The Monitoring Officer has overall responsibility for the maintenance and operation of this policy. That officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Standards Committee and Council.

## **7. HOW THE MATTER CAN BE TAKEN FURTHER**

**7.1** This code is intended to provide you with an avenue within the Council to raise concerns. The Council hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take this matter outside the Council, the following are possible contact points:

- 'Public Concern at Work' (see above);
- The Audit Commission – hotline 020 7630 1019;
- Your trade union;
- Your local Citizens Advice Bureau;
- Relevant professional bodies or regulatory organisations; and
- The police or another appropriate body
- Councillor – where you are also a local resident

**7.2** If you do take the matter outside the Council, you should ensure that you do not disclose confidential information. The contact point will advise you.

## **8. SAFEGUARDS**

**8.1 Harassment or Victimisation** - The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Council will not tolerate harassment or victimisation and will take action to protect staff when they raise a concern in good faith. This does not mean that if a member of staff is already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of their whistleblowing. The council's Whistleblowing Policy ensures that any member of staff reporting a suspected fraud or financial misconduct (and providing that the conditions of the Act are met) will be protected from any harassment as a result of this action in accordance with the Public Interest and Disclosure Act 1998. **SEE APPENDICES A and B.**

**8.2 Confidentiality** - The Council will do its best to protect an individual's identity when s/he raises a concern and does not want their name to be disclosed. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence.



## **APPENDIX A**

### **THE PUBLIC INTEREST DISCLOSURE ACT 1998**

#### **Introduction**

This is a short guide to the Public Interest Disclosure Act 1998, an Act which protects workers who 'blow the whistle' about wrongdoing. It mainly takes the form of amendments to the Employment Rights Act 1996, and makes provision about the kinds of disclosures which may be protected; the circumstances in which such disclosures are protected; and the persons who may be protected. The guide is intended to give general guidance only and should not be regarded as a complete or authoritative statement of the law. Readers should be aware of the possibility of developments in case law that might affect the rights described. In general, workers should be able to make disclosures about wrongdoing to their employer, so that problems can be identified and resolved quickly within organisations. Many employers have internal procedures which could be used or adapted for the purpose of facilitating disclosures.

#### **Persons who may be protected by the new provisions against unfair dismissal or being subjected to detriment**

The provisions introduced by the Public Interest Disclosure Act 1998 protect most workers from being subjected to a detriment by their employer. Detriment may take a number of forms, such as denial of promotion, facilities or training opportunities, which the employer would otherwise have offered. Employees who are protected by the provisions may make a claim for unfair dismissal if they are dismissed for making a protected disclosure. Workers who are not employees may not claim unfair dismissal; however, if their contract has been terminated by the employer because they made a protected disclosure, they may instead make a complaint that they have been subjected to a detriment.

Subject to some limited exceptions, the new provisions protect persons who work under contracts of employment; those who work personally for someone else (under a "worker's" contract) but are not genuinely self-employed; homeworkers; certain agency workers; National Health Service practitioners such as GPs, certain dentists, pharmacists and opticians; and certain categories of trainees.

#### **What can be disclosed?**

##### **Qualifying disclosures**

Certain kinds of disclosures qualify for protection ("qualifying disclosures"). Qualifying disclosures are disclosures of information which the worker reasonably believes tend to show one or more of the following matters is either happening now, took place in the past, or is likely to happen in the future :

- a criminal offence;
- the breach of a legal obligation;
- a miscarriage of justice;
- a danger to the health or safety of any individual;
- damage to the environment; or
- deliberate covering up of information tending to show any of the above five matters.

It should be noted that in making a disclosure the worker must have reasonable belief that the information disclosed tends to show one or more of the offences or

breaches listed above ('a relevant failure'). The belief need not be correct - it might be discovered subsequently that the worker was in fact wrong - but the worker must show that he held the belief, and that it was a reasonable belief in the circumstances at the time of disclosure.

#### **Disclosures about wrongdoing in the United Kingdom or overseas**

Protection under the provisions applies even if the qualifying disclosure concerns a relevant failure, which took place overseas, or where the law applying to the relevant failure was not that of the United Kingdom.

#### **Disclosures that involve an offence**

Disclosure of information by a worker is not a qualifying disclosure if in making it he commits an offence (eg, if disclosure was prohibited under the Official Secrets Act 1989).

#### **Disclosures and legal professional privilege**

A disclosure of information, which would be protected from disclosure because of legal professional privilege, cannot be a qualifying disclosure if made by the legal adviser (or, say, a typist in the adviser's office) to whom the information was disclosed in the course of obtaining legal advice.

#### **Circumstances in which disclosures are protected (a "protected disclosure")**

##### **Making a qualifying disclosure to the employer or via internal procedures**

A qualifying disclosure will be a protected disclosure where it is made:

- (a) to the worker's employer, either directly to the employer or by procedures authorised by the employer for that purpose; or
- (b) to another person whom the worker reasonably believes to be solely or mainly responsible for the relevant failure.

The only additional requirement on the worker is that he should act in good faith. No other requirement is necessary to qualify for protection. Disclosure to the employer will in most cases ensure that concerns are dealt with quickly and by the person who is well placed to resolve the problem. In some small companies, this may be the employer himself. But often an authorised procedure will be helpful. An existing company procedure may suffice, or such procedures could perhaps be adapted, for example to facilitate confidential disclosures by workers. Internal procedures that are simple to use, readily accessible and which workers are encouraged to use are more likely to result in disclosure of concerns to the employer first, rather than externally. Employers will wish to consider the best way to secure trust and confidence in such procedures to ensure that they will be used, perhaps by involving the workforce, or their representatives.

##### **Making a qualifying disclosure to a prescribed person**

Workers who are concerned about wrongdoing or failures can make disclosures to a person or body which has been prescribed by the Secretary of State for the purpose of receiving disclosures about the matters concerned. If a worker makes a qualifying disclosure to such persons, it will be a protected disclosure provided the worker:-

- makes the disclosure in *good faith*;
- reasonably believes that the information, and any allegation it contains, are *substantially true*; and

- reasonably believes that the matter falls within the description of *matters for which the person or body has been prescribed*. (For example, breaches of health and safety regulations can be brought to the attention of the Health and Safety Executive or appropriate local authority, or environmental dangers can be notified to the Environment Agency.)

A list of prescribed persons, the description of matters for which they are prescribed and contact details, are shown in **APPENDIX B**. The persons listed have statutory functions and can provide authoritative advice and guidance to workers about matters properly disclosed to them.

**Making a qualifying disclosure to a legal adviser**

A qualifying disclosure will be a protected disclosure if it is made to a legal adviser in the course of obtaining legal advice. There are no further conditions attached.

**Making a qualifying disclosure to a Minister**

A qualifying disclosure made in good faith by a worker, employed in a Government-appointed organisation, such as a non-departmental public body, will be a protected disclosure if made to a Government Minister (either directly or via departmental officials).

**Making a qualifying disclosure about an exceptionally serious failure**

A qualifying disclosure made about a relevant failure which is exceptionally serious will be a protected disclosure if the worker:-

- makes the disclosure in *good faith*;
- reasonably believes that the information disclosed, and any allegation contained in it, are **substantially true**; and
- does **not** *act for personal gain*.

Also, it must be reasonable for the worker to make the disclosure in view of all the circumstances, having regard in particular to *the identity of the person to whom the disclosure is made*.

Note that the relevant failure must be *exceptionally serious*. This will be a matter of fact, and not simply a matter of the worker reasonably believing it to be exceptionally serious.

**Making a qualifying disclosure more generally**

A qualifying disclosure will be a protected disclosure if the following conditions are met:

Firstly, the worker must:-

- make the disclosure in *good faith*
- reasonably believe that the information, and any allegation contained in it, are *substantially true*, and
- **not** *act for personal gain*.

In addition, one or more of the following conditions must be met:

- the worker reasonably believed that he would be *subjected to a detriment* by his employer if disclosure were to be made to the employer or to a prescribed person;

- in the absence of an appropriate prescribed person, the worker reasonably believed that disclosure to the employer would result in the *destruction or concealment of information* about the wrongdoing;
- the worker had *previously disclosed* substantially the same information to his employer or to a prescribed person.

Finally, it must be reasonable for the worker to make the disclosure. The employment tribunal will decide whether the worker acted reasonably, in all the circumstances, but in particular will take into account:

- *the identity of the person to whom the disclosure was made* (eg, it may be more likely to be considered reasonable to disclose to a professional body that has responsibility for standards and conduct in a particular field, such as accountancy or medicine, than to the media);
- the *seriousness* of the relevant failure;
- whether the relevant failure *is continuing or is likely to occur again*;
- whether the disclosure breaches *the employer's duty of confidentiality* to others (eg, information that is made available by the worker may contain confidential details about a client);
- *what action has or might reasonably be expected to have been taken* if a disclosure was made previously to the employer or a prescribed person; and
- whether the worker complied with *any internal procedures* approved by the employer if a disclosure was made previously to the employer.

### **Disclosures about health and safety matters**

The Employment Rights Act 1996 already provides protection for employees who, in certain circumstances, raise concerns about, or take action in connection with, health and safety matters (see sections 44 and 100 of that Act). For example, the 1996 Act already provides that it would be unfair to dismiss an employee who acts to protect himself or others from serious and imminent danger.

The new provisions provide protection, as explained above, to any worker who discloses information about a health or safety danger in accordance with the provisions. Clearly, where there is a recognised health and safety representative present, the worker should normally tell them about the problem, as it is part of the representative's role to raise such matters with the employer. The existing health and safety provisions in the Employment Rights Act 1996 and the new provisions introduced by the Public Interest Disclosure Act 1998 are therefore complementary.

### **Contractual duties of confidentiality**

Any provision in an agreement between a worker and his employer which would prevent the worker from making disclosures protected by the new provisions is void. This applies to any agreement between the employer and worker (it might be a term in a contract of employment or a separate agreement), including agreements settling claims under the new provisions.

### **Employment tribunals and remedies**

Workers protected by the provisions (including employees) can complain that they have been subjected to detriment by their employer for making a protected

disclosure. As noted earlier, an 'employee' can make a claim of unfair dismissal; a 'worker' who is not an employee and whose contract has been terminated by his employer because he made a protected disclosure can claim that he has been subjected to a detriment.

As with many other claims to employment tribunals, the complaint should normally be made within three months of the dismissal or detriment. For unfair dismissal claims, interim relief is also available, provided the claim is made within seven days of the effective date of the termination of employment.

Where a tribunal finds that a complaint of unfair dismissal is justified, it will order re-instatement or re-employment, or the payment of compensation. Where a worker complains that he has been subjected to a detriment and the tribunal finds the complaint well-founded, it will make a declaration to that effect and may order the payment of compensation.

## **APPENDIX B** **LIST OF PRESCRIBED PERSONS FOR ENGLAND**

**The Audit Commission for England and Wales (including auditors appointed by the Commission)**

Matters in respect of which the person is prescribed:

- The proper conduct of public business, value for money, fraud and corruption in local government, and health service, bodies

**Contact**

The Audit Commission  
1 Vincent Square  
London  
SW1P 2PN  
Tel: 020 7630 1019

**The Certification Officer**

Matters in respect of which the person is prescribed:

- Fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations

**Contact**

Certification Officer  
Brandon House  
180 Borough High Street  
London  
SE1 1LW  
Tel: 020 7210 3734/3735  
Fax: 020 7210 3612

**The Charity Commissioners for England and Wales**

Matters in respect of which the person is prescribed:

- The proper administration of charities and of funds given or held for charitable purposes

**Contact**

Charity Commission  
Liverpool Head of Operations  
2nd Floor  
20 Kings Parade  
Queens Dock  
Liverpool  
L3 4DQ  
Tel: 0870 3330123  
Fax: 0151 703 1556

**Chief Executive of the Criminal Cases Review Commission**

Matters in respect of which the person is prescribed:

- Actual or potential miscarriages of justice

(The Commission has responsibility for these matters in respect of England, Wales and Northern Ireland)

**Contact**

Criminal Cases Review Commission  
Alpha Tower  
Suffolk Street  
Queensway  
Birmingham  
B1 1TT  
Tel: 0121 633 1800  
Fax: 0121 633 1804  
Email: [info@ccrc.gov.uk](mailto:info@ccrc.gov.uk)

**Civil Aviation Authority**

Matters in respect of which the person is prescribed:

- Compliance with the requirements of civil aviation legislation, including aviation safety

**Contact**

Secretary and Legal Adviser  
Civil Aviation Authority  
CAA House  
45-59 Kingsway  
London  
WC2B 6TE  
Tel: 020 7453 6160  
Fax: 020 7453 6163

**The competent authority under Part IV of the Financial Services and Markets Act 2000**

Matters in respect of which the person is prescribed:

- The listing of securities on a stock exchange; prospectuses on offers of transferable securities to the public

**Contact**

Head of Listing Department  
London Stock Exchange  
Old Broad Street  
London  
EC2N 1HP  
Tel: 020 7797 3884  
Fax: 020 7334 8976

**The Commissioners for Her Majesty's Revenue and Customs**

Matters in respect of which the person is prescribed:

- Value added tax, insurance premium tax, excise duties and landfill tax.  
The import and export of illegal, prohibited or restricted goods
- Income tax, corporation tax, capital gains tax, petroleum revenue tax, inheritance tax, stamp duties, national insurance contributions, statutory

maternity pay, statutory sick pay, tax credits, child benefits, collection of student loans and the enforcement of the national minimum wage

**Contact**

HM Revenue and Customs  
Customs Confidential  
Freepost SEA 939  
PO Box 100  
Gravesend  
Kent  
DA12 2BR  
Tel: freephone 0800 595000  
Fax: free fax 0800 528 0506  
Email: [Customs.Confidential@hmrc.gsi.gov.uk](mailto:Customs.Confidential@hmrc.gsi.gov.uk)

There is also a specialist Tax Evasion Hotline dealing with income tax, corporation tax, capital gains tax, inheritance tax, VAT and National Insurance: <https://www.taxevasionhotline.co.uk/> Telephone 0800 788 887

**Comptroller and Auditor General of the National Audit Office**

Matters in respect of which the person is prescribed:

- The proper conduct of public business, value for money, fraud and corruption in relation to the provision of centrally funded public services

**Contact**

The Comptroller and Auditor General  
National Audit Office  
157-197 Buckingham Palace Road  
Victoria  
London  
SW1W 9SP  
Tel: 020 7798 7999

**Director General of Electricity Supply**

Matters in respect of which the person is prescribed:

- The generation, transmission, distribution and supply of electricity and activities ancillary to these matters

**Contact**

Office of Electricity Regulation  
Hagley House  
Hagley Road  
Birmingham  
B16 8QG  
Tel: 0121 456 2100



Fax: 0121 456 4664

### **Director General of Gas Supply**

Matters in respect of which the person is prescribed:

- The transportation, shipping and supply of gas through pipes and activities ancillary to these matters

#### **Contact**

Office of Gas Supply  
Stockley House  
130 Wilton Road  
London  
SW1V 1LQ  
Tel: 020 7828 0898  
Fax: 020 7932 1600

### **Director General of Telecommunications**

Matters in respect of which the person is prescribed:

- The provision and use of telecommunication systems and services and apparatus

#### **Contact**

Consumer Representation  
Office of Telecommunications  
50 Ludgate Hill  
London  
EC4M 7JJ  
Tel: 020 7634 8700  
Fax: 020 7634 8845

### **Director General of Water Services**

Matters in respect of which the person is prescribed:

- The supply of water and the provision of sewerage services

#### **Contact**

Director General of Water Services  
Office of Water Services  
Centre City Tower  
7 Hill Street  
Birmingham  
B5 4UA  
Tel: 0121 625 1300  
Fax: 0121 625 1400

### **The Director of the Serious Fraud Office**

Matters in respect of which the person is prescribed:

- Serious or complex fraud

**Contact**

The Director of the Serious Fraud Office  
Elm House  
10-16 Elm Street  
London  
WC1X 0BJ  
Tel: 020 7239 7272  
Fax: 020 7837 1689

**The Environment Agency**

Matters in respect of which the person is prescribed:

- Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment including those relating to pollution, abstraction of water, flooding, the flow of rivers, inland fisheries and migratory salmon or trout

**Contact**

The Environment Agency  
Rio House  
Waterside Drive  
Aztec West  
Almondsbury  
Bristol  
BS12 4UD  
Tel: 0800 807060 (24 hour line)  
or enquiries 01454 624400  
Fax: 01454 624409

**Food Standards Agency**

Matters in respect of which the person is prescribed:

- Matters which may affect the health of any member of the public in relation to the consumption of food and other matters concerning the protection of the interests of consumers in relation to food

**Contact**

Personnel and Establishments Division  
Food Standards Agency  
Room 111C  
Aviation House  
125 Kingsway  
London  
WC2B 6NH  
Tel: 020 7276 8120  
Fax: 020 7276 8132

## **Financial Services Authority**

Matters in respect of which the person is prescribed:

- The carrying on of investment business or of insurance business. The operation of banks and building societies, deposit-taking businesses and wholesale money market regimes. The operation of friendly societies, benevolent societies, working men's clubs, specially authorised societies and industrial and provident societies. The functioning of financial markets, investment exchanges and clearing houses. Money laundering, financial crime, and other serious financial misconduct, in connection with activities regulated by the Financial Services Authority

### **Contact**

Director, Authorisation  
Financial Services Authority  
25 The North Colonnade  
Canary Wharf  
London  
E14 5HS  
Tel: 020 7676 4646  
Fax: 020 7676 9727  
Email: [whistle@fsa.gov.uk](mailto:whistle@fsa.gov.uk)

## **General Social Care Council**

Matters in respect of which the person is prescribed:

- Matters relating to the registration of social care workers under the Care Standards Act 2000

### **Contact**

General Social Care Council  
Goldings House  
2 Hays Lane  
London  
SE1 2HB  
Tel: 020 7397 5100  
Fax: 020 7397 5145  
[www.gsccl.org.uk](http://www.gsccl.org.uk)

## **Health and Safety Executive**

Matters in respect of which the person is prescribed:

- Matters which may affect the health or safety of any individual at work; matters which may affect the health and safety of any member of the public arising out of, or in connection with, the activities of persons at work

### **Contact**

Health and Safety Executive

Information Centre  
Broad Lane  
Sheffield  
S3 7HQ  
Tel: 0541 545500 (HSE infoline)  
Fax: 0114 289 2333

### **Housing Corporation**

Matters in respect of which the person is prescribed:

- The registration and operation of registered social landlords, including their administration of public and private funds and management of their housing stock

### **Contact**

Assistant Director Supervision  
Housing Corporation  
149 Tottenham Court Road  
London  
W1T 7BN  
Tel: 020 7393 2000

### **Local authorities**

(The local authority which under section 18 of the Health and Safety at Work etc Act 1974 is responsible for the enforcement of the relevant statutory provisions)

Matters in respect of which the person is prescribed:

- Matters which may affect the health or safety of any individual at work; matters which may affect the health and safety of any member of the public arising out of, or in connection with, the activities of persons at work

### **Contact**

The appropriate local authority

### **Information Commissioner**

Matters in respect of which the person is prescribed:

- Compliance with the requirements of legislation relating to data protection and to freedom of information\*

(\*Data protection legislation regulates the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information)

(\*Freedom of information legislation provides for the disclosure by public authorities of the information that they hold)

**Contact**

The Office of the Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 01625 545700  
Fax: 01625 524510  
Email: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)

**National Care Standards Commission**

Matters in respect of which the person is prescribed:

- Matters relating to the provision of regulated care services, as defined in the Care Standards Act 2000

**Contact**

The Customer Service Manager  
National Care Standards Commission  
St Nicholas Building  
St Nicholas Street  
Newcastle  
NE1 1NB  
Tel: 0191 233 3556  
Email: [enquiries@ncsc.gsi.gov.uk](mailto:enquiries@ncsc.gsi.gov.uk)

**The Occupational Pensions Regulatory Authority**

Matters in respect of which the person is prescribed:

- Matters relating to occupational pension schemes and other private pension arrangements

**Contact**

The Occupational Pensions Regulatory Authority  
Invicta House  
Trafalgar Place  
Brighton  
BN1 4DW  
Tel: 01273 627600  
Fax: 01273 627688  
E-mail: [helpdesk@opra.gov.uk](mailto:helpdesk@opra.gov.uk)

**Office of Fair Trading**

Matters in respect of which the person is prescribed:

- Matters concerning the sale of goods or the supply of services, which adversely affects the interests of consumers
- Competition affecting markets in the United Kingdom

**Contact**

Office of Fair Trading  
Fleetbank House  
2-6 Salisbury Square  
London  
EC4Y 8JX  
Tel: 020 7211 8000  
Fax: 020 7211 8800

**The Rail Regulator**

Matters in respect of which the person is prescribed:

- The provision and supply of railway services

**Contact**

The Rail Regulator  
Office of the Rail Regulator  
1 Waterhouse Square  
138-142 Holborn  
London  
EC1N 2TQ  
Tel: 020 7282 2000  
Fax: 020 7282 3888

**Standards Board for England**

Matters in respect of which the person is prescribed:

- Breaches by a member or co-opted member of a relevant authority (as defined in section 49(6) of the Local Government Act 2000) of that authority's code of conduct

**Contact**

The Standards Board for England  
1st Floor  
Cottons Centre  
Cottons Lane  
London  
SE1 2QL  
Tel: 0845 078 8181

**HM Treasury**

Matters in respect of which the person is prescribed:

- The carrying on of insurance business

**Contact**

HM Treasury  
Insurance Directorate  
Parliament Street  
London  
SW1P 3AG  
Tel: 020 7270 1720  
Fax: 020 7270 4694

**Secretary of State for Trade and Industry**

Matters in respect of which the person is prescribed:

- Fraud and other misconduct in relation to companies, investment business, insurance business, or multi-level marketing schemes (and similar trading schemes); insider dealing

**Contact**

Vetting Section  
Companies Investigation Branch  
Department of Trade and Industry  
10 Victoria Street  
London  
SW1H 0NN  
Tel: 020 7215 3120  
Fax: 020 7215 3112

- Consumer safety

**Contact**

Consumer Affairs Directorate  
V418  
Department of Trade and Industry  
1 Victoria Street  
London  
SW1H 0ET  
Tel: 020 7215 5496  
Fax: 020 7215 0339

**Secretary of State for Transport**

Matters in respect of which the person is prescribed:

- Compliance with merchant shipping law, including maritime safety

**Contact**

Secretary to the Executive Board  
Maritime and Coastguard Agency  
Spring Place

105 Commercial Road  
Southampton  
SO15 1EG  
Tel: 023 8032 9277  
Fax: 023 8032 9122

**Local authorities which have responsibility for enforcement of consumer protection legislation**

Matters in respect of which the person is prescribed:

- Compliance with the requirements of consumer protection legislation

**Contact**

The appropriate local authority

**Local authorities which are responsible for the enforcement of food standards**

Matters in respect of which the person is prescribed:

- Compliance with the requirements of food safety legislation

**Contact**

The appropriate local authority

**LINKS TO RELEVANT POLICIES:**

**FRAUD RESPONSE PLAN**

**FOR FURTHER ADVICE CONTACT:**

**Janette Parkin – Corporate Counter-fraud Team**

**Address:** Level 4, Oldham Civic Centre, Cheapside, (PO Box 4) Oldham, OL1 1UH

**Telephone:** 0161 770 4898

**E-mail:** [janette.parkin@oldham.gov.uk](mailto:janette.parkin@oldham.gov.uk)

**DATE:** JULY 2006

**AGREED BY:**



**DATE:**

**REVIEWED: FEBRUARY 2007**