LONDON FIRE BRIGADE

Confidential reporting ("whistleblowing") policy

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1 Status

1.1 This is the Confidential Reporting ("Whistleblowing") Policy ("the policy") of the London Fire Commissioner ("the Commissioner"), and is more commonly known as the Whistleblowing Policy. The Commissioner is the statutory fire and rescue authority for Greater London and is responsible for the management of the London Fire Brigade (the "Brigade").

1.2 In order to promote its use and ensure it is accessible and widely available the policy will be prominently displayed on the LFB internal website (Hotwire) which is accessible by all staff, and on the LFB public facing website for those external to the Brigade.

2 Our commitment

2.1 The Commissioner is committed to the highest standards of conduct, honesty, openness and accountability. In line with that commitment, the Commissioner expects and encourages anyone who has serious concerns about any aspect of the Brigade to come forward and voice those concerns. Any concern reported under the policy will be treated seriously and dealt with the utmost care.

2.2 Whilst the policy also applies to others, it is employees who are often the first to realise that there may be something seriously wrong within the organisation they work for. The Commissioner gives an assurance that anyone can do so without fear of victimisation or harassment, (including informal pressures), discrimination, disciplinary action or other disadvantage, even if the concerns prove unfounded. Any investigation into concerns raised under the policy will not influence or be influenced by disciplinary, capability, redeployment or redundancy procedures that already affect a member or members of staff.

2.3 Everyone is encouraged to report matters in good faith and those matters will be taken seriously, however, employees who raise concerns frivolously, maliciously, for personal gain or knowing that they are untrue, may be subject to disciplinary action.

3 Aims

3.1 This policy aims to:-

- Remind employees of their duty to report serious concerns and encourage individuals to feel confident in raising serious concerns and to question and act upon those concerns about practice.
- Reassure individuals that they will be protected from possible reprisals or victimisation.
- Provide ways and procedures to raise those concerns.
- Ensure that individuals receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied.
- Ensure matters are properly investigated.
- Ensure action is taken to makes changes or improvements which result from investigations.

4 Concerns covered by the policy

4.1 This policy covers:-

- Protected disclosures made under the Public Interest Disclosure Act 1998 as amended ("PIDA"). The areas covered by this are set out below under paragraph 4.3.

- Matters of serious concern such as the unauthorised use of public funds; bribery; fraud and corruption.
- Serious concern regarding breach of Brigade policies or failure to adhere to established standards of practice.
- Serious concern regarding the conduct of employees, officers or anyone acting on behalf of the Commissioner or the Brigade.[1]
- Serious concern regarding any aspect of service provision by the Brigade.[2]

Public Interest Disclosure Act 1998

4.2 PIDA as amended by the Enterprise and Regulatory Reform Act 2013 provides protection for employees from dismissal, disciplinary action, threats or other unfavourable treatment as a result of raising a concern about malpractice.

4.3 PIDA amended the Employment Rights Act 1996 to provide an entitlement to compensation to any employee who is dismissed or suffers a detriment by their employer by reason of making a disclosure relating to:-

- Crimes.
- Breaches of legal obligations.
- Miscarriages of justice.
- Danger to the health and safety of any individual.
- Damage to the environment.
- Sexual harassment.
- Concealing of evidence relating to any of the above.

And it is in the public interest.

4.4 To dismiss or otherwise penalise a worker for making a protected disclosure from PIDA will automatically be an unfair dismissal.

4.5 To be a "protected disclosure" under PIDA, the disclosure must be made by a "worker" who must reasonably believe that the disclosure is in the public interest.

4.6 Employees that victimise a worker who has made a protected disclosure may also be personally liable for any detriment suffered by the worker and the employer may be vicariously liable if they have taken no action to stop the victimisation.

4.7 The definition of "worker" under the Employment Rights Act 1996 and PIDA includes, amongst others, employees; contractors who provide services other than in a professional/client or business/client relationship; certain agency staff and certain work experience trainees.

Other policies and processes for referring concerns

4.8 The Brigade has several means through which employee complaints or concerns can be raised. As outlined above, this policy covers serious concerns of a particular nature. Additional means of employees raising issues, particularly about their own employment, are available through Policy

[1] Please see matters excluded from this policy under paragraphs 4.8 due to other reporting mechanisms.

[2] Please see matters excluded from this policy under paragraphs 4.9 due to other reporting mechanisms.

number 0392 - Discipline (conduct) procedure and Policy number 0394 - Complaints (grievance) policy and are dealt with by the Professional Standards Unit (PSU). Where employees are dissatisfied with matters related to their own employment these People Services policies should be used and save for exceptional circumstances such concerns will not be dealt with under this policy. External referrals relating to individual behaviours and conduct received through the Whistleblowing Policy will also be passed to the PSU.

4.9 In relation to service delivery the Brigade has a complaints procedure. The complaints mechanisms and systems should be used by individuals who are dissatisfied with the way that the Brigade has provided services and as per above, save for exceptional circumstances such complaints will not be dealt with under this policy.

4.10 Matters of serious concern about unauthorised use of public funds; bribery; fraud and corruption are considered to be within the Confidential Reporting (Whistleblowing) Policy and are reported on in the Annual Governance Statement, but they are dealt with under Policy number 0568 - Counter fraud and corruption policy and response plan. Similarly, complaints of sexual harassment at work may benefit from whistleblowing protection but matters of this nature will continue to be dealt with under Policy number 1036 – Anti-sexual harassment policy.

5 How to raise a concern under this policy

How and when to raise a concern

5.1 The earlier that concerns are raised, the easier it is to take action. Employees can raise general concerns with their immediate line manager, or the manager's line manager. However, where the seriousness, or sensitivity of the issues involved falls within the type of matters set out above in paragraph 4.1 above this Policy and the confidential reporting line should be used.

5.2 General Counsel will have overall responsibility for the maintenance and operation of the policy. If an individual's concerns relate to the conduct of that officer or the London Fire Commissioner, they should raise them with the director of corporate services or a deputy commissioner.

5.3 Issues may be raised verbally or in writing. The confidential reporting line is run by an external provider Navex. This provides an online facility, a telephone line and mobile phone QR code which are available 24 hours per day. The details for reporting are as follows:

Web link: londonfirebrigade.ethicspoint.com

Telephone: 0808 281 5657

QR code:

5.4 Upon making the referral the individual will be asked to provide details of the concern. Individuals are asked to demonstrate that there are reasonable grounds for their concern; this may be done for example, by detail of what happened, when it happened and who was present. If there are two (or more) individuals who have had the same experience or concerns it would be useful to include that in the referral.

5.5 It would be advisable for employees to inform their trade union representative who may be able to offer them appropriate support and advice. If an individual does not belong to a trade union

then they may consider inviting a friend to be present during meetings or interviews in connection with the concerns they have raised.

Confidential and anonymous allegations

5.6 The Brigade's use of an independent reporting line provided by a separate organisation, Navex, provides a facility for confidentiality; where the referrer seeks anonymity, the referrer need not provide their name or contact details.

5.7 As a general rule, it is helpful if individuals put their name to concerns they raise under the policy since this often assists in the investigation. Whether the referrals are made anonymously, or where the name of the referrer is provided, the Commissioner will treat all concerns under the policy in a confidential and sensitive manner. Every effort will be made not to reveal the identity of the individual raising the concern, even if that is known to the Brigade, if that is their wish. However, this may not be possible in all the circumstances, particularly where an investigation is taking place, and in some cases the nature of the concerns raised may provide an indication of their source. Every effort will be made to keep the referrer informed of how the investigation will proceed where there are any implications for them in relation to revealing their identity where that has been expressed as a concern.

5.8 Communications between the Brigade and the referrer pass through the Navex system. For the reasons set out above anonymous referrals are an option, and where identifying details are provided, confidentiality is preserved so far as far as is possible (as outlined above).

6 How the organisation will respond to a referral

6.1 The LFB will respond to all concerns.

6.2 The first step, taken by General Counsel, in consultation with senior officers where appropriate, is to determine whether on the face of it the matter seems to potentially fall within this policy. Where it is considered that other processes apply the person making the referral will be informed of the alternative appropriate course of action and where appropriate the referral will be passed on to the correct LFC reporting line.

6.3 Where this policy seems to apply, in order to protect individuals and those accused of misdeeds or possible malpractice, initial inquiries will be made to decide whether an investigation is appropriate and if so, what form it should take. The overriding principle which the Commissioner will have in mind is the public interest.

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

6.5 If urgent action is required this will be taken before any investigation is conducted.

6.6 Where appropriate, the matters raised may:

- Be investigated by management, internal audit, an investigating officer appointed for the purpose or through a disciplinary process.
- Be referred to the police.
- Be referred to the external auditor.
- Form the subject of an independent inquiry.

6.7 Where an internal investigation is undertaken, General Counsel, in consultation with senior officers, will ensure that it is undertaken at an appropriate level commensurate with the nature of the referral. To ensure that all investigations are conducted to a high standard, guidance will be provided to investigating officers. While no two referrals are the same, a precedent report format

will be provided to aid structure and focus to the investigation and resulting report and ensure actions are clearly identified where required.

6.8 Within five working days of a concern being raised, the individual who has raised the concern will receive a letter or email from General Counsel via the Navex System:-

- Acknowledging that the concern has been received.
- Advising whether any initial inquiries have been made.
- Explaining what will happen next.
- Giving an estimate of how long it is likely to take to provide a final response.
- Supplying the individual with information on staff support mechanisms.

6.9 The amount of contact between the officers considering the issues and the individual raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. All communications will be via the Navex system.

6.10 If necessary, further information will be sought from that individual. Any meetings arranged can be held off Brigade premises if that is the individual's wish and they may be accompanied by a trade union representative or friend. The individual will receive a brief written summary of any meeting(s) or interview(s) they attend. The written summary will be agreed by both parties.

6.11 The complainant will be kept informed of the progress of the inquiries/ investigation as is appropriate having regard to the matter, including any interim steps taken to address the concerns. Navex provides a system for recording, managing, and monitoring referrals, thus providing arrangements for keeping individuals updated and ensuring that referrals via the reporting line are responded to and the referrer updated in a timely fashion.

6.12 The organisation will take steps to minimise any difficulties which an individual may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, arrangements will be made for them to receive advice about the procedure.

6.13 The length of time necessary to investigate concerns and formulate where necessary any actions will vary depending on the circumstances and complexity of the issues. It is important that concerns are investigated and dealt with promptly and so the general rule is that such investigations will be concluded within 3 months of the referral.

6.14 Subject to any legal constraints, the individual raising the concern will be informed of the outcome of any investigation.

7 Reporting, actions and assurance in relation to outcomes of investigations

7.1 Areas of concern reported by individuals and any recommendations for action resulting from investigations are of great importance to the organisation. These, together with data and information on other areas of concern including grievances and service complaints provide valuable information on the Brigade, even where individual complaints are not upheld, since they may for example provide a pattern of misunderstanding, or poor communication which requires LFB action; the purpose of employee and public feedback is to take remedial action and continue on a journey of incremental improvement.

7.2 All investigation reports will be sent to the director(s) responsible for the relevant service areas. Action plans will be monitored by senior officers and delivery and outcomes will be overseen by the Brigade performance and assurance framework.

7.3 The numbers, type and short description of whistleblowing matters are reported as part of the Annual Governance Framework which forms part of the Annual Accounts reported to the external auditors. The Brigade Audit Committee of independent members receives reports on the Whistleblowing Policy and the cases reported under it.

8 How the matter can be taken further

8.1 This policy is intended to provide individuals with an avenue within the organisation to raise concerns about malpractice. The Commissioner hopes such individuals will be satisfied with any action taken. But if they are not, and they feel it is right to take the matter outside the organisation, the following are possible contact points:

- Their trade union.
- The external auditor.
- Your local Citizens Advice Bureau.
- Relevant professional bodies or regulatory organisations such as the Health and Safety Executive or Information Commissioner.
- A relevant voluntary organisation such as Public Concern at Work - 020 7404 6609 or helpline@pcaw.co.uk.
- The police.

8.2 If the matter is taken outside the organisation, it is important to make sure that there is no disclosure of any confidential information. A trade union adviser or the General Counsel can advise individuals about that.

Document history

Assessments

An equality, sustainability or health, safety and welfare impact assessment and/or a risk assessment was last completed on:

EIA	07/06/2024	SDIA	L – 15/05/2024	HSWIA	16/05/2024	RA	N/A

Audit trail

Listed below is a brief audit trail, detailing amendments made to this policy/procedure.

Page/para nos.	Brief description of change	Date
Throughout	References to 'the Authority' changed to 'the Brigade'.	29/11/2021
Page 2, para 1.1 and 1.2 Page 3, para 3 Pages 4, 5, 6, 7 Appendix 1 Page 4, para 5.3	Refreshed 'status' of document. 'Principles' removed. Content moved to 'Aims'. New content detailed due to introduction of external reporting mechanism. Flowchart removed as new independent reporting line to be implemented. Contact details for EthicsPoint.	12/03/2025
Para.4.3 and Para.4.10	Sexual harassment added following legislative amendment.	10/09/2026

Subject list

You can find this policy under the following subjects.

Whistleblowing	

Freedom of Information Act exemptions

This policy/procedure has been securely marked due to:

Considered by: (responsible work team)	**FOIA exemption**	**Security marking classification**