



TSI's Code of Professional Conduct - Policy on Whistle Blowing Agreed by Members at the Annual General Meeting 13th July 2009

Introduction

TSI has for some years had in place a Code of Professional Conduct for all Members. This makes clear that members are obliged to conduct themselves in a professional manner and report any impropriety or breach of procedure that they encounter.

The July 1998 White Paper on Modernising Local Government accepted the recommendation of The Committee on Standards in Public Life that every local authority should institute a procedure for whistle blowing. This Institute has decided to adopt an adapted version of the LGA/LGMB model code pending any further legislation. It is described as a 'Confidential Reporting Code'.

Awareness and publicity

For any Whistle blowing policy to work effectively, all members need to understand how it works and the circumstances in which it should be used.

1. Preamble

- 1.1 Members are often the first to realise that there may be something seriously wrong within TSI. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to TSI. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 TSI is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect members, and others that we deal with, who have serious concerns about any aspect of TSI's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3 This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This Whistle blowing policy is intended to encourage and enable members to raise serious concerns within TSI rather than overlooking a problem or 'blowing the whistle' outside.
- 1.4 The policy applies to all members. A separate policy applies for employees and contractors although employees and contractors in TSI membership will be also bound by this Policy.
- 1.5 These procedures are in addition to TSI's complaint procedures under our Code of Professional Conduct and other statutory reporting procedures that apply.
- 1.6 This policy has been discussed with the Membership and approved at the AGM in July 2009

2. Aims and Scope of this Policy

2.1 This policy 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.

2.2 The Whistle blowing Policy is intended to cover serious areas of concern, these include:

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of other members, colleagues, or public
- all forms of bullying or intimidation
- other unethical conduct.

2.3 Thus, any serious concerns that you have about any aspect of service provision or the conduct of officers or members of TSI or others acting on behalf of TSI can be reported under the Whistle blowing Policy This may be about something that:

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

2.4 This policy is a part of the Code of Professional Conduct.

3. Safeguards against Harassment or Victimisation

3.1 TSI is committed to good practice and high standards and wants to be supportive of members.

3.2 TSI recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to TSI and those for whom you are providing a service.

3.3 TSI will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.

4. Confidentiality

4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

5. Anonymous Allegations

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

5.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of TSI.

5.3 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.

6. Untrue Allegations

6.1 If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If however, you make an allegation frivolously maliciously or for personal gain, such action could be referred to the Professional Conduct Committee for action under our Code of professional Conduct.

7. How to raise a concern

7.1 As a first step, you should normally raise concerns with the Company Secretary, Chief executive or Chairman of TSI. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

7.2 Concerns may be raised verbally or in writing. using the following format:

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

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

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

7.5 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.

7.6 You may invite a colleague or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

8. How TSI will respond?

8.1 TSI will respond to your concerns as soon, as is practically possible. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

8.2 Where appropriate, the matters raised may:

- be investigated by the Company Secretary, Chief Executive or Chairman if TSI.
- be investigated by the Professional Conduct Committee
- be referred to the police
- form the subject of an independent inquiry

8.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which TSI will have in mind, is the interest of members, the profession and the general public. 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.

8.4 Some concerns may be resolved by agreed action between the parties and the Company Secretary or the Professional Conduct Committee, without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

8.5 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 we propose 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 support mechanisms, and
- telling you whether further investigations will take place and if not, why not.

8.6 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, TSI will seek further information from you.

8.7 Where any meeting is arranged, off-site if you so wish, you can be accompanied by a professional association representative or a friend.

8.8 TSI 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 TSI will arrange for you to receive advice about the procedure.

8.9 TSI accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

9. The Responsible Officer

9.1 The Company Secretary shall have overall responsibility for the maintenance and operation of this policy. Unless that person is the subject of the complaint, in which case the responsibility falls to the Chief Executive Officer. That officer shall maintain 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 TSI Professional Conduct Committee.

10. How the matter can be taken further?

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

- Public Concern at Work (020 7404 6609)
- relevant professional bodies or regulatory organisations
- the police.

10.2 If you do take the matter outside TSI, you should ensure that you do not disclose confidential information.

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