

Our ref: 728381

Your ref:

[REDACTED]
Via Email
[REDACTED]

Tim Reardon
General Counsel
Highways England
Bridge House
1 Walnut Tree Close
Guildford
GU1 4LZ

13 January 2016

Thank you for your email of 28 November 2015.

You had originally asked for: ***“as far as possible, without engaging any exemptions to the Freedom of Information Act, all information about the 81 recorded whistleblowing allegations (mentioned in the 2014/15 annual report) received”***

It is important in any organisation that whistle blowers feel able to express their concerns safe in the knowledge that their views will be treated confidentially. Otherwise whistle blowers who may have an important issue to raise might be deterred from coming forward.

However, having reviewed your original request I am able to provide you with more information about the whistle blowing allegations that have been sent to the team which deals with such matters in Highways England.

The 81 recorded allegations received during 2014-15 comprised:

- 26 complaints against another body (such as a local authority)
- 13 complaints against a service provider
- 23 mailshots (including 2 fictitious invoices) received into Highways England's whistleblowing in-box
- 19 allegations that were subsequently investigated by Highways England (or predecessor organisation Highways Agency).

The cases which were not investigated by Highways England were passed onto the appropriate authorities, such as local councils, the police and the service providers involved.

Of the 19 cases investigated by Highways England:

- 7 were received from companies or individuals complaining that others had been identifying themselves as Highways Agency staff in an attempt to win work or obtain information. Subsequent investigation found that these allegations were not substantiated
- 2 involved allegations of fraudulent attempts to change suppliers' bank details, which have been advised to the police. Both instances were identified through our internal financial controls and did not result in a financial loss to the Agency
- 1 related to the fraudulent claiming of working hours
- 1 related to fraudulent staff use of a vehicle supplied by a contractor
- 1 involved serious allegations by a member of staff which were still being investigated at year end
- The remaining seven related to potential impropriety by contractors. Investigation found that the majority of whistle-blowers had misinterpreted the contract, although work was ongoing in the remaining number of these cases at year end.

All identified fraud was entered onto the whistleblowing tracker, and thus included in the above statistics.

You had also originally asked: ***I am assuming that Highways England "counter fraud" operation is pro-active as opposed to whistle-blowing only.***

You are right in assuming that the Counter Fraud Committee (CFC) is proactive. During the 12-month period, the committee conducted a horizon scan across the organisation to evaluate the current risk exposure. Other initiatives / examples included:

- A high level review of current mitigation with the results fed into ongoing counter-fraud arrangements
- Continuing close liaison with the Department for Transport, with a representative attending their quarterly fraud, error and debt (FED) management meetings
- The committee reviewing counter fraud awareness and promoting the use of the online Civil Service e-learning course to the executive committee. Specific business area managers within the Commercial and Procurement directorate were requested to complete the training package, given the additional exposure that they have related to their roles, responsibilities and access to the supply chain
- In March 2015, KPMG were contracted to review existing arrangements and work to review all counter-fraud governance products

I hope that this provides you with the information you had requested. However, if you are unhappy with the way we have handled your request you may ask for an internal review. Our internal review process is available at:

<https://www.gov.uk/government/organisations/highways-england/about/complaints-procedure>

If you require a print copy, please phone the Information Line on 0300 123 5000; or e-mail info@highwaysengland.co.uk. You should contact me if you wish to request an internal review.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire, SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote reference number FOI 728381 in any future communications.

Yours sincerely

[Redacted signature]

PP

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