



Our ref: 718815  
Your ref: ZA22330

[REDACTED]  
Via Email  
[REDACTED]

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## FREEDOM OF INFORMATION REQUEST

Thank you for your Freedom of Information request regarding whistleblowing and grievance information. A number of the questions were answered in PQs during March 2015. Where this is the case, the answers are re-stated.

**Question 1:** How many times has the HA's whistle blower organisation (WBO) been contacted by employees since the inception of the HA in 2006?

**Answer 1:** The Whistle Blowing Register records whistle blowing referrals from 07 April 2009 onwards; there are no records available prior to this date (i.e. between 2006 and 2009). The number of referrals from identified HA staff is 48. In addition there are a number of anonymous calls of which we suspect that many will be from HA staff because of the nature of the complaint.

**Question 2:** How many times have complainants' observations and complaints been upheld in subsequent investigations?

**Answer 2:** Complainants' observations and complaints have been upheld 11 times and there is currently 1 case under investigation.

**Question 3:** How does the CFC measure the levels of satisfaction of those who have cause to complain via the WBO?

**Answer 3:** Where whistle blowers have given contact details, we will endeavour to provide information about the investigation that has taken place. However, issues of confidentiality may mean that only summary information can be provided. If a whistle blower is dissatisfied with our response, we will try to meet their concerns, but, as outlined above, it may not be possible to disclose all that is asked of us.

**Question 4:** What issues, if any, has the CFC reported to the Agency's Audit Committee since 2006?

**Answer 4:** The Audit Committee agenda has a standing item on counter fraud activity and receives a report provided by the CFC chair. At year end, an annual report, which provides a summary of activity overseen by the Committee, is presented and this forms part of the evidence base behind the governance report in the Agency's (and now Highways England's) annual report and accounts. The CFC's meetings are arranged so that appropriate discussion and any additional action required in individual cases can be taken before the Audit Committee meets. Under Highways England (and previously the Agency's) procedures, the chair of the Audit Committee (a non-executive director of Highways England and previously the Agency) attends the meetings and reviews the whistle blowing log and investigation outputs. The Head of Audit and Assurance and the Finance Director (who attend the Audit Committee) form part of the quorum of the CFC and can provide additional detail for the Audit Committee.

**Question 5:** What actions, if any, has the Audit Committee taken since 2006?

**Answer 5:** The function of the Audit Committee is to ensure that there is appropriate risk management, governance, and internal control arrangements across the organisation. Therefore, their primary concern in relation to counter fraud activity is to ensure that appropriate policy, processes and procedures are in place to mitigate the risk of impropriety. The Committee take a keen interest in the work completed by the CFC and, where applicable, have requested further information to be presented to them by the relevant business manager, or that Audit and Assurance conduct further work.

The majority of additional activity/discussion has focused on the contract environment, but occasionally other subjects are raised and discussed. Given the range of the topics identified through the whistle-blowing function, if more detail is required, we would need further clarity as to the focus of the question.

**Question 6:** How many grievances have been raised against management in the North of England since the HA's inception in 2006?

**Question 7:** What is the breakdown of that number between the different outstations?

**Answers 6 and 7:** No information is available prior to the Human Resources casework team being set up in June 2008 (this also applies to questions 8 and 9). The table below shows the number of grievances received in the calendar years since then by each office:-

Location	2008	2009	2010	2011	2012	2013	2014	2015	Grand Total
BARTON OUTSTATION		1	2	6		2	3		14
CALDER PARK RCC		2	2	2					6
CARVILLE OUTSTATION	3	1			9	1	7		21
CITY TOWER, MANCH.			1						1
KNUTSFORD OUTSTATION			1	5	2		3		11
LATERAL, LEEDS			1		1				2
LOWHURST OUTSTATION					2				3
MILNESS DEPOT				1					1
MILNROW OUTSTATION			1						1
PICCADILLY GATE, MANCH.				2					2
ROB LANE OUTSTATION			1		1		4		7
ROB LANE RCC			1	5	5	3	1		15
SALMESBURY OUTSTATION		2	1	1	1	2			7
SPROTBOROUGH OUTSTATION		1		2		1	2		6
TINGLEY OUTSTATION						1	1		2
<b>Grand Total</b>	<b>3</b>	<b>7</b>	<b>11</b>	<b>24</b>	<b>21</b>	<b>10</b>	<b>22</b>	<b>1</b>	<b>99</b>

When providing this information, the following assumptions have been made:-

1. North of England includes NW and NE Regional Control Centres and associated outstations, and both Leeds and Manchester offices (this also applies to questions 8 and 9).
2. We are unable to confirm whether grievances related specifically to the management team (this also applies to questions 8 and 9).

**Question 8:** How many of the grievances were found in favour of the complainants?

**Answer 8:** The table below shows the number of grievances received in the relevant calendar year along with the current status:-

Outcome	2008	2009	2010	2011	2012	2013	2014	2015	Grand Total
Awaiting decision							9		9
Not Available		3	1	2	1				7
Informally resolved				1	1	1	1	1	5
Not upheld	1	2	5	14	8	5	6		41
Partially Upheld	2	1	4	4	9	1			21
Upheld		1	1	1	1	1	1		6
Withdrawn				2	1	2	5		10
<b>Grand Total</b>	<b>3</b>	<b>7</b>	<b>11</b>	<b>24</b>	<b>21</b>	<b>10</b>	<b>22</b>	<b>1</b>	<b>99</b>

In providing this information, the following assumptions have been made:-



1. "Awaiting decision" indicates grievances that have been received that are awaiting a decision.
2. "Not available" indicates a case that has been concluded but in the timescale given we are unable to confirm the outcome.
3. "Upheld" is defined as the grievance outcome was found in favour of the complainant.

**Question 9:** How long did it take to bring each investigation to conclusion?

**Answer 9:** The table below shows the average, shortest and longest number of days for grievances concluded in the relevant calendar year:-

	2008	2009	2010	2011	2012	2013	2014
Average Length	443	334	289	183	307	230	171
Shortest Case	346	132	34	6	48	13	3
Longest Case	696	477	566	566	497	441	397

**Question 10:** What are the HA's stated time guidelines for the completion of grievance investigations?

**Answer 10:** Since 1<sup>st</sup> July 2013, grievance policy and procedures for the HA (and now Highways England) have been aligned to those of the Department for Transport. The Department's policy has a number of guiding principles, including making a decision in a reasonable time.

In keeping with the spirit and effect of the legislation, all information is assumed to be releasable to the public unless exempt. We may therefore be publishing the information you requested, together with any related information that will provide a key to its wider context, via the [Gov.uk website](http://gov.uk).

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](mailto:info@highwaysengland.co.uk). I would be grateful if you would contact me if you wish to have 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

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Should you have any queries about this letter, please contact me. Please quote our reference number above in any future communications.

Yours sincerely



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