MIDDLE LEVEL COMMISSIONERS

GOVERNANCE DOCUMENTS

I N D E X

SCHEDULE

Benwick Internal Drainage Board
Bluntisham Internal Drainage Board
Churchfield & Plawfield Internal Drainage Board
Conington & Holme Internal Drainage Board
Curf & Wimblington Combined Internal Drainage Board
Euximoor Internal Drainage Board
Hundred Foot Washes Internal Drainage Board
Hundred of Wisbech Internal Drainage Board
Manea & Welney District Drainage Commissioners
March & Whittlesey Internal Drainage Board
March East Internal Drainage Board
March Fifth District Drainage Commissioners
March Sixth District Drainage Commissioners
March Third District Drainage Commissioners
Middle Level Commissioners
Needham & Laddus Internal Drainage Board
Nightlayers Internal Drainage Board
Nordelph Internal Drainage Board
Ramsey First (Hollow) Internal Drainage Board
Ramsey Fourth (Middlemoor) Internal Drainage Board
Ramsey Upwood & Great Raveley Internal Drainage Board
Ransonmoor District Drainage Commissioners
Sawtry Internal Drainage Board
Sutton & Mepal Internal Drainage Board
Swavesey Internal Drainage Board
Upwell Internal Drainage Board
Waldersey Internal Drainage Board
Warboys Somersham & Pidley Internal Drainage Board
White Fen District Drainage Commissioners

MIDDLE LEVEL COMMISSIONERS ("the Board")

General principles relating to the respective roles of the Board, Board Members, Chairman and Clerk

This paper should be read in conjunction with the Schedule of Matters Reserved to the Board and the Board's Scheme of Delegations.

The Board is responsible for:

1 Establishing and maintaining the Board's vision, mission and values

2 Deciding the Board's strategy and structure and policies

3 Delegating functions as appropriate

4 Exercising accountability to rate and special levy payees and to relevant third parties

5. Deciding and monitoring budget expenditure

6 Appointing the Clerk and Engineer to the Board

7 Setting the annual rate and special levy

8 Taking responsibility for the Board's composition and development

9 Ensuring that adequate operational planning and financial control systems are in place

Board members, whether elected or nominated, should all fully participate in the running of the Board and have equal responsibility for:

1. Acting in the overall interest of the Board and not in the particular interest of an area of affiliation;
2. Familiarising themselves with the Board's District and its workings;
3. Addressing agricultural and urban land drainage, flood management and environmental issues, with each making input related to their background and experience;
4. Fully participating in the Board's affairs including attending all Board meetings unless prevented by ill-health or other necessary circumstances;
5. Declaring any pecuniary or non-pecuniary interest on any item on the agenda;
6. Acting in accordance with the Board's Standing Orders, Financial Regulations, Financial Code and other Board policies;

7. Representing the rate payers and special levy payers in the Drainage District, including both receiving information for the Board and the dissemination of the Board's decisions.

The Chairman's key responsibilities include:

1. Setting the agenda, style and tone of Board discussions and chairing Board meetings, to promote effective decision making and constructive debate;
2. Providing leadership to the Board;
3. Ensuring proper information is made available to the Board;
4. Planning and conducting Board meetings effectively;
5. Getting all Board members involved in the Board's work;
6. Promoting effective relationships and open communication, both inside and outside the Boardroom, between Board members and those who undertake work for the Board;
7. Ensuring there is provision for the induction and development of Board members;
8. Ensuring the Board focuses on its key tasks;
9. Engaging the Board in assessing and improving its performance;
10. Ensuring effective implementation of Board decisions;
11. Establishing a close relationship of trust with the Clerk's office;
12. Representing the Board and presenting the Board's aims and policies to the outside world;
13. Understanding the views of ratepayers, special levy paying councils and key stakeholders and ensuring that effective lines of communication exist with the Board.

The Clerk's office has responsibility for the day to day running of the Board's business. Key responsibilities include:

1. Implementing Board policy;
2. Developing where appropriate strategic operating plans that reflect the longer-term corporate objectives and priorities established by the Board;
3. Maintaining an ongoing dialogue with the Chairman of the Board;
4. Closely monitoring the operating and financial results against plans and budgets;
5. Taking remedial action where necessary and informing the Board of significant changes;

6. Representing the Board at meetings with ratepayers, special levy paying councils, Government, professional associations and key stakeholders;

NB To facilitate the management of the Board's Day to day business, delegated authority to take all decisions necessary for the implementation of such business is given to the Clerk's office, subject to the exceptions reserved to the Board (or Board committee or Chairman (or other member(s)) and noted in the Schedule of Reserved Matters or Scheme of Delegations.

MIDDLE LEVEL COMMISSIONERS

EMPLOYEES CODE OF CONDUCT

1. INTRODUCTION

The Commissioners' Code of Conduct is set out below. It covers the main standards of behaviour the Commissioners require from employees and includes the Commissioners' Rules, which employees need to follow. It should be read in conjunction with the Employee Handbook.

Nothing in this Code shall infringe the rights and duties of employees under the Whistle Blowing Policy and Confidential Reporting Code.

The Commissioners' Rules and the examples of misconduct are not exhaustive. All employees are under a duty to comply with the standards of behaviour and performance required by the Commissioners and to behave in a reasonable manner at all times.

A breach of the Commissioners' Rules may result in disciplinary action. A single instance of gross misconduct may result in dismissal without notice. Examples of misconduct, which the Commissioners normally regard as gross misconduct are included in the Employee Handbook.

2. COMMISSIONERS' RULES

2.1 Attendance and Timekeeping

Employees are required to:

a) arrive at work promptly, ready to start work at their contracted starting times

b) remain at work until their contracted finishing times

Employees must obtain authorisation from their Line Manager if for any reason they wish to arrive later or leave earlier than their agreed normal start and finish times.

The Commissioners reserve the right not to pay employees in respect of working time lost because of poor timekeeping.

Persistent poor timekeeping may result in disciplinary action.

2.2 Standards and Conduct

Employees are required to:

a) behave in a way that does not constitute unlawful discrimination

b) comply with all reasonable management instructions

c) comply with the Commissioners' operating policies and procedures

d) co-operate fully with their colleagues and with management

e) maintain satisfactory standards of performance at work.

f) ensure that any queries received from the media are referred immediately to management. Unauthorised employees must not attempt to deal with queries themselves.

g) ensure the maintenance of acceptable standards of politeness.

h) take all necessary steps to safeguard the Commissioners' public image and preserve positive relationships with:

i) Local Authorities
ii) Members of the public
iii) Other associates
iv) Other Navigation Authorities
v) Ratepayers
vi) Environment Agency
vii) Internal Drainage Boards

2.3 Flexibility

Employees may be required to comply with any reasonable request wherever practicable and in accordance with their contract of employment.

a) from time to time to undertake duties outside their normal job remit

b) from time to time to work at locations other than their normal place of work

c) to work additional hours at short notice, in accordance with the needs of the Service

d) to undertake standby and call out duties as required by the Commissioners

2.4 Conflicts of Interest

Employees must declare an interest in any of the Commissioners' business, where there is a direct or indirect personal or prejudicial interest. Such interests are clearly defined in the Members' Code of Conduct which employees are required to read.

2.5 Confidentially

Employees are required to keep confidential, both during their employment and at any time after its termination, all confidential information gained in the course of their employment about the Commissioners' business, members, colleagues or ratepayers, except as required by law or in the proper course of their duties.

Employees are not permitted to engage in any activity outside their employment with the Commissioners, which could reasonably be interpreted, as competing with the Commissioners.

Examples of confidentially – this list is not exhaustive; it is intended for guidance only: -

- Any matters relating to employment/contracts of employment
- Wages, salaries, bonuses etc
- Personal details of employees, Members, ratepayers

2.6 Working Clothing and Personal Protective Equipment

Employees are required to:

a) wear the appropriate clothing for the role in which they are employed

b) wear or use any personal protective equipment or clothing as instructed by and supplied by the Commissioners at all times when required to do so.

2.7 Health and Safety

2.7.1 General

Employees are required to:

a) observe the Commissioners' health and safety procedures

b) ensure that safety equipment and clothing are always used in accordance with the Commissioners' health and safety procedures

c) gain an understanding of the Commissioners' health and safety procedures

2.7.2 On Site Rules

Employees working on site are required to follow any site-specific rules, in addition to the requirements of the Employee Handbook and of the Commissioners' Rules.

2.8 Property and Equipment

a) Employees may only use the Commissioners' telephone, fax or e-mail services for private use in accordance with the Electronic Mail and Internet Use Policy set out in the Employee Handbook.

b) Employees may not without the permission of the Chief Executive, remove Commissioners' or site property or equipment from Commissioners' or site premises unless for use on authorised Commissioners' business.

On termination of their employment employees must return all Commissioners' property, such as keys, laptops, mobile telephones, vehicles, documents or any other items belonging to the Commissioners. This list is not exhaustive.

Where an employee damages property belonging to the Commissioners, either through misuse or negligence, the Commissioners reserve the right to make a deduction from the employee's pay in respect of the costs of repairing or replacing any such damaged property.

2.9 Personal Property

Personal possessions on the Commissioners' premises and/or in Commissioners' vehicles are the sole responsibility of employees who should ensure that their personal possessions are kept in a safe place at all times.

2.10 Environment

In order to provide a cost-effective service, employees are requested to: -

a) handle all materials with care.

b) switch off equipment when it is not in use.

c) use the Commissioners' equipment, materials and services wisely.

d) try to reduce wastage and the subsequent impact on the environment by ensuring that they close windows, avoid using unnecessary lighting or heating or leaving taps running.

2.11 Changes in Personal Details

To ensure the prompt payment of monies due to you and that the Commissioners are able to contact you or another designated person in case of an emergency, employees must notify the Commissioners as soon as possible of any change of:

a) name

b) address

c) marital status

d) next of kin

e) telephone number

f) bank account (which affects where monies due to you from the Commissioners are paid)

This will also help the Commissioners to maintain accurate personal details in compliance with the Data Protection Act 1998.

MIDDLE LEVEL COMMISSIONERS

Employees Code of Conduct

I confirm receipt of a copy of the Employees Code of Conduct

Name ………………………………….

Signed ……………………………….

Date………………………………….

Publication Scheme for Middle Level Commissioners

What is and why do, the Middle Level Commissioners use, a Publication Scheme?

The Middle Level Commissioners (MLC) are a statutory public body undertaking flood defence and navigation functions.

The Freedom of Information Act 2000 ("the Act") gives a general right of access to recorded information held by public authorities, sets out exemptions from that right and places a number of obligations on public authorities. MLC are regarded as a non-departmental public body for the purposes of the Act. Further information about the Act can be obtained from The Information Commissioners (http://www.ico.gov.uk)

The MLC are required to adopt and maintain a publication scheme setting out the classes of information it holds, the manner in which it intends to publish the information, and whether a charge will be made for the information. The purpose of a scheme is to ensure a significant amount of information is available, without the need for a specific request. Schemes are intended to encourage organisations to publish more information proactively and to develop a greater culture of openness.

What Information is routinely available?

The information is grouped into seven classes.

1. Who we are and what we do

Organisational information, structures, locations and contacts.

2 What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, procurement, contracts and audited accounts.

3. How we make decisions

Decision making processes and records of decisions.

4. Our policies and procedures

Current written protocols, policies and procedures for delivering our services and responsibilities.

5. Lists and registers

All statutory and non-statutory Registers

6. The services we offer

Information about the services we currently provide including leaflets, guidance and newsletters produced.

7. Navigation matters

Information relating to the public navigations of the MLC.

How to access the information?

The information contained in each class may be accessed through a variety of means and in a number of formats where these are available. All information is available for inspection on request and by prior appointment, where appropriate copies can be made available. A charge may be made for the supply of and copies of information, each case being considered individually. Normally, however, a charge will be made for providing copies.

1. On the MLC website

Some information is available on the website. This information is non-chargeable unless hard copies are requested from MLC.

2. By e-mail

E-mail admin@middlelevel.gov.uk with 'Freedom of Information Request' in the subject line.

3. By post

To obtain paper copies of the information please contact:

The Chief Executive
Middle Level Commissioners
85 Whittlesey Road
March
Cambs PE15 0AH
Tel: 01354 653232 Fax: 01354 659619 http://www.middlelevel.gov.uk

Please note that while a hard copy of requested information will normally be supplied upon request multiple copies will not normally be provided.

4. In person

Please contact the Offices to arrange an appointment.

Charges and Exempt Information

Charges may be imposed for the provision of some of the information within this publication scheme. Where a heading set out below contains information which is subject to the levying of a charge this is made clear with a £ symbol shown. In adopting this scheme there has been an effort to be as open as possible but there are instances where, for legitimate reasons, certain information is not available or is exempt from disclosure. Where this is the case the reasons behind the decision to exclude certain information will be clearly stated. A decision to exclude information is made following consideration of the general exemptions contained in the Act, the Environmental Information Regulations and the Data Protection Act or where it may be of a confidential or commercially sensitive nature.

All copyright in information made available or supplied is reserved by the MLC.

The Information Available

1. Who we are and what we do

Constitution of the Board, including the structure & membership of the Board.
Staffing Structure
Geographical area covered
Outline of responsibilities
Location of offices and contact details
Details of administered drainage boards

2. What we spend and how we spend it (£)

Annual accounts
Audit of accounts
Revenue and capital spending plans
Financial Regulations
Funding; details of drainage rates, special levies, grants and other financial contributions
Programme of Works
Contracts awarded and their value

3. How we make decisions (£)

Meeting and committee minutes
Public consultations
Reports of advisory groups
Environmental Impact Assessments
Other publicly available reports

4. Our policies and procedures

Policies and procedures for the conduct of the MLC’s business
Policies and procedures about the provision of services
Policies and procedures about employment matters
Whistle blowing policy
Anti-fraud & corruption policy
Data protection policy
Freedom of Information Publication Scheme

Statutory Notices
Charging regimes and policies
Biodiversity Action Plan

5. Commissioners Lists and registers (£)

Drainage and Navigation Infrastructure
Statutory Returns
Rate Register
Register of members' Interests
Register of Gifts and Hospitality
Fishing Information

6. The services we offer (£)

Regulatory role – including planning applications
Byelaws
Information for landowners and occupiers, developers and users of the navigation
Notices, leaflets and guidance and planning consent and guidance documents
Media releases
Details of the services for which the MLC are entitled to recover a fee together with those fees

7. Navigation matters

Navigation notes
Navigation closures
Mooring Policy
Boat Safety Information

Feedback

Feedback about this publication scheme should be directed to the Chief Executive via e-mail or the postal address above. If you are not satisfied that information is being published in accordance with this scheme you can refer your complaint to the Information Commissioner:

The Case Reception Unit
Customer Services Team
Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.gov.uk/complaints/freedomeofinformation.aspx

SAFEGUARDING PUBLIC MONEY

The monies held by the Middle Level Commissioners and the administered internal drainage boards and the Commissioners for Imbanking Fenlands and Low Grounds constitute public funds. The Commissioners and IDBs have therefore adopted the following framework to safeguard such funds.

Framework to safeguard public money

1. <u>There must be in place safe and efficient arrangements to safeguard public money</u>

(a) Regulation 4(1) of the Accounts and Audit (England) Regulations 2011 requires the Commissioners/IDBs to ensure that their financial management is adequate and effective. The Regulations also require there to be a sound system of internal control. This includes arrangements for the management of risk. Nowhere is this more important than when considering how to manage money.

What is money?

(b) 'Money' includes cash and anything easily converted into cash. For example, a non-exhaustive list of money includes:

- physical cash and notes, petty cash and unclaimed receipts, imprest accounts, cash in transit;
- unpaid income held by debtors;
- signed and unsigned cheques, drafts and other orders for payment;
- current, deposit and investment accounts at banks and financial institutions and access to undrawn borrowing facilities;
- credit cards (where held – see below), debit cards, store cards, fuel cards;
- access to balances by telephone or electronic transfer; and
- the ability to buy goods or services on credit.

(c) This guidance applies to all accounts held with financial institutions, as principal or trustee, including controls over access whether physical or electronic. 'Public money' refers to all money controlled by the Commissioners or IDBs.

Roles and responsibilities of members

2. The effectiveness of the arrangements to protect money must be regularly reviewed

(a) The Commissioners and IDBs are responsible for putting arrangements in place to safeguard public funds. They may delegate the role of protecting money to individuals, for example to the Clerk or the Treasurer, but the legal responsibility always remains with the authority and its members.

(b) Therefore, arrangements should:

- demonstrate how those responsibilities are met;
- be current; and
- include specific duties of individuals.

(c) The duties of such individuals may include:

- securely managing money;
- identifying internal controls; and
- supervision measures.

(d) External advice and guidance to enhance internal expertise, skill or knowledge may be sought from time to time. Periodic reviews of arrangements should be reported to the Commissioners/IDB.

3. The Commissioners/IDBs must arrange for the proper administration of their financial affairs and that one of its officers has responsibility for those affairs

The duties of those charged with day-to-day administration of the monies of the Commissioners/IDBs include to advise the Commissioners/IDBs on their:

- corporate financial position;
- key financial controls necessary to secure sound financial management;
- cash and investment management; and
- on the requirements of the Accounts and Audit Regulations.

Corporate arrangements for monitoring and scrutiny

4. Income and expenditure and the money represented by each must be protected and controls over money must be embedded in Financial Regulations

5. The Commissioners/IDBs must approve the setting up of and any changes to accounts with banks or other financial institutions

6. Corporate credit card accounts must be set up to operate within defined limits and cleared monthly

7. The Commissioners/IDBs must approve every bank mandate, the list of authorised signatures for each account, the limits of authority for each account signature and any amendments to mandates

(a) Financial Regulations should set out clearly the responsibilities of those handling money.

(b) Internal controls should include clear arrangements for the temporary holding, transit and storage of cash and clear rules about the frequency of banking. Those handling money and those with responsibilities for controls should be aware of the terms of the insurance cover for money movement and security.

Corporate controls to manage risk, error and fraud

8. Risk assessment and internal controls must focus on the safety of the Commissioners'/IDBs' assets, particularly money

To the extent possible, the Commissioners/IDBs should apply and monitor a clear segregation of duties regarding money and its movements.

9. Those with direct responsibility for money must undertake appropriate training from time to time

(a) Members should keep themselves informed about known risks and threats to money. The Commissioners/IDBs may engage with police and local anti-fraud and corruption networks to keep up to date with risks and security threats.

(b) Fidelity Guarantee insurance or any other form of security is not by itself sufficient protection over threats to money or other assets. Risk assessed insurance should, however, always cover maximum exposure to loss of money.

(c) Bank reconciliations should be carried out at intervals of no greater than monthly and will be reported through the Commissioners'/IDBs' Annual Return. In the event of bank reconciliation discrepancy, explanations should be checked and verified.

(d) The Commissioners/IDBs have authorised those approved on their bank mandate to make payments to suppliers between meetings. However, the Commissioners/IDBs must receive a schedule of paid accounts at every annual general meeting, listing all payments that have been made to suppliers during the reporting period.

(e) Internal audit should review and report on controls over money annually.

(f) The Commissioners/IDBs may from time to time request written confirmation of balances from the bank/financial institution. This may be more frequent where paper statements are not received, and reliance is placed on electronic information.

MIDDLE LEVEL COMMISSIONERS

Whistle Blowing Policy and Confidential Reporting Code

POLICY AIMS

The aim of this policy is to maintain a working environment where people, whether they are employees of the Commissioners, suppliers, contractors, members or private individuals co-opted on to committees are able to raise concerns where they think there is misconduct or malpractice, and to know that their concerns will be taken seriously and investigated. The policy is intended to give confidence to employees to whistle blow and, as such, it incorporates statutory provision for protection under the Public Interest Disclosure Act 1998. Members of the public may also have concerns. That is why we have produced this whistle blowing policy not only to help our staff, but we will publish this document on our website to enable the public to also contact us with their concerns.

OUR COMMITMENT

The Commissioners attach high priority to ethical standards and probity and are committed to taking appropriate action where misconduct or malpractice is identified. We are committed to being open, honest and accountable. The Commissioners will protect both former and current staff from being penalised for raising concerns about misconduct or malpractice provided that allegations are made in good faith and without mischievous or malicious intent.

The following are affected by this policy:

- All former and current employees
- Members
- Private individuals co-opted on to committees
- Suppliers and those providing services under a contract whether working for the Commissioners on Middle Level premises or their own premises.

INTRODUCTION

Employees are often the first to realise that there may be something seriously wrong within the Commissioners. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Commissioners. They may also fear harassment or victimisation. In line with the policy statement, we encourage employees and others that we work with, who have serious concerns about any aspect of our work, to come forward and voice those concerns. We wish to make it clear that they can do so without fear of victimisation, subsequent discrimination or disadvantage. This ‘Whistle blowing Policy and Confidential Reporting Code’ aims to encourage and make it possible for employees to raise serious concerns within the Commissioners rather than overlooking a problem or ‘blowing the whistle’ outside.

AIM AND SCOPE OF THE POLICY

This policy aims to:

- encourage anyone to feel confident in raising serious concerns and to question and act on their concerns about practice
- provide avenues for anyone to raise those concerns and receive feedback on any action taken and make sure that anyone receives a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- reassure anyone that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

There are existing procedures in place which make it possible for staff to lodge a grievance relating to their own employment. This policy is intended to cover major concerns that fall outside the scope of other policies and procedures. These concerns include:

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of public funds
- the Commissioners' Constitution (including Standing Orders or Other Regulations etc) not being observed or being breached by members and/or officers
- possible fraud and corruption
- sexual or physical abuse
- other unethical conduct
- information relating to any of the above being deliberately concealed or attempts being made to conceal the same.

This means that any serious concerns anyone has about the conduct of officers or members or others acting on behalf of the Commissioners can be reported under this policy. This may be about something that:

- makes anyone feel uncomfortable in terms of known standards, or
- is against Financial Regulations, Procedural Rules, etc
- falls well below established standards of practice
- amounts to improper conduct.

The concerns must however be raised in the public interest.

What is not covered?

This policy cannot be used to deal with serious or sensitive matters that are covered by other procedures. Such procedures include the following:

- Staff complaints about their employment. These complaints are dealt with through our Grievance Procedure
- Complaints about our services. These complaints are dealt with through our Complaints Procedure

SAFEGUARDS

The Commissioners are committed to good practice and high standards and want to be supportive of employees. It is recognised that the decision to report a concern can be a difficult one to make. If what is being reported is true, there should be nothing to fear because the person reporting will be doing their duty to the employer and those for whom they are providing a service. Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect staff.

CONFIDENTIALITY

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

ANONYMOUS ALLEGATIONS

This policy encourages anyone to put their name to an allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Commissioners. In exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources.

UNTRUE ALLEGATIONS

If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the person concerned. If, however, they make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them where appropriate.

HOW TO RAISE A CONCERN

If the person works for the Commissioners, they should normally raise their concerns with their line manager. This depends however on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if they believe that management is involved, they should approach the Chief Executive or in the absence of the Chief Executive, or if the complaint relates to the Chief Executive, the Treasurer or the Board

Chairman. Concerns may be raised verbally or in writing. Anyone who wishes to make a written report is invited to use the following format:

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

The earlier the concern is expressed the easier it is to take action. Although no one is expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person being contacted that there are reasonable grounds for their concern. Advice and guidance on how to pursue matters of concern may be obtained from:

- The Chief Executive

It may be appropriate to consider discussing a concern with a colleague first and it may be easier to raise the matter if there are two (or more) of you who have had the same experience or concerns. Unions and professional associations may also raise matters of concern on behalf of their members employed by the Commissioners.

If you are a Commissioner, Board member or a member of the public you should contact the Chief Executive or, in his absence, the Treasurer.

HOW THE COMMISSIONERS WILL RESPOND

The Commissioners will respond to any concerns. Do not forget that testing out concerns is not the same as either accepting or rejecting them. Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry

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 should it take. The overriding principle which the Commissioners will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example fraud or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is carried out. Within ten working days of a concern being raised, a line manager, the Treasurer or Chief Executive, depending upon who has been approached, will write:

- advising that the concern has been received
- advising how we propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- advising whether any initial enquiries have been made
- supplying information on staff support mechanisms where appropriate
- advising whether further investigations will take place and, if not, why not.

The amount of contact between the officers considering the issues and the person raising them will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Commissioners will get further information from them.

The Commissioners will take steps to minimise any difficulties which may be experienced as a result of raising a concern. The Commissioners accept that individuals need to be confident that the matter has been properly addressed. Therefore, subject to legal constraints, we will tell them the outcome of any investigation.

THE RESPONSIBLE OFFICER

The Chief Executive has overall responsibility for the maintenance and operation of this policy. In the absence of the Chief Executive, the Treasurer will act on his/her behalf. They maintain a record of concerns raised and the outcomes (but in a form which does not endanger anyone's confidentiality) and will report as necessary to the Commissioners.

HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide anyone with an avenue within the Commissioners to raise concerns. If internal advice is required before starting action, you may talk to:

- an immediate line manager, the Treasurer or the Chief Executive
- the local union branch.

The Commissioners hope everyone will be satisfied with any action taken. If they are not, and they feel it is right to take the matter outside the Commissioners, the following are possible contact points:

- the External Auditor
- the Internal Auditor
- the local Citizens Advice Bureau
- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation
- the police
- the independent charity Public Concern at Work. Their lawyers can give free confidential advice at any stage about how to raise a concern about serious malpractice at work. The charity's contact details are: 020 7404 6604 /020 7404 6576/www.pcaw.co.uk/ whistle@pcaw.co.uk (enquiries)/ helpline@pcaw.co.uk (helpline)/Public Concern at Work, Suite 306, 16 Baldwin Gardens, London EC1N 7RJ

If the matter is taken outside the Commissioners, you must ensure that you do not disclose confidential information. Check with the Chief Executive or the Treasurer about that.

WHISTLE BLOWING DO’S AND DON’TS

Do

- keep calm
- think about the risks and outcomes before you act
- remember you are a witness, not a complainant
- phone Public Concern at Work for advice on 020 7404 6604

Don’t

- forget there may be an innocent or good explanation
- become a private detective
- use whistle blowing procedures to pursue a personal grievance
- expect thanks.

The policy will be reviewed again if there are any changes in legislation or reorganisation of the staff structure.

Services to Other IDBs

The Middle Level Commissioners (MLC) are in principle prepared to undertake work, either of an administrative/financial or of an engineering nature, on behalf of other statutory Internal Drainage Boards (IDBs) and, where appropriate other persons or bodies.

Most of the IDBs administered from the Middle Level Offices were taken on in the 1970’s. Other IDBs have joined more recently. The engineering Department undertakes a variety of functions on behalf of IDBs and other persons or bodies, ranging from the arranging for the undertaking of the IDBs drainworks programme to ‘’one off’’ specific tasks.

Assessment

When an IDB requests MLC to perform a function for them, an assessment will be undertaken into the costs and implications of this.

The MLC’s underlying policy is that the appointment and retention of a suitable number of qualified employees with the required level of expertise is of benefit to the MLC and their rate and levy payers. The taking on of work on behalf of an IDB and others helps to provide this and other mutual benefits. It enables the MLC to justify the appointment of employees who would not be required if the MLC stood alone and provides the advantages of being able to justify full time officers and provide cover for sickness, holidays and other emergencies.

Often the administrative work is undertaken on behalf of IDBs generally and where this is the case, the addition of another IDB will not add greatly to the workload.

1 Administration/Financial

Where an IDB requests the MLC to undertake its administrative/financial work, the Clerk and the Treasurer of the MLC will undertake a provisional assessment of the workload and the requirements for resources. This assessment will also include an assessment of which employee will perform the routine tasks on behalf of the IDB and whether there are likely to be any implications for regarding any employee in consequence of any extra workload to be taken on. The MLC are not a profit-making body but are required to ensure that their costs are covered and that the undertaking of work for another body does not disadvantage their rate and levy payers. The MLC will therefore ensure that the fees to be charged to the IDB will fully cover the additional cost to the MLC together with a return of 4%, based on Treasury guidance. The Treasurer will ensure that the fees charged to IDBs are indexed annually so that they continue to cover such costs.

The Clerk to the MLC will from time to time undertake an assessment of the staffing costs which the MLC would incur if the MLC stood alone. Such costs will take account of pension provision and the need for adequate cover. The additional costs paid by the MLC over and above this amount will then be considered to be incurred as a result of and on behalf of, the administered IDBs.

In addition, all expenses incurred on behalf of an authority, whether travelling or subsistence, fees, the relevant portion of bulk agreements, fuel or otherwise will be charged at cost to the relevant authority.

There is clearly a risk that, if too much work is taken on, employees will be unable to cope with the workload or will fail to perform tasks adequately. Such risks are dealt with in three ways

a) An assessment of the existing workload is undertaken from time to time to seek to ensure that adequate resources are available.

b) Before work for any new body is taken on, the assessment referred to above is undertaken.

c) Work is only undertaken for authorities within or within a reasonable geographical distance of the MLC area. While the advent of modern technology would now make it possible to undertake work for an authority situated some distance away, there is a risk that employees will have to spend too much time in familiarising themselves with the authority's area and in travelling to that area and that issues different from those encountered in working for MLC and authorities in the local area.

In addition, should the workload in respect of an individual authority or authorities generally increase to an extent that risks may arise or increase to an unacceptable level, a further assessment of the position is undertaken.

2 Engineering

Where an IDB or other person or body requests for the first time the MLC to undertake engineering work, the Chief Engineer of the MLC will undertake a provisional assessment of the workload and the requirements for resources. This assessment will also include an assessment of which employee will perform the work and whether there are likely to be any implications for regarding any employee in consequence of any extra workload to be taken on. The MLC are not a profit-making body but are required to ensure that their costs are covered and that the undertaking of work for another body does not disadvantage their rate and levy payers.

The Chief Engineer to the MLC will from time to time undertake an assessment of the staffing costs which the MLC would incur if the MLC stood alone. Such costs will take account of pension provision and the need for adequate cover. The additional costs paid by the MLC over and above this amount will then be considered to be incurred as a result of and on behalf of, the administered IDBs. The Chief Engineer will likewise from time-to-time review employee charge out rates for the provision of engineering services.

In addition, all expenses incurred on behalf of an IDB, body or person will be charged to them at cost.

There is clearly a risk that, if too much work is taken on, employees will be unable to cope with the workload or will fail to perform tasks adequately. Such risks are dealt with in three ways

a) An assessment of the existing workload is undertaken from time to time to seek to ensure that adequate resources are available.

b) Before work for any new body is taken on, the assessment referred to above is undertaken.

c) Work is only undertaken for authorities within or within a reasonable geographical distance of the MLC area. There is otherwise a risk that employees will have to spend too much time in familiarising themselves with the authority's area and in travelling to that area and that issues different from those encountered in working for MLC and authorities in the local area.

In addition, should the workload in respect of an individual authority or authorities generally increase to an extent that risks may arise or increase to an unacceptable level, a further assessment of the position is undertaken.

All Engineers have costed hourly rates when carrying out work on behalf of other authorities. Any work undertaken for these authorities will be charged at such applicable rates unless a different charging rate is approved under the Schedules of Reserved Matters and the Scheme of Delegations.

Where an authority or body requests work to be done on their behalf by the MLC engineers, the Chief Engineer or his representative will review the request as far as is necessary to ensure that the work

a) falls within the MLC's areas of competencies and

b) will not put an undue strain on the resources of the MLC or prevent or unduly delay the undertaking of any MLC work or function or any work of another authority or body which the MLC have already agreed to undertake and

c) is proposed to be charged out at the appropriate rates

Any decisions to increase resources or to undertake work for a body for which work has not previously been undertaken, either at all or to the extent or scale requested will be taken according to the Schedules of Reserved Matters and Scheme of Delegations.