



Risk Committee of the Barbican Centre Board

Date: TUESDAY, 9 JUNE 2015
Time: 11.00 am
Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members: Deputy Dr Giles Shilson (Chairman)
Deputy John Tomlinson (Deputy Chairman)
Lucy Frew
Deputy Catherine McGuinness
Sir Brian McMaster
Judith Pleasance
Keith Salway

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Lunch will be served in the Guildhall Club at 1pm
N.B. Part of this meeting could be the subject of audio or visual recording

John Barradell
Town Clerk and Chief Executive

AGENDA

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **MINUTES**
To agree the public minutes and summary of the meeting held on 20 January 2015.
For Decision
(Pages 1 - 4)
4. **INTERNAL AUDIT UPDATE**
Report of the Head of Internal Audit.
For Decision
(Pages 5 - 26)
5. **BARBICAN HALL: RECENT INCIDENT AND LESSONS LEARNT**
Report of the Director of Arts.
For Information
(Pages 27 - 28)
6. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
7. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
8. **EXCLUSION OF THE PUBLIC**
MOTION – That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following items, on the grounds that they involve the likely disclosure of Exempt Information, as defined in Part 1, of Schedule 12A of the Local Government Act
9. **NON PUBLIC MINUTES**
To agree the non-public minutes of the meeting held on 20 January 2015.
For Decision
(Pages 29 - 32)
10. **OUTSTANDING ACTIONS**
Report of the Town Clerk.
For Information
(Pages 33 - 34)
11. **RISK REGISTER**
Report of the Chief Operating & Financial Officer.
For Information
(Pages 35 - 80)

12. **PROCEDURES IN PLACE IN THE EVENT OF ARTIST CANCELLATIONS**

Report of the Director of Audiences and Development.

For Information
(Pages 81 - 84)

13. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

14. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

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RISK COMMITTEE OF THE BARBICAN CENTRE BOARD

Tuesday, 20 January 2015

Minutes of the meeting of the Risk Committee of the Barbican Centre Board held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Tuesday, 20 January 2015 at 1.45 pm

Present

Members:

Deputy Catherine McGuinness (Chairman)
Deputy John Tomlinson (Deputy Chairman)
Brian McMaster
Keith Salway

In Attendance

Officers:

Paul Nagle	Head of Internal Audit, Chamberlain's Department
Sir Nicholas Kenyon	Managing Director, Barbican Centre
Michael Dick	Director of Operations & Buildings, Barbican Centre
Niki Cornwell	Head of Barbican Finance, Chamberlain's Department
Gregory Moore	Town Clerk's Department

1. APOLOGIES

Apologies for absence were received from Lucy Frew and Jeremy Simons.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were none.

3. MINUTES

The public minutes and summary of the meeting held on 14 October 2014 were approved.

4. INTERNAL AUDIT UPDATE

The Committee received a report of the Head of Audit & Risk Management providing an update on the internal audit reviews undertaken between November 2014 and January 2015 as well as further information on the progress being made on the completion of the 2013/14 internal audit plan. An update was also provided in respect of the schedule of planned work for 2014/15, and the draft internal audit plan 2015/20 was also presented for Members' comments.

The Head of Internal Audit prefaced the report by advising that he had now taken up a secondment within the Chamberlain's department, leading on

projects associated with realising Service Based Review savings. As such, he has vacated the post of Head of Internal Audit for the next twelve months. He has been replaced for this period by Chris Harris of Baker Tilly, who due to other prior commitments could not attend this meeting. Members thanked the out-going Head of Internal Audit for his contributions to date and wished him well in his new role.

The Head of Internal Audit subsequently introduced his report, advising that four pieces of work had been completed since the last meeting. He also took the opportunity to highlight the review in to PBX fraud, which had been added to the plan in recognition of a potential threat.

A Member noted the reference in the report to planned work being rescheduled as a result of emerging priorities, seeking confirmation that this reprioritisation was solely as a result of emerging high priority issues and not a result of insufficient resource. The Head of Internal Audit advised that an element of prioritisation and flexibility in responding to unanticipated issues always existed, but conceded that the recent resignation of one auditor would add some additional pressures until their replacement was in post. He advised that the general resource level this year was broadly the same as the previous year, which he was comfortable with; however, 2016/17 would be more challenging as savings within the team would need to be made. As a result, the team would be looking to improve the efficiency of how it worked so that it could deliver the same service with a lower level of resource.

A Member also noted a reference in the report to the internal audit team's focus on the delivery of savings, cautioning that the key focus of internal audit should be on the quality of internal controls. The Head of Internal Audit clarified that the comment on savings referred to the team's internal focus on delivering its own savings and apologised for the ambiguous wording, reassuring Members that internal audit's primary focus would continue to be the effectiveness of internal controls in the management of risk.

The Deputy Chairman observed that the international enterprise review had been deferred until 2015/16, asking why this was the case and cautioning that the overseas nature of this element of the business meant that there were inherently more risks associated with it. The Head of Internal Audit explained the rationale behind the delay, advising that the Barbican were currently in the process of reviewing their own arrangements in this area and also wanted to factor the learning from the Digital Revolution exhibit in to any review. Accordingly, the proposed delay was only for a few months until the start of 2015/16, which would facilitate the inclusion of this learning and give greater meaning to the review.

The Committee noted that it would be helpful to be informed where there were overdue recommendations for implementation stemming from audits, consequently requesting that a schedule of overdue recommendations for implementation be included within this paper in future.

Discussion subsequently turned to the proposed draft audit plan 2015/20, with Members suggesting that some of the items did not seem to be areas where one would naturally expect internal audit to play a role or where a disproportionate amount of time seemed to be allocated, for instance, budget setting and cost estimates/cost plans. It was also suggested that ICT security could benefit from an additional review on top of the extensive penetration internal testing already performed by the team given the increasing importance of this area. The Head of Internal Audit explained that there had been regular coverage of IS/IT areas over the last 2 to 3 years, and recent audit work in this area had concluded controls were strong and no recommendation were made. As a result no internal audit coverage had been planned for 2015/16.

The Head of Internal Audit thanked Members for their comments. At this point, Members' feedback would be incorporated and used to refine or revise the planned audits accordingly.

RESOLVED: That the progress of the current internal audit plan be noted.

5. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

6. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no urgent items.

7. **EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part I of the Schedule 12A of the Local Government Act.

8. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 14 October 2014 were approved, subject to one amendment.

9. **OUTSTANDING ACTIONS**

The Board noted the outstanding actions list and received updates on the items thereon.

RECEIVED.

10. **RISK REGISTER**

The Committee received a report of the Chief Operating & Financial Officer advising Members of the risk management system in place at the Barbican, updating on the significant risks that had been identified and outlining measures for mitigation of these risks.

RESOLVED: That the report be received and its content noted.

11. **BAD DEBTS AND WRITE-OFFS**

The Committee received a report of the Chief Operating & Financial Officer detailing the Barbican debts incurred over a three year period from 2010 to 2013 and advising of those which it was proposed be written off.

RESOLVED: That the Committee

- note that the Managing Director intends to approve, under delegated authority, the write off of sixty items, each below £5,000, and
- note that further approval would be sought to write off eight items in excess of £5,000.

12. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There was one question.

13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no urgent items.

The meeting ended at 3.05 pm

Chairman

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Committee:	Date:
Risk Committee of the Barbican Centre Board	9 June 2015
Subject: Internal Audit Update Report	Public
Report of: Head of Internal Audit and Risk Management	For Decision

Summary

This report provides an update on Internal Audit activity undertaken at the Barbican Centre since the last report made in January 2015. All planned work for 2014/15 has been concluded with the exception of two deferred reviews: Box Office (income target setting and monitoring) and Financial Management; as reported previously these have been incorporated within the audit plan for 2015/16. Delivery of 2014/15 reviews is analysed at Appendix 1.

Since the last Committee update report one piece of audit work has been progressed to completion. A follow-up exercise has been undertaken in respect of the review of the Barbican telecommunication system, finalised in December 2014. The original review focused on the risks associated with PBX fraud and resulted in a substantial assurance rating. Seven recommendations were made and good progress was noted at the time of follow-up, with six recommendations implemented in full and the remaining recommendation in progress.

As of January 2015, Chris Harris, a Partner at Baker Tilly, was engaged as the Head of Internal Audit and Risk Management (HARM) to cover the secondment of Paul Nagle to an interim finance role for 12 months. A new Internal Audit Strategy is in development. One of the initial changes has been to reduce the five-year statement of intent for audit coverage, as presented to the last meeting of this Committee, to an annual audit plan. This updated plan is attached (Appendix 2) and has been determined to provide Members and management with assurance over the financial control and operational framework in key risk areas.

There are no outstanding amber priority recommendations as at mid-May 2015 and only four live green priority recommendations which are awaiting follow-up.

Following a request at the last meeting of this Committee, a copy of the Whistleblowing Policy is attached (Appendix 3). The Policy has been produced in line with best practice and reflects the changes to the Public Interest Disclosure Act. It is accessible through the Barbican Centre intranet and action is in progress by HR management to raise further awareness internally via the monthly staff newsletter.

Recommendation(s)

Members are asked to note the outcome of the recent follow-up exercise, the final delivery position for the 2014/15 Internal Audit Plan, and consider the updated Internal Audit Plan for 2015/16.

Main Report

Background

1. This report provides an update on audit work progressed since 20th January 2015 Committee and includes a final summary of the status of all 2014/15 reviews (Appendix 1). A recent follow-up exercise confirmed good progress in the implementation of audit recommendations and as at the middle of May 2015 there are no outstanding red and amber priority recommendations. The updated Internal Audit Plan for 2015/16 is attached for consideration and comment (Appendix 2). A copy of the Whistleblowing Policy is also attached (Appendix 3) in response to a query at the last meeting of this Committee.

Delivery of Internal Audit Work

2. A formal follow-up exercise has been carried out on the recommendations arising from the review of the Barbican Centre's telecommunication system, finalised in December 2014. The focus of the original audit was the risks associated with PBX fraud, whereby an external hacker gains access to an organisation's switchboard and profits in two main ways: making a high volume of calls to premium rate numbers to which they are affiliated and selling calls via dialling international numbers through the compromised switchboard.
3. The PBX areas reviewed were responsibility, configuration, third parties support, maintenance, access controls, physical security, monitoring and fraud awareness. Seven recommendations arose from this review (five green and two amber) to further strengthen controls. The follow-up outcome was as follows:

Recommendations	Red	Amber	Green	Total
Number Made:	0	2	5	7
Implemented	0	2	4	6
In progress	0	0	1	1

The outstanding green priority issue related to the voicemail system and its reliance on users changing their PIN. The system cannot enforce a change and as a result user PINS can remain at default, increasing the risk of unauthorised access. Management undertook to address this issue in full by the end of June 2015, including consideration of system configuration so that a number of unsuccessful attempts to log in to voicemail results in call failure.

Internal Audit Review Outcomes 2014/15

4. A summary of the outcomes of audit reviews relating to 2014/15 is attached at Appendix 1 and this includes an addition to the plan within the year in respect of the Telecommunication System assurance work. Deferred reviews have been incorporated within the Internal Audit Plan 2015/16 (Appendix 2).

Other Relevant Assurance Work

5. Delivery of the plan of corporate and key systems reviews across the City's departments is on-going, providing assurance over a range of arrangements relevant to the Barbican Centre.

Draft Internal Audit Plan 2015/16

6. The City's Internal Audit Strategy is in development as part of the Service Based Review. An initial review of audit coverage has been initiated and the five-year statement of intent presented to the last meeting of this Committee has been reduced to an annual plan.
7. The updated draft Internal Audit Plan 2015/16 (Appendix 2) has been prepared using a risk-based approach and has been determined to provide Members and management with assurance over the financial control and operational framework in key risk areas. A meeting has been arranged with the Chief Operating and Financial Officer and the Head of Finance to determine the detailed scope of reviews and suitable timing. Comment and suggestions for consideration in future internal audit plans are sought from your Committee Members.

Implementation of Audit Recommendations

8. No recommendations have been raised since the last meeting of this Committee and there are no outstanding red and amber priority recommendations. The recent follow-up exercise confirmed a good level of implementation of green priority recommendations and as at mid May 2015 there are four live green recommendations from Internal Audit work, all of which will be followed-up prior to the next meeting of this Committee.

Whistleblowing Arrangements

9. The City of London Whistleblowing Policy (Appendix 3) has been produced in line with best practice and reflects the changes to the Public Interest Disclosure Act. The Act provides protection for employees against detrimental treatment or dismissal as a result of a protected disclosure made by them if they speak out genuinely against corruption and malpractice at work. The purpose of the Policy is to clarify for employees how they can raise matters of concern that fall within the remit of this Act and what they can expect to happen once they have made a complaint.
10. The Policy forms part of the Employee Handbook and is accessible through the Barbican Centre intranet. There is scope to raise further awareness of Whistleblowing arrangements amongst staff and action is in progress by HR management to promote the Policy via the monthly staff newsletter. Consideration is also being given to a staff briefing, supported by the City of London's Anti-Fraud Manager.

Conclusion

11. Good progress has been noted in the implementation of recommendations arising from the review of the Barbican telecommunication system, followed-up recently, and as at mid May 2015 there are no live red or amber recommendations arising from any Internal Audit work.

12. Delivery of the Internal Audit Plan 2014/15 has concluded with the exception of two deferred reviews: Box Office (income target setting and monitoring) and Financial Management. These deferrals were due to work in other City departments which represent greater overall risk to the organisation. Both reviews have been incorporated in the Internal Audit Plan 2015/16 which has been determined using a risk-based approach.

Appendices

Appendix 1 Internal Audit Plan Schedule of Projects 2014/15

Appendix 2 Draft Internal Audit Plan 2015/16

Appendix 3 Whistleblowing Policy

Chris Harris, Head of Audit and Risk Management

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Scheduled Work Internal Audit Plan 2014/15

Project	Planned Days	Completion Date (Final report)	Current Stage	Assurance Rating	Recommendations			
					Total Red	Total Amber	Total Green	Total
<u>CSA – Extensions of Time</u> This Control Self-Assessment review considered the level of compliance with contractual requirements.	15	31 st October 2014	Complete	Substantial	-	1	2	3
<u>CSA – Interim Valuations</u> This Control Self-Assessment review considered the level of compliance with contractual requirements.	15	31 st October 2014	Complete	Substantial	-	2	2	4
<u>Box Office (income target setting and monitoring)</u> This audit review will examine the process for determining how productions are priced so that audiences will be attracted to purchase tickets, as well as the relationship between the target contribution to costs to be achieved and the scope that the Centre has for setting prices in a competitive environment.	15	Deferred Now included in 2015/16 plan	N/A	N/A	-	-	-	-

Project	Planned Days	Completion Date (Final report)	Current Stage	Assurance Rating	Recommendations			
					Total Red	Total Amber	Total Green	Total
<u>Financial Management</u> The purpose of this review is to ascertain how the Barbican Centre sets a budget that is flexible at a time of economic uncertainty and addresses the commercial, artistic and educational aspects of the Centres programme. It will also examine budget monitoring and the accuracy of financial performance reporting.	10	Deferred Now included in until 2015/16 plan	N/A	N/A	-	-	-	-
<u>Mini – Assurance Reviews</u> <u>ICT Assurance Overview</u>	4	30 th November 2014	Complete	Substantial	-	-	-	-
<u>Business Continuity Management Review (incl. 2013 review follow-up)</u> Standard BCMS review (includes organisational structure, policies, planning activities, responsibilities, procedures and resources) based on previous comprehensive baseline audit. Undertaken at the request of Barbican Risk committee.	7	31 st August 2014	Complete	N/A	-	-	2	-

Scheduled Work Internal Audit Plan 2015/16

Project	Planned Days	Current Stage	Completion Date	Assurance Rating	Recommendations			
					Total Red	Total Amber	Total Green	Total
<u>Cost Estimating and Cost Planning</u> Review of arrangements to ensure that major project costs are properly estimated and planned with appropriate budgets set prior to project works commencing on site. The audit will also look to obtain reasonable assurance that actual project expenditure is compared with original project estimates to identify key variances and improve cost estimation in future.	25	Planning	31 st August 2015	-	-	-	-	-
<u>Box Office</u> An examination of the process for determining how productions are priced so that audiences will be attracted to purchase tickets, as well as the relationship between the contribution to costs and the scope that the Centre has for setting prices in a competitive environment.	15	Not started	To be confirmed	-	-	-	-	-

Project	Planned Days	Current Stage	Completion Date	Assurance Rating	Recommendations			
					Total Red	Total Amber	Total Green	Total
<u>Budget Setting and Financial Management</u> The purpose of this review is to ascertain how the Barbican Centre sets a budget that is flexible at a time of economic uncertainty and addresses the commercial, artistic and educational aspects of the Centre's programme. It will also examine budget monitoring and the accuracy of financial performance reporting.	15	Not started	To be confirmed	-	-	-	-	-
<u>International Enterprise</u> The activities of this initiative will be examined with emphasis on governance, operational controls and measurement of outcomes.	20	Not started	To be confirmed	-	-	-	-	-
<u>Bars</u> A high level review to ensure that contractor performance is adequately monitored, all income due has been received in accordance with the contract, asset registers are current and that an adequate handover plan has been formalised.	7	Not started	To be confirmed	-	-	-	-	-

Project	Planned Days	Current Stage	Completion Date	Assurance Rating	Recommendations			
					Total Red	Total Amber	Total Green	Total
<u>Membership Scheme</u> Review of uptake and the arrangements to ensure that benefits are realised.	10	Not started	To be confirmed	-	-	-	-	-
<u>IT – System Controls</u> Application review.	7	Not started	To be confirmed	-	-	-	-	-

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City of London Whistleblowing Policy

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1. Statement of Intent

The City of London is committed to maintaining the highest possible standards of openness, probity and accountability amongst its employees and as such takes very seriously any form of malpractice that is identified or discovered. The City of London's Code of Conduct for employee's sets out the standards expected from all of our employees and the City's core values. Likewise the City of London's Code of Conduct for Members sets out the standards expected from its elected representatives.

The City of London is confident that it has a management regime in place that seeks to ensure that most concerns can be raised through normal line management channels; the City's Whistleblowing Policy provides an alternative mechanism for employees to raise serious concerns that they may have in order that they may be swiftly resolved, and where such concerns cannot be raised through the existing management channels.

Where concerns are raised in the public interest and when the employee reasonably believes the concern to be true, they will be protected from any reprisals or victimisation. Furthermore, if genuine concerns are raised under this Policy, the employee will not be at risk of suffering any form of retribution as a result. When raising a concern it is vital that the employee take the utmost care to ensure the accuracy of the information provided. Should it be found that a concern has been raised maliciously then disciplinary action may be taken against the employee who raised the concern.

Where an employee has been the subject of a whistleblowing disclosure, and following investigation, it is found that the employee has a case to answer, the matter will be dealt with in line with the City of London's disciplinary procedure.

2. Definitions

Concerns in relation to, but not restricted to, the following types of wrongdoings are covered by the City of London's Whistleblowing Policy:

- i. a criminal offence, such as fraud, theft or corruption that has been or is likely to be committed.
- ii. abuse of position, whether or not for personal gain.
- iii. misuse of, or damage to, City of London's property.
- iv. any danger to health and safety.
- v. misuse of public funds.
- vi. damage caused to the environment.
- vii. mistreatment of clients, particularly children and vulnerable adults in our care.



viii. Safeguarding, safety and well-being of service users.

This policy is not designed to be used where other more appropriate procedures are available. For example a problem or concern that an employee has about their work, working conditions or relationships with colleagues should be raised with their line manager in the first instance. Likewise concerns about Environmental Health should be notified to the City's Public Protection Team. If however, after using existing line management reporting mechanisms, employees remain significantly concerned that their issue has not been adequately addressed then this policy can be used.

3. Scope

All employees of the City of London, including City of London Police Civilian staff may use this Policy. This includes permanent and temporary employees. It also covers agency workers and employees seconded to the organisation. City of London Police Officers and Police Community Support Officers should refer to the City of London Police Professional Standards Reporting - Standard Operating Procedure.

Contractors working for the City of London may also use this Policy in order to make the City aware of any concerns that they, their employees or sub-contractors may have with regard to any contractual or other arrangement with the City of London. Any concerns relating to non-City of London business should be raised with the relevant contractor's organisation, regulator or other suitable agency.

Members of the public may also use this procedure, where they have a whistleblowing concern about services provided by the City of London.

4. Purpose

The Public Interest Disclosure Act 1998 provides protection for employees against detrimental treatment or dismissal as a result of a protected disclosure made by them if they speak out genuinely against corruption and malpractice at work. The Act applies to disclosures of facts not opinion. The purpose of this Policy is to clarify for employees how they can raise matters of concern that fall within the remit of this Act and what they can expect to happen once they have made a complaint.

5. Legal Position

Employees and workers who make a 'protected disclosure' are protected from being treated badly or being dismissed for doing so. The key piece of whistleblowing legislation is the Public Interest Disclosure Act 1998 (PIDA) which applies to almost all workers and employees who ordinarily work in Great Britain. The Public Interest Disclosure Act 1998 has been amended by other legislation, for example the Enterprise and Regulatory Reform Act 2013.



For a disclosure to be protected the worker or employee must follow the procedures laid down in the legislation. From 25 June 2013 onwards the Government has introduced a public interest test - only concerns which meet the test will give the whistleblower legal protection. (Disclosures made before 25 June 2013 need only to have been made 'in good faith'.)

There is no legal definition of the Public Interest test for Whistleblowing. The only other legislation with a Public Interest test is the Freedom of Information Act, which provides a useful starting point in the context of defining the test for the purpose of whistleblowing. The Information Commissioner's Office's (ICO) guidance to public authorities on how to assess "public interest" when dealing with requests under the Freedom of Information Act is helpful in this regard. This states that it should be taken to mean "public good" or "something which serves the interests of the public". Disclosures in the "public interest" would include those which highlight misconduct, wrongdoing or risks to the public, promote openness or transparency, or promote freedom of expression. The scope of "public interest" is, therefore, potentially very broad.

6. Employees who raise concerns under this Policy:

- i. Can ask for their identity to be protected and in general it will not be disclosed without their consent, but there may, however, be instances where the City of London is unable to resolve the concern without revealing the employee's identity e.g. where the employee's evidence is required in court. Should this be the case, the investigating officer will discuss this with the employee.
- ii. Can make anonymous disclosures of concern to the City of London Corporation via these whistleblowing channels and the matter will be dealt with in line with this Policy. Anonymous disclosures are, however, generally more difficult to investigate as the City is unable to contact the employee should further information be required. Furthermore we would be unable to give any feedback to the employee raising the concern. Reporting concerns via the whistleblowing channels is completely confidential and, therefore, employees are encouraged to leave their contact details in order for the City to be able to investigate any concerns in their entirety.
- iii. Can withdraw their disclosure, but the City of London will carefully consider the disclosure made and may still proceed with any investigation should it be in the City's interests to do so.
- iv. Should not contact any persons whom they have concerns about in order to determine facts or demand restitution. Furthermore employees must not attempt to conduct investigations or interviews, or question anyone, unless specifically asked to do so by the Investigating Officer.
- v. Must not discuss the matter with any third parties, such as the press, unless explicitly asked to do so by the Investigating Officer.



In addition, employees who are unsure about raising their concerns through this Policy or wish to seek any independent advice may contact:

- a. their trade union,
- b. their professional body (if they are members), or
- c. Public Concern at Work – an independent charity, whose lawyers can offer free confidential advice about how to raise a concern in the workplace. They can be contacted by telephone on 020 7404 6609, via email to helpline@pcaw.co.uk or by visiting their website at www.pcaw.co.uk

Appendix A describes the ways in which a whistleblowing concern can be raised. In certain circumstances it may be appropriate for an employee to report any concerns outside of the organisation. If they do so they should ensure they do not disclose any confidential information belonging to the City of London. Any disclosure of confidential City of London information outside of the organisation may result in disciplinary action against the employee. An employee considering an external disclosure is strongly advised to seek advice first.

An employee may wish to make use of the free and confidential employee assistance programme, if they have any worries about reporting any concerns or any other matter. The helpline is confidential and can provide support on a wide range of work issues. Further information about the EAP can be found on the City of London intranet.

7. How the City of London will respond to any concern

Upon receipt of any concern, the City of London will allocate an Investigator/ Case Officer, who will be responsible for managing the whistleblowing disclosure, and maintaining a liaison with the whistleblower where appropriate.

The details of the concern raised will be considered and it will be decided whether there are grounds for proceeding further with an investigation. This may include:

- i. clarification of the facts, by the most suitable means, this may be via correspondence with the employee or via review of manual and/ or electronic information that may be available.
- ii. commencing a formal investigation.
- iii. determining whether the matter will be investigated under an alternative City of London policy e.g. Code of Conduct or Safeguarding Policy .
- iv. advising the employee if the concern is not a whistleblowing matter, and where appropriate the alternative routes that they may wish to consider such as the complaints procedure for service delivery matters or the grievance procedure for matters related to their employment.



Where it is determined that an investigation is warranted this may be:

- i. investigated by management, internal audit or through the disciplinary procedure.
- ii. referred to the police in serious criminal matters.
- iii. referred to the external auditor.
- iv. the subject of an independent inquiry by an outside body.

With the exception of anonymous referrals, the Investigating Officer will write to the employee within a reasonable period of time:

- a. acknowledging that the concern has been received.
- b. indicating how the matter will be dealt with as outlined above.
- c. giving an estimate of how long it will take to provide a final response.
- d. telling them whether any initial enquiries have been made, and whether further investigations will take place and, if not, why not.
- e. telling them if they will need to be contacted for further information/clarification.
- f. telling them how they will be informed of the progress of the investigation: however, there may be certain reasons where this is not possible but if this is the case the employee will be told why.

Where it is determined that there will be an internal investigation, it will be dealt with in a timely fashion. As part of the investigation the City of London will consider:

- a. whether any disciplinary action will be taken against any employee.
- b. whether changes should be recommended to any City of London procedures.
- c. whether any other action should be recommended.

At the conclusion of our investigations, the Investigating Officer will report the findings to the relevant managers, Chief Officer and Human Resources where appropriate. Where disciplinary action is recommended the disciplinary procedure will be used and if appropriate, in consultation with the Comptroller & City Solicitor. Where necessary, the individual who is subject to investigation will be informed of the outcome in writing and will be advised of what action, if any, is to be taken.

Where the matter has been referred to the police, external audit or an independent enquiry the employee will be informed by their Case Officer how they will be kept informed or progress and any indicative timescale.



8. Recording and monitoring

The Chamberlain's Internal Audit section will maintain a confidential and secure register of all concerns raised through this Whistleblowing Policy. Investigations undertaken as a result of concerns being raised through these channels will be reported to the Audit & Risk Management Committee. Furthermore, weaknesses in City of London controls may be identified through our investigations and recommendations to improve these will be raised with relevant managers and Chief Officers.

All records will be treated as confidential and kept no longer than necessary in accordance with the Data Protection Act 1998. Individuals have a right to request and have access to certain personal data; however, some information may be withheld in order to protect a third party.

9. Appendices

Appendix A: How to raise a whistleblowing concern

There are a number of ways in which a concern can be raised. Employees are urged to consider the nature of the concern, whether it involves immediate management and the seriousness and sensitivity of the issues involved.

As soon as an employee becomes reasonably concerned about a matter they are encouraged to raise this in the first instance with their line manager. All managers have a responsibility to act on concerns raised. The line manager should report the concern to the Chamberlain's Internal Audit section and their HR Business Partner as soon as practicably possible.

If, however, employees are not comfortable raising concerns with their line manager there are a number of other reporting channels managed by Internal Audit to safeguard confidentiality as set out below:

- a. by [e-mail to RaiseYourConcern@cityoflondon.gov.uk](mailto:RaiseYourConcern@cityoflondon.gov.uk)
- b. by completing and submitting the on-line form.
- c. by telephone to Internal Audit on 020 7332 1277 or 020 7332 1278.
- d. by leaving a message on the City of London's 24 hour confidential answer phone: 020 7332 3663.
- e. by letter to; The Head of Audit & Risk Management, City of London Corporation, PO Box 270, Guildhall, London, EC2P 2EJ.

To aid in any subsequent investigation following a concern being raised, it would help if you could tell us as much as you know about the issue, particularly if you choose to leave an anonymous message. This could include:



- a. details of what you have seen, witnessed or heard.
- b. details of the department, if applicable, where you have any concern.
- c. names of persons who you suspect to be involved in any wrongdoings.
- d. dates and times of any wrongdoings.
- e. whether your concerns involve a third party, such as a contractor.
- f. whether you have previously raised your concerns with, for example, line management.
- g. anything else that you feel maybe of interest.

Appendix B: Frequently Asked Questions

Why does the City of London have a Whistleblowing Policy?

A Whistleblowing Policy provides employees with a clear procedure on how to raise confidentially, any concerns they may have about the action(s) of persons, such as a colleague or an elected Member, which do not fall under the remit of complaints or grievance policies. It allows an employee to raise concerns that are within the public interest, and reasonably believed to be true, in the knowledge that they will be protected from any reprisals or victimisation

What is 'Whistleblowing' and how is it different from reporting a grievance or complaint?

Whistleblowing is the term used when someone who works in, or for an organisation, wishes to raise concerns about malpractice in the organisation (for example, crimes, civil offences, miscarriages of justice, dangers to health and safety or the environment), and the covering up of any of these.

On the other hand, if you are making a complaint, you are saying that you, or someone close to you, has personally been poorly treated.

A grievance is when an employee has a dispute about their own employment position and the grievance procedure should be used in this regards.

Who can use the hotline?

The hotline can be used by any employee, whether permanent, temporary or contractor, or member of the public, who has a whistleblowing concern about services provided by the City of London

Can I seek external advice before I use the Whistleblowing Hotline?



Yes. If you are worried at any stage about how to raise your concern, you should always seek independent advice at the earliest opportunity. You can do this through your union or professional body or the independent whistleblowing charity Public Concern at Work (PCaW) on 020 7404 6609, or by email at helpline@pcaw.co.uk. For further information please see their website at www.pcaw.co.uk.

I think I have cause to report an issue to the Whistleblowing Hotline. What should I do next?

Normally, you should first raise your concern internally, for example with your line manager. If you prefer not to do this, or you have tried and been dissatisfied with the results you can raise your concern via the City of London's confidential reporting tools, by emailing raiseyourconcern@cityoflondon.gov.uk, by leaving a message on the confidential hotline – 020 7332 3663. You can also email the Town Clerk & Chief Executive on john.barradell@cityoflondon.gov.uk. Alternatively send your concerns by post to:

Head of Audit & Risk Management
Internal Audit
Chamberlains Department
PO Box 270, Guildhall
London
EC2P 2EJ

I've made a call to the Whistleblowing Hotline. What happens next?

We will use the information you give us to decide how best to deal with your concerns. If we agree that your concerns count as whistleblowing, the matter will be allocated to an Investigator/ Case Officer who will investigate your concerns.

Will I be kept informed?

We will always aim to give you as much feedback as we properly can on how we are dealing with your concerns. However due to the legal duties we may owe to others (for example duties of confidentiality) what we can tell you may be limited.

Will I remain anonymous?

If you have asked us not to reveal your identity, we will do our best to respect your wishes. However, should a disclosure result in charges of a criminal nature, it may not be possible for us to protect your identity.

Appendix C: Guidance for Managers who are Notified of a Concern

- i. Managers notified of a concern by an employee must treat the matter with strict confidentiality.
- ii. If it is clear to the manager that the concern raised is in relation to a complaint or grievance, they should deal with the matter under the appropriate procedure.



- iii. The manager should confirm with the employee whether they can disclose their identity.
- iv. The manager should notify the employee as to the actions that will be taken with regard to the notification, as set-out within this Policy, and provide a copy of the Whistleblowing Policy to the employee as necessary.
- v. A written account of the concern should be made as soon as possible following receipt of the notification, if such a note is made electronically, this should be password protected.
- vi. The concern must be notified to the Head of Audit & Risk Management in the Chamberlains Internal Audit Section, as soon as operationally possible.
- vii. The manager will be expected to co-operate and assist the Case Officer/ Investigator, as necessary.
- viii. If the manager is in any doubt as to how they should act upon receipt of a concern, they should contact the Head of Audit & Risk Management or their HR Business Partner.

Appendix D: Sources of information guidance and support

Internal:

Chamberlain's Internal Audit Section

Head of Audit & Risk Management: [Paul Nagle](#) - 020 7332 1277

Human Resources Business Partner for the relevant department

Trade Union Contacts:

Unite: [Colin Bull](#) - 020 7332 1482, Mobile - 07881 635029

GMB: [Danny Byrne](#) - 0207 332 4989, Mobile - 07956 263504

GMB: [Dan Radusin](#) - 0207 332 4989, Mobile - 07814 470456

Employee assistance programme – WorkPlace Options: 0800 243 458

External:

Public Concern at Work (PCAW)

Telephone: 020 7404 6609

E-mail: helpline@pcaw.co.uk.

For further information please see their website at www.pcaw.co.uk



Advice from Central Government at Gov.uk

<https://www.gov.uk/whistleblowing>

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Committee: Risk Committee of the Barbican Centre Board	Date: 9 June 2015
Subject: Barbican Hall: Lessons Learnt from Recent Incident	Public
Report of: Director of Arts	For information
<u>Summary</u>	
<p>This report sets out the background behind a recent incident at the Barbican Hall, where a number of audience members engaged in a stage invasion. It also details the steps taken since the incident to further strengthen preventative measures and highlight similar risks in future.</p>	
Recommendations	
<p>It is recommended that Members note the contents of this report.</p>	

Main Report

Background

1. On 23 February 2015, a stage invasion occurred at a Yung Lean (a young Swedish rapper) concert being held in the Barbican Hall. The event was promoted by Live Nation, an established and important promoter worldwide with whom the Barbican Centre has collaborated regularly without incident.
2. The concert was attended by a largely teenage audience, many of whom were drinking in the auditorium. This was despite the best attempts of staff to confiscate off-premises alcohol and the extra vigilance of bar staff. The audience became increasingly rowdy and, as a result, the venue manager requested additional security staff to supplement normal levels.
3. Towards the end of the evening the stage was invaded by approximately 100 audience members. The concert was immediately stopped and the Hall cleared. Since the incident further measures have been introduced to enhance the Barbican's event risk assessment protocols.

Lessons Learnt

4. Following this incident, an Artistic Checklist Form (ACF) has been introduced for all contemporary music events, including rentals and own/shared promotions, which is completed and authorised by the Head of Music prior to contract. The ACF includes a field for the inclusion of any information relating to known audience behaviour, incidents at any previous appearances elsewhere etc. The Barbican Music team ensures that any pertinent information is obtained from the

promoter for inclusion and, if necessary, a 696 form is completed and submitted to the Customer Experience Department who liaise with the City Police.

5. A standing agenda item has also been added to the monthly Music Project Team meeting. At this meeting members of the Music Production team are to highlight any potential risk events to the Venue Manager or representative.

Contact:

Louise Jeffreys

Director of Arts, Barbican Centre

Tel: 0207 332 7381

E-mail: louise.jeffreys@barbican.org.uk

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