



Northern Ireland
Assembly

Committee for Health, Social Services and
Public Safety

OFFICIAL REPORT (Hansard)

Northern Ireland Fire and Rescue Service:
Briefing from Ms Linda Ford

23 January 2013

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Ms Sue Ramsey (Chairperson)
Mr Roy Beggs
Ms Paula Bradley
Mr Mickey Brady
Ms Pam Brown
Mr Gordon Dunne
Mr Samuel Gardiner
Mr Kieran McCarthy
Mr Conall McDevitt

Witnesses:

Ms Antoinette McMillen	Northern Ireland Public Service Alliance
Ms Linda Ford	Northern Ireland Fire and Rescue Service

The Chairperson: I welcome Linda Ford. She is accompanied by her union representative, Antoinette McMillen. Linda, thank you very much for coming. I will hand over to you to outline your issues and concerns or to describe the journey that you have been on. We will then open it up to members for comments or questions. You are more than welcome here today.

Ms Linda Ford (Northern Ireland Fire and Rescue Service): I thank the Committee for letting me come here today to give evidence on the investigation of the Northern Ireland Fire and Rescue Service (NIFRS). I never imagined that I would be in this position, and I am disappointed that things have escalated to this point.

I want to put on record that front line firefighters provide an excellent service in a very challenging environment, and I do not wish to detract from that in any way. From conversations with the Minister and the chief executive, it is clear that they wish to move forward and to draw a line in the sand. I believe that that is important, not only for the organisation but for me as an individual. However, I do not believe that that can happen until a full and proper investigation has been completed and accountability in the public interest has been shown.

My background in the public sector commenced in Lisburn Borough Council in 1984, some 28 years ago. I have a degree in business studies, a professional accountancy qualification and an MSc in innovation management in the public sector. When I left Lisburn Borough Council, I moved to Castlereagh Borough Council as its finance manager, and I was appointed to the position of finance manager with NIFRS in 2003. In 2007, I was promoted to my current position of financial accountant.

I chose to work in the public service because I believe in public services and the accountability of public servants. I wish to be clear: I had no option but to whistle-blow, and I am extremely disappointed at how I have been treated as a result of having done the right thing. It is important that lessons are learned for the future treatment of others. There needs to be accountability within the public sector when issues like this arise, and, in my view, that has not been evident within NIFRS. What message does it send out to other employees in the organisation if there is no accountability on these issues?

I do not believe that anyone should have to go through the treatment and experience that I have had to endure since I raised my concerns in 2010. I believe that I have been treated like a criminal. I have been relocated from my substantive role since November 2010; suspended for one year; and had my systems access removed and restricted. I believe that my character and professionalism have been questioned and my name blackened. That, I believe, has brought my career prospects to an end. This is all very unfair for having done the right thing. It is my understanding that my computer records and e-mails have been trawled through. I am unclear as to who authorised that and as to its purpose. The organisation was trying to find something to use against me for having done the right thing. I have felt totally isolated.

From my return to work in 2012, I have been instructed not to communicate directly with any member of the finance department, with all communication to be done via the Chief Fire Officer. Any information that I have requested to date via the Chief Fire Officer has never been received. Obtaining access to the operational computer files and information is normally a three-page process. The folder that I am holding demonstrates the process that I have gone through to get access since my return. Colleagues who have witnessed the treatment of me have spoken of their genuine fear about speaking out, now and in the future.

Dr McKee stated at the Health Committee:

"It is a great handicap to me and the board when people do not come forward and say, "Here is an issue that you need to know about"."

As you are aware, I have done that. I did the right thing, and, as a consequence, I have been treated terribly and continue to have sanctions against me. Who would come forward now having seen what I have been put through? Where is, or has been, the duty of care to me from the Department and NIFRS?

It is a matter of public record that I blew the whistle on a number of issues. The majority were investigated by the Health Department and two were investigated by the Audit Office in respect of non-uniform salaries and corporation tax, but they were not included in the report and were only referred to briefly.

I ask the Committee to request copies of the detailed report on the two allegations that were not substantiated, as I have difficulty with the findings. I can confirm that the Department's audit team never interviewed me as part of its investigations or asked for clarification. I only met the auditors for them to provide me with their conclusions. That is a serious fault in the whistle-blowing process. When I eventually received the report in August and provided comments, I was most disappointed that very few of the comments were reflected in the final version of the report. I was disappointed to read comments such as:

"The Whistleblower has expressed an objection to the inclusion of this paragraph...However, the Whistleblower has not provided clarification or additional relevant evidence for consideration by the Investigation Officers."

I confirm that at no point was I contacted to request such clarification or to provide additional evidence. My treatment throughout the investigatory process has been appalling. What message does that send to the public service on whistle-blowing?

I wish to comment briefly on some discussions that have taken place at the Health Committee to provide additional information or clarification. The chairman of the board, Dr McKee, advised the Health Committee on 12 December 2012 that the biggest challenge that his board faced was getting the right information to fulfil its scrutiny role. That surprises me, because he made a decision not to circulate the May 2012 report to the other board members. How, therefore, can the board carry out a proper governance and scrutiny role?

Furthermore, when I blew the whistle to the permanent secretary, I provided copies to the chairman of the board and to the chair of the audit committee. It is clear that the chairman of the board took no action, as he viewed it as an executive matter for the Chief Fire Officer to pursue. That does not fit with the chairman of the board's words to the Health Committee in December. In response to a question posed by Mr Dunne, the NIFRS chairman stated that it was probably fair to say that he regretted very much that the grievances have gone on as long as they have. As they are live grievances, I am unable to comment on them in detail, but I can provide an example of the maladministration experience that the chairman was privy to. I had grievances against the Chief Fire Officer. The chairman, Dr McKee, was involved with both grievances and clearly discussed the issues directly with the Chief Fire Officer; he advised me that the Chief Fire Officer would liaise with me directly on the issue. This is recognised in your audit report, page 14, 7.4:

"These grievances should have been heard by an independent person (the Chairman or a member of the Board) however the CFO personally responded to the first grievance and was involved to some degree in considering the second and neither of them were heard ... contrary to the Disciplinary Policy and Procedure".

That should not have happened. If the chairman of the organisation does not follow due process, how can staff or the public have faith in the corporate governance of the organisation?

Regarding my suspension, the chairman, Dr McKee, drew members' attention to allegation 11, stipulating that there were two aspects to my suspension letter: the reporting of financial irregularities and the other was assessing financial files unapproved. What he omitted to elaborate on was that the report clearly states:

"We conclude that it is much more likely than not that the main motivation for the suspension of the whistleblower arises from the chief fire officer's need for a solution to a difficult and protracted problem."

It also states that the issue was not independently corroborated by the Chief Fire Officer. My suspension letter of 19 August informed me that the director of finance brought the issue to the Chief Fire Officer's attention. I can confirm that no detailed allegation was ever raised directly with me despite an investigation being undertaken from approximately April 2011. Any work that I was carrying out on behalf of the director of planning, who, by the way, was my line manager, was undertaken in good faith and under direction.

I am aware that other ICT protocol and data protection issues have arisen in NIFRS. I request that the Committee ask for the details and that it consider the difference in treatment in comparison with me. That would be from 2009 to date.

I raised legitimate concerns and was punished for doing the right thing. This extended process has had a detrimental effect on my home life, and on my mental and physical health. I do not believe that a full investigation report has been provided; I believe that the conclusions have not taken into account all the available evidence; and I was not given an opportunity to provide detailed evidence, which, I feel, was necessary for an informed conclusion.

Thank you. I will take any questions that you may have.

The Chairperson: Linda, thank you. The session is being recorded by Hansard, so it may be an idea if you could pass on your presentation because I would like to go through some of it in more detail.

Ms L Ford: OK.

The Chairperson: This does not end today. Perhaps you could leave a copy of the procedure that you have to go through now compared with other civil servants in other Departments. You highlighted issues in the folder.

Ms L Ford: Yes.

The Chairperson: When was your date of suspension?

Ms L Ford: My suspension started on 19 August 2011.

The Chairperson: Who was the chairman of the board before that?

Ms L Ford: The chairman was Dr McKee at the time of my suspension; before that it was Bill Gillespie. There was a period with an interim chairman, a Mr Coleman.

The Chairperson: OK. I have a copy of an e-mail sent to a Mr Coleman from the acting Chief Fire Officer, Louis Jones, going back to 23 July stating that there were other accusations and allegations regarding a named individual — not yourself — and stating that if the circumstances that you were raising were correct, the other named individual should be suspended from duty until the matter had been investigated. I am conscious that you may not know many of these answers, and members need to be aware of that. Are you aware, going back as far as 23 July, of any other investigations that, directly or indirectly, affected you or in which you were involved?

Ms L Ford: I am aware of the e-mail that you refer to because I received it under a freedom of information request, and it is also referred to in the report, but I am not aware of any investigation at that stage.

The Chairperson: So the acting Chief Fire Officer proposed or suggested to the acting chairperson that something other than what was going to happen should have been done — and it did not happen?

Ms L Ford: Basically, he suggested that if my reason for not being at work was to do with a certain individual, that would mean that there were two senior members of the finance team out of the department. He was suggesting that if that were the case, that a certain individual would be placed under precautionary suspension.

The Chairperson: However, that did not happen.

Ms L Ford: No. Moreover, on page 15, paragraph 7.5 of the report says that when Chief Fire Officer Craig took up the post:

" he decided that the DFPM [director of finance] would not be suspended, on the basis that there was no change in the risk factors".

The report elaborates:

"In our view this was unsound logic as the risk factors had changed after a second ... member of ... Staff had made an allegation".

I can confirm that there are still two members of staff relocated from the finance department.

The Chairperson: What is your job title? What are you employed as in the Fire Service?

Ms L Ford: I am a financial accountant.

The Chairperson: You were employed as a financial accountant, you went through all this process, and the Department gave you a public apology and awarded you damages for how you were treated. To me, that shows that you did not do anything wrong. What is your job title now?

Ms L Ford: My job title has not changed, but I am not performing —

The Chairperson: Your duties are not the same?

Ms L Ford: No; they are not. I am not performing my substantive role. I am still relocated. I am not allowed to speak to any member of the finance department, which is the staff that I used to manage.

The Chairperson: OK. You got an apology and substantial damages — probably not substantial compared to what you have been through — but you are not back to what you were doing?

Ms L Ford: No.

The Chairperson: And now you are answerable to the Chief Fire Officer?

Ms L Ford: He is my interim line manager, yes.

The Chairperson: Do you feel that you have been vindicated?

Ms L Ford: When I received the apology, I felt vindicated. However, when I returned to work and continued to be treated like a criminal, I found it very difficult. I look back at the apology and I am also now aware that Dr McCormick, at the time of my suspension, was communicating directly with the Chief Fire Officer and the director of finance. He was well aware of the issues. He is also aware that when I whistle-blew to him in the letter that I sent to him, I was raising concerns regarding certain individuals, yet he was communicating with them directly. I wrote to him on 26 August and requested that he intervene to rescind my suspension and to ensure that NIFRS adhere to proper processes and that I would be free from victimisation. Unfortunately, Dr McCormick did not intervene. I will quote a few words from his apology:

"I have concluded that we should have taken a more robust and tangible role in ensuring that your treatment throughout was more sensitive and appropriate. I apologise for not ensuring that this matter was handled more effectively. It is clear that the Department can and will learn lessons from this event. I sincerely hope that you will soon be able to return to work. I am confident that you will be able to resume your career without damage to your personal or professional integrity."

In October 2012, I asked to speak to Dr McCormick directly, but he declined. My treatment for doing the right thing has been appalling, and it continues to date, so I am unsure what lessons Dr McCormick refers to in his letter.

The Chairperson: You got that letter in July. Nothing has changed, and you asked for a meeting with the permanent secretary in —

Ms L Ford: I asked to speak to him in October 2012.

The Chairperson: That was after you had returned to work.

Ms L Ford: Yes.

The Chairperson: He declined to talk to you. They thought that they would give you a few pounds and everything would go away, but nobody has asked you whether there have been any changes.

Ms L Ford: That is correct. I communicated with him and offered to speak to him, night or day, and he declined.

The Chairperson: You mentioned other reports, Linda. For your information, the Committee agreed last week or the week before to ask the Department for a copy of any internal or external reports that have been carried out since January 2010. That is to allow us to work through some of the issues. We are waiting for that.

You mentioned a full and proper investigation. When the Minister brought these reports to the Assembly a number of weeks ago, he basically said, and I am paraphrasing, that that was that, there was a line in the sand and that we needed to move on. It just so happened that other things came up, so there was another investigation going on. I was struck during your presentation by the fact that you had never once been interviewed by the investigation panel on the complaints that you brought forward. Is that correct?

Ms L Ford: Yes. You asked the question of Julie Thompson, and she was careful with her words and how she answered.

The Chairperson: You bring forward allegations and accusations; the Department, through the permanent secretary, admits that it handled it wrongly; he apologises and hopes that you return to work and resume your career without damaging your personal or professional integrity; and an

investigation team is set up to look at the allegations. However, nobody spoke to you once. Is that correct?

Ms L Ford: That is correct. They asked me to attend a meeting at which they informed me of their conclusions, the number substantiated and the number partially substantiated. I was in the meeting with four other individuals, and they had the report in front of them. I was not given a copy of the report. They gave me very little detail, and I was never investigated or asked to provide additional information.

The Chairperson: Do you find that —

Ms L Ford: I found it unbelievable.

The Chairperson: I want to go into some of the report, although I am conscious that you may not be able to answer to all of it. Paragraph 1.2 states that the Chief Fire Officer at the time, Peter Craig, said that he was placing you on precautionary suspension, and he conveyed his disappointment, etc, etc. The paragraph continues:

"However, during interview as part of this investigation, the CFO accepted that the Whistleblower had acted within the NIFRS Whistleblowing Policy."

You were not asked that, because nobody asked you to take part in it. Are you aware of whether the Chief Fire Officer was disciplined about that?

Ms L Ford: I am not aware.

The Chairperson: Have you any idea what date that was?

Ms L Ford: Do you mean the date on which he made that comment to the auditors?

The Chairperson: Yes.

Ms L Ford: No, but the Department would have that detail.

The Chairperson: Taking on board the fact that you were not spoken to as part of the investigation before they came to their conclusions, paragraph 1.8 states:

"Of the 9 allegations investigated by DHSSPS two are substantiated, three are largely substantiated, two are partly substantiated and two are unsubstantiated ... The Whistleblower responded to the draft investigation".

Did they ask you for any additional information to back up those that were not substantiated?

Ms L Ford: No. We had a meeting at which I presented my comments on the report. I made such statements as, "I do not agree with this paragraph" and I said whether I thought it was misleading or inaccurate, and they put in the comment that I had stated those words but did not provide them with additional information. No one ever came back to ask me for additional information. I asked that some of the paragraphs be removed because I felt that they were misleading and I did not believe that they should have been in the report.

The Chairperson: Paragraph 1.10 recommends that the corporate management team establish a formal and comprehensive cultural change etc. Are you aware of that happening to date?

Ms L Ford: No.

The Chairperson: Are you aware of any changes being made since the reports were published?

Ms L Ford: No.

The Chairperson: I know that other members are keen to get in, but I have another couple of points. There is also the issue of unapproved sponsorship and the Land Rover that appeared and disappeared and appeared and disappeared. It went all round the world and came back again. Paragraph 4.3 says:

"The vehicle was stored in a lock-up in an industrial estate at Carryduff. We have also been told that all parties were aware that it had not been returned to the supplier."

Who do you believe "all parties" are?

Ms L Ford: Sue, I think that it is best if I do not answer that question.

The Chairperson: OK; that is fair enough.

Mr McCarthy: Thanks very much for your presentation, Linda. We have learned something about your professional capacity. You were employed in the finance departments of different councils. Any of us who have worked in councils know how important a job that is. The very term "whistle-blower" annoys me: you were only doing what any proper, right-minded person would do. There was something wrong in the Department, and you brought it to the attention of your superiors; that is normal practice. I do not like the term "whistle-blower" but, anyway, it is used. We have a commitment from the Department that whistle-blowing is now an acceptable practice that will be treated fairly and squarely. Obviously, in your case, it has not been.

There is so much to this saga. I join you in commending the fire officers on the streets — on my street and everybody else's streets — who daily save lives. I have been speaking to those people, and they are committed. However, they are distressed at what has happened at the top of their organisation. I have said in the Senate Chamber before that that is totally unfair. Their morale is very low, and the sooner we get the whole episode sorted out, the better.

In my opinion, you were treated abysmally. You may have read the Hansard report of the Committee meeting on 28 November 2012 when I asked the Minister, the permanent secretary and Julie Thompson about this matter. The permanent secretary said that he acted wrongly in his treatment of you, etc. However, at the end of the day, someone somewhere has to take responsibility for what has happened to you and what has happened to the Fire Service, and the sooner that is done, the better.

We have heard the officials at the top say, "We want to move on." Of course we want to move on, but we want to move on in a way that corrects what has happened. The new chief executive, Jim Wallace, has been to the Committee. You do not mention him in your submission. I do not know how he has taken this. He was brought in specifically to get this cleaned up and to move on. Where do you fit in under his command? You are still working, and he is the chief executive. What do you think needs to be done to get out of this mess and to ensure that it will not happen again and that we can move on and support the firemen and women who are saving lives?

Ms L Ford: Kieran, I, too, wish to move on, because I need to get my life back. Yes, we have a new chief executive. My line manager is the interim Chief Fire Officer.

The Chairperson: Is he back from sick leave?

Ms L Ford: Yes; he came back at Christmas.

Mr McCarthy: However, Jim Wallace, the chief executive, is above him again.

Ms L Ford: Jim is the chief executive, although I am unsure whether he is above the Chief Fire Officer. The Chief Fire Officer attends the board.

I believe that, in the public interest, a full and proper investigation must be completed on accountability. Someone has to be held accountable. If they are not, what message does that send to individuals in the organisation and to members of the public? There has to be accountability.

Mr McCarthy: Thanks, Linda. That is exactly what we want. We have said from day one that there has to be accountability; somebody has to be responsible for the sorry saga that has dragged the Fire Service into the gutter. We will not move forward until that is rectified. We have heard the

commitment from the head people. However, I agree with Linda that we will not move forward until somebody has been made accountable. That is to the detriment not only of the Fire Service but of everyone in the community.

Mr Beggs: On behalf of the Committee and the Northern Ireland public, I thank you for highlighting these issues and for utilising the whistle-blowing practice. It is clear that there has been a litany of bad practice that had to be exposed. It is important that there is a healthy whistle-blowing process that gives people protection. If things are not right, it is important that they be put right. Thank you for carrying out your duty.

I find it incredible that, to date, you have not been interviewed. An inspection has been carried out, but I would have thought that you would be one of the key witnesses. There may be information in your head that is not down on paper somewhere. I find that very strange. I find even stranger the comment at paragraph 8.3:

"The Whistleblower responded to this paragraph stating that the conclusion is inaccurate."

I would have thought that normal practice would be that if someone says that there is a problem with a report, you get to the bottom of that problem when it is being drafted. It is indicated at that paragraph that it is much more likely than not that the main motivation for suspension was whistle-blowing. I think that you would agree with that. I am trying to understand what in that paragraph did you not agree with; that is very important.

Ms L Ford: Roy, I probably need to look at the version before that. The version that I made comment on, which I do not have with me today, is the second version. It was those paragraph numbers that I referred to. I will probably have to go back to my notes, but I can certainly forward that to the Committee.

The Chairperson: Can we check whether we can get that second version? We probably will not get it, because it is a work in progress.

Ms L Ford: The first version may be what went to the Northern Ireland Fire and Rescue Service in May.

The Chairperson: Are members agreed that we should ask for that?

Members indicated assent.

Ms Antoinette McMillen (Northern Ireland Public Service Alliance): Sue, I will just clarify that her comments are probably on our notes, so she will probably need to get her own.

The Chairperson: I am not disputing Linda's response; I am just seeing how many different versions there are and what was said.

Ms McMillen: We are not sure how many versions there are altogether.

The Chairperson: For Roy's information, the reason why I ask this is that Conall touched on it at one of the last meetings. Julie Thompson from the Department said in her responses to some of the questions that more than 400 documents were looked at and almost 60 staff interviewed in connection with the first whistle-blowing report. She did not say that the whistle-blower had been not interviewed. This shows that there were all types of documentation. If we are trying to get to the end of this, we need to ensure that we can access all the documentation. We might also find out who the 60 staff who were interviewed are.

Mr Beggs: Just to reinforce that, good practice in a draft report would be to be very clear about what issue is not being agreed or disagreed. It would be a much more complete report if that information were included factually rather than simply stating that there was disagreement. It leaves me in total doubt. I do not know what the issue is, and I do not think that anyone who was reading it would know what it is. It is almost as if something has been hidden away there, and it would have been better if you had been interviewed and the issues had been put out into the open and clearly stated.

Another issue in the report is that of security risks. Any accountant or modern finance department is highly reliant on their computer system. This week, we heard that someone who was carrying out risk analysis in Barclays had identified issues in the insurance system. It was highlighted in the company's audit committee but was ignored, and it is costing it several billion pounds now. On page 24, paragraph 10.1, of the Department's report, it is stated that the IT manager highlighted the fact that there were attendant security risks with the finance directorate — I think that I am paraphrasing correctly — having obtained access, via the computer supplier, to log-on procedures and, perhaps, being able to circumvent the systems that had been in place. Are you aware of issues with logging on to the system, given that the proper procedures were not in place? With that, there could be uncertainty about who logged on at any one time.

Ms L Ford: My understanding, Roy, is that contact was made with the software supplier and that one individual had access to the system and had administrative rights. They were able to, perhaps, undertake transactions in the system that maybe were not logged through the normal IT department protocols. I am aware that, in the past few weeks, a circular has been sent to all staff to say that any ICT change requests have to be done through the IT department. Bearing in mind that I am not 100% on the detail of the report because I have not been liaising with the auditors, that is a question that you need to pose to the auditors. I have not been in the finance department for nearly three years.

Mr Beggs: It is very important that lessons are able to be learnt from the coalface from someone who has experienced the difficulty in whistle-blowing, because it is a vital method of ensuring good practice throughout the public sector. I hope that if you have criticisms or suggestions to improve the system, you will enlighten us, the Department or your own organisation. It is important that lessons are learnt so that those who are willing to expose bad practice feel safe to do so and can allow the better use of public money and the misuse to come to an end.

Mr McDevitt: Linda, at the beginning of your remarks, you told us that you are a qualified accountant. How long have you been an accountant for?

Ms L Ford: Since about 1998.

Mr McDevitt: Up to this episode, has your performance as an accountant ever been questioned?

Ms L Ford: No. In my previous two employments, there were never any performance issues. As I said, I moved to the Fire Service in 2003. I was promoted in 2007. In 2008, I was the reserve candidate for the position of financial controller. Late in 2009, there was a new assistant, and I am aware that the director of finance advised her that if she took her direction from me, she would not go far wrong because, technically, I was very good. I should also point out that the director of finance was on the recruitment panel that recruited me when I was promoted and also when I was the reserve candidate. That, to me, is a clear indication that there were no performance issues. However, when I submitted my grievance on 2 November, a couple of weeks later, the director of finance put performance issues to the HR department. I am aware of that because I put in a freedom of information request, and I received that as one of the documents. Performance issues have never been put to me by the organisation.

Mr McDevitt: As far as you are concerned, until all this started happening, you were a professional in the public service in good standing.

Ms L Ford: Yes. In the seven years that I prepared the annual accounts, there were never any issues. They were prepared on time, and I had a good relationship with the auditors.

Mr McDevitt: OK. You made reference to the fact that the grievance is ongoing, but, on two occasions in the months before Christmas last year, Mr Wallace told this Committee that the grievances would be closed by the end of the calendar year. Without going into detail, can you tell us where the grievance is?

Ms L Ford: I have a legal agreement that the grievances will be heard by an independent arbitrator, which is the Labour Relations Agency (LRA). My grievances have not been heard as yet.

Mr McDevitt: Is that because of a delay in the LRA, or do you believe that there is a delay elsewhere?

Ms L Ford: I received a letter this week giving me a list of the LRA arbitrators and asking us to select an individual from that list whom we would be happy to hear the grievances. Unfortunately, because the director of finance is off on sick leave, it is difficult to know how quickly —

Mr McCarthy: Is there anybody running the Fire Service? This is ridiculous.

Ms L Ford: It is difficult to know whether that will delay the grievances further.

Mr McDevitt: Just to be clear, there are nine substantive allegations made in the Department of Health, Social Services and Public Safety audit investigation of alleged irregularities at the Northern Ireland Fire and Rescue Service report, and you are the whistle-blower behind all of those.

Ms L Ford: Yes.

Mr McDevitt: Several are substantiated; some are unsubstantiated; some are largely substantiated; and some are partly substantiated. Do you have any observation to make on those allegations — which you clearly felt were serious or you would not have raised them, I presume — that were unsubstantiated by the report? For example, with regard to the question of alleged conflicts in the media services contract or the alleged manipulation of financial data/information, do you have any comment to make on the report team's inability to substantiate those allegations?

Ms L Ford: I believe that the report could be more factual. I have written to the Department on allegation number six.

Mr McDevitt: That is the alleged manipulation of financial data/information.

Ms L Ford: Yes. I have stated that I still believe that it should have been substantiated, and I sent three pages of comments that I wished to be included in the report, but, unfortunately, none of my comments was included. If I go to allegation number six, I can give you the example of possible comments. On page 7, paragraph 5.1 states:

"£1m was returned to DHSSPS ... but this was facilitated in order to assist with Swine Flu pressures that existed within Health at that time."

When you read the committee minutes, you see the details. I had asked that there be a further paragraph inserted to give members details of the background. I will read it as an example:

"The director of finance at the board meeting on 22 September 2009 informed members that NIFRS had agreed to surrender £2 million capital funding to the Department in respect of contingencies for swine flu."

That tells you that the organisation has already handed back £2 million.

"On 27 October, the director of finance explained to members that in-year easements had been identified, and £1 million of funding had been surrendered to the Department. Mr Campbell expressed concerns that the board had not had the opportunity to discuss the reasons for surrendering the funding and the relevant approval sought. Mr Bradley concurred with Mr Campbell and pointed out that NIFRS's budget was the responsibility of the board."

So, we had already handed back £2 million for the swine flu. The £1 million was handed back because of in-year easements. If you are handing funding back, why do you have a moratorium coming into place at the end of the year? That is just one of my comments. I go into more detail about journals that had been reversed. Why were they reversed? It is not clear in the report. It is my view that the auditors have not put their detailed findings in this report.

Mr McDevitt: It might be helpful if Ms Ford was to provide us with her detailed reply.

Ms L Ford: That is OK; no problem.

Mr McDevitt: I will pick up on two other points. The first is the basic question of duty of care. It seems to me that there would be no doubt in any reasonable person's mind that you were failed

abysmally by your employer, the Fire Service, in its duty of care to you. I will return to that in a second. However, the Department, as the sponsoring authority, also had a duty of care towards you. Do you think that the Department has failed you in its duty of care towards you?

Ms L Ford: Definitely.

Mr McDevitt: How do you think it failed you?

Ms L Ford: I made the protective disclosure to the permanent secretary. The permanent secretary was well aware that I was suspended. At the time of my suspension, he was communicating directly with the Chief Fire Officer and the director of finance. Even when I wrote to the permanent secretary asking that he intervene, he did not. When he sent his letter of apology, which I quoted from, he talked about "lessons being learnt". My treatment is still appalling. Being unable to communicate directly with one department's staff, to me, is not reasonable.

Mr McDevitt: We can pick up that matter when we talk to the Department again.

You have obviously read the Hansard report of the current NIFRS chairman's appearance before the Committee on 12 December. You may or may not remember, but I had an exchange with him about the correspondence that you sent to him and the timeline between your sending that piece of correspondence and Peter Craig telling him that he was going to suspend you.

Ms L Ford: Yes.

Mr McDevitt: From his answers, it seems to me that Dr McKee was not fully on top — to put it mildly — of his duty, as chairman of the board, to a member of Northern Ireland Fire and Rescue Service staff; nor did he appear fully on top of his role and duty as chairman when receiving correspondence such as the piece you sent him. Were you shocked to read that in the Hansard report?

Ms L Ford: Yes.

Mr McDevitt: Would you have expected him to have acted differently at that time?

Ms L Ford: You would expect a chairman to have reacted, to have taken action and to ensure corporate — *[Inaudible.]*

Mr McDevitt: From memory — it was before Christmas — am I right to say that that letter was copied to the chair of the audit committee, Alderman Geraldine Rice?

Ms L Ford: It was copied to the Chief Fire Officer, the chairman and Geraldine; yes.

Mr McDevitt: She is chair of the audit committee.

Ms L Ford: Yes.

Mr McDevitt: Do you think that Geraldine Rice fulfilled her duty towards the board by — it appears to me — not acting on that information?

Ms L Ford: I believe that all the individuals who were sent copies of the correspondence, which I sent to them so that I was being open and transparent, should have taken action.

Mr McDevitt: I may come back to some other things later, Chair. Thank you. Thanks, Linda.

Mr Brady: Thanks very much for your presentation. I worked as an advice worker for many years, and I dealt with a lot of employment issues. You were treated appallingly. That is just a personal observation. Some of my questions are very subjective. Do you feel, or have you felt at any time, that you might have been treated differently had you been a man? That is a very subjective question, but it seems that you were put in a position in which you were very much isolated. You were very high up in the finance department, and you cannot now even speak to people in that department any more. That seems bizarre, to say the least. Over the years, I dealt with constructive dismissal cases — *[Inaudible due to mobile phone interference.]*

The Chairperson: Sorry. I know that I am guilty, too, but my phone is now off. This is being reported by Hansard. It is an important presentation, so people need to make sure that their phones are off. It is interfering with the recording.

Mr Brady: It seems to me that, in the constructive dismissal scenario, they would have been happy for you to just resign and disappear and maybe take a constructive dismissal case, which is extremely difficult to prove in most cases. This is a subjective question: do you feel that, had you been a man, you might have got more support from colleagues, ex-colleagues or whatever? It seems that you were suspended for no good reason.

Ms L Ford: Mickey, I do not have any evidence that my suspension was to do with my gender, so —

Mr Brady: It is an overall thing, but it seems — again, this is my subjective view — that you were put in a position that you found extremely difficult. That kind of camaraderie perhaps was not applicable in your case. It just seems that you were totally isolated. Did you understand why you were suspended? It seems that it was for doing your duties.

Ms L Ford: I received a telephone call from the HR representative. She clearly stated that I was being suspended because of the letter that I had sent to Dr McCormick. There was no other reason. Through freedom of information, I have received information and notes from the HR department. That was the only reason that the Chief Fire Officer gave to HR for my suspension.

Mr Brady: So, you are saying that you did not receive any particular or specific reason why that was done to you?

Ms L Ford: No. I should have been protected by the whistle-blowing legislation.

Mr Brady: Exactly; that is the point. What is the point in introducing legislation if you abide by it and then you are punished? In many ways, you continue to be punished because there has been no outcome.

It is bizarre that you were the source of an investigation but you were not interviewed. It beggars belief. Surely they should have talked to you about the allegations, to get some empathy or otherwise with you and to determine whether you were a bona fide complainant, but that never happened. It was all done at a distance, almost.

Ms L Ford: The complete process has been flawed.

The Chairperson: Are you OK? We can take a five-minute break.

Ms McMillen: No, it is just that Linda needs to say a point in response to Conall's question.

Ms L Ford: Conall, I should mention that the Department failed me in not giving me a copy of the report at the same time that the Northern Ireland Fire and Rescue Service received the report. It received the report in May, but I had to continually ask for a copy. Initially, it could not confirm that I would receive a copy.

Mr McDevitt: Even though, as I understand it, in whistle-blowing legislation, you are entitled to know the outcome of any whistle-blowing investigation?

Ms L Ford: I was brought to Stormont for a meeting with the auditors for them to relay their findings. Maybe they felt that that was them undertaking their duty.

Mr McDevitt: But clearly not in your view?

Ms L Ford: No.

Mr Dunne: Thank you very much for coming along this afternoon. I apologise for not hearing your presentation. I have a couple of questions. How did you find the management ethos on openness and frankness in the Northern Ireland Fire and Rescue Service? Was it to the reasonably high

standards that could be expected of a professional organisation? Were staff given basic training on how to behave in the management of a good organisation?

Ms L Ford: Basic training is given to individuals in the organisation, although not specifically in their management role. As for my commenting on management, I think that it is best that I stick to factual responses rather than my personal opinions.

Mr Dunne: Do you feel that there was openness in the management of the Northern Ireland Fire and Rescue Service?

Ms L Ford: openness in what regard?

Mr Dunne: An openness whereby people could openly voice their opinions —

Ms L Ford: I voiced my opinion, and you can see the treatment that I received, so you can use that as an example.

Mr Dunne: — and raise issues through line management.

Ms L Ford: The report clearly states that I raised issues through the proper protocol and procedures. You can use how I have been treated as an example.

Mr Dunne: You were employed as an accountant in the organisation. Is that correct?

Ms L Ford: Yes.

Mr Dunne: One of the issues raised was the unapproved bonus payments to the senior management team. Were you aware of those payments being made in 2008? Would that have been part of your role as a senior accountant? Were you aware of those bonus payments?

Ms L Ford: Are you referring to allegation two?

Mr Dunne: Yes.

Ms L Ford: Paragraph 2.3 of the report clearly states:

"The Whistleblower was present at the meeting of the Remuneration Committee on 26th February 2008".

My role — I assume that that is where your question is being directed from — in the remuneration committee was only as a minute clerk.

Mr Dunne: It was only as a minute clerk.

Ms L Ford: I did not have a role on the committee.

Mr Dunne: You did not have any authorisation —

Ms L Ford: No. I was not involved in any discussions. I was there solely as a minute taker.

Mr Dunne: However, you were in a fairly senior post.

Ms L Ford: I was, but that was not my role in the remuneration committee.

Mr Dunne: So your role in the organisation was as a senior accountant.

Ms L Ford: I was a financial accountant.

Mr Dunne: For the organisation.

Ms L Ford: For the organisation.

Mr Dunne: You had no direct input into that committee.

Ms L Ford: No.

Mr Dunne: Was your opinion taken or considered?

Ms L Ford: I never gave my opinion in the remuneration committee because that was not my role.

Mr Dunne: Did you have any issues with the staff whom you line managed and who worked under you? Did you have any issues with staff in the organisation?

Ms L Ford: In what regard?

Mr Dunne: In dealing with staff. Were any complaints or issues raised against you by people working under you that were of concern?

Ms L Ford: An issue was raised in one instance, but it was investigated and not upheld.

Mr Dunne: Not upheld. There were no others?

Ms L Ford: No.

Mr Dunne: Thank you very much.

The Chairperson: I have a couple of points, Linda. Who suspended you? I need you to name the Chief Fire Officer.

Ms L Ford: It was the Chief Fire Officer.

The Chairperson: Who was that?

Ms L Ford: Peter Craig.

The Chairperson: The reason why I asked you to name him is because there have been so many Chief Fire Officers.

Ms L Ford: Yes.

The Chairperson: So Peter Craig suspended you on 19 August 2011. When did he retire? Sorry, when did he take early retirement? Sorry, he did not take early retirement; he took —

Ms L Ford: I was suspended, so I cannot give you the exact date.

The Chairperson: OK.

Mr Beggs: I think that the record shows that it was June or July.

The Chairperson: Louis Jones was the Chief Fire Office prior to Peter Craig.

Ms L Ford: He was the acting Chief Fire Officer prior to Peter Craig.

The Chairperson: That is where I was getting confused. Was it put in writing that you were not to talk to any of the finance staff, or was that —

Ms L Ford: I was told verbally.

The Chairperson: Who told you that?

Ms L Ford: The interim Chief Fire Officer.

The Chairperson: Who is —?

Ms L Ford: Chris Kerr.

The Chairperson: Did he say where that came from? From your understanding, was he instructed to say that?

Ms L Ford: My understanding is that it originated with the director of finance, via the chief executive.

The Chairperson: So you have the chief executive, the acting Chief Fire Officer and directors. Your understanding is that the director, who is below the acting Chief Fire Officer and chief executive, instructed the acting Chief Fire Officer to tell you —

Ms L Ford: I know that the director of finance and the chief executive were both involved in the discussion — not with me directly, obviously.

The Chairperson: When were you told that? Were you told that prior to going back to work or when you returned?

Ms L Ford: Shortly after I returned to work.

The Chairperson: The permanent secretary's letter states:

"able to resume your career without damage to your personal or professional integrity".

Is it not just a slap in the face to be told that when you return to work and you are not returning to the position that you had?

Ms L Ford: Exactly. The letter also refers to the lessons that have been learned.

The Chairperson: Have you any idea what those lessons are?

Ms L Ford: No, to me they are just words on a page. They are nothing more than that.

The Chairperson: Is there a policy in the Fire Service on dignity in the workplace?

Ms L Ford: There is.

The Chairperson: There is a policy? We should probably get a copy of that, too. How do you feel?

Ms L Ford: As I stated in the presentation, I feel that I am being treated like a criminal for doing the right thing. I believe that I am being punished.

The Chairperson: So it is being accepted that you are a victim — for want of a better word — there is a dignity in the workplace policy, and then you are told this. Do you still feel that you are being bullied or that nothing has changed?

Ms McMillen: May we have a few minutes? There are ongoing grievances, and we need to be careful about how we answer.

The Chairperson: No, we will just leave it there. We are not finished with the issue today.

Ms McMillen: It is not that we do not want to answer; it is just that we need to be careful.

The Chairperson: I appreciate that, and we need to be careful, too, because there is ongoing stuff, so I will leave it there. However, we need to find out from the Department whether that was a verbal or a formal recommendation that you are not allowed to talk to anybody on the finance staff. Conall, I will let you in briefly.

Mr McDevitt: Being mindful of Linda's experience as a financial accountant in the public service, and as someone who has been involved in the corporate and financial governance side of stuff, are you in a position to provide us with your professional opinion as to whether financial governance at the Fire and Rescue Service at the time you made the allegations was, in your opinion, up to standard?

Ms L Ford: Three of the allegations that I raised are of a financial nature. I raised them because I had concerns. Unfortunately, those three allegations have not been substantiated, but I do not agree with the verdict.

Mr McDevitt: That is your personal and professional judgement. Are you able to make any personal or professional judgement on corporate governance and financial governance inside the organisation today?

Ms L Ford: No. I have been outside the finance department for almost three years.

The Chairperson: Just to finish: in July 2010, the acting Chief Fire Officer, who was Louis Jones, and the interim or acting chairman, who was Alex Coleman, were aware of stuff going on, but the acting Chief Fire Officer said that you should not be suspended and that they should be looking at another road. Just over a year later, the Chief Fire Officer was Peter Craig, and who was the chair of the board?

Ms L Ford: At the time of that e-mail?

The Chairperson: At the time of your suspension.

Ms L Ford: At the time of my suspension it was Dr McKee.

The Chairperson: Do you know what changed between the chair of the board and the acting Chief Fire Officer saying that other things need to come into play and the position a year later?

Ms L Ford: In the report, the Chief Fire Officer mentions that he took the decision that a precautionary suspension was not necessary, and he said why. He believed that there was not a change in the risk. I think that those are the words that he used.

The Chairperson: Linda, you were suspended on 19 August. Was 23 August the first time that you contacted officials in the Department?

Ms L Ford: The first contact was the letter in which I was whistle-blowing to Dr McCormick. Then I was suspended.

The Chairperson: What date was that?

Ms L Ford: I did the whistle-blowing to the permanent secretary on 25 July 2011. I was then suspended on 19 August, and, on 26 August, I again wrote to the permanent secretary requesting his intervention. Prior to that, I had also whistle-blown to the Audit Office. That was in May.

The Chairperson: The Committee is keen to try to get to the bottom of all this. Unfortunately, we are dealing with the fact that some people have retired, and some people are currently off on sick leave. We were keen to hear your story, and you have cleared up some things in people's heads. We have sent out an invitation to former Chief Fire Officers and former chairs of the board to come in front of the Committee so that we can ask them relevant questions. We are hoping to conclude what we are looking at pretty quickly. I know that the Audit Office is going to look into this. I am telling you this to let you know that we are not going to put this on the long finger. We are going to come back to the matter and try to deal with it. On behalf of the Committee, I thank you for the work that you have done. I agree with Kieran; the term "whistle-blowing" does not sit right with me. I commend you for doing your job. It is mad the way you were treated.

You might not have an answer to my final question. Were you subject to legal costs in the case in which you were awarded damages?

Ms L Ford: NIFRS will have had legal costs.

The Chairperson: Do you know what those legal costs were?

Ms L Ford: My legal costs were paid by NIPSA.

Ms McMillen: They were paid by NIPSA as part of her membership.

The Chairperson: Can we find out what the legal costs were?

Ms McMillen: I will need to check with NIPSA about whether we can divulge that.

The Chairperson: Were legal costs not awarded?

Ms McMillen: In a tribunal, under public information disclosure, the costs are paid by their own side. No one is awarded costs, so NIPSA picked up the tab. When Linda gave her interview originally, she said that, without a trade union, she would not have been in a position to have proceeded with this case because she could not have afforded it. It is an absolutely disgraceful indictment of any public organisation that any member of staff should be left in that position for doing their job.

The Chairperson: We have raised stuff today that we need answers to. As I said, this is a process. The Committee Clerk has reminded me that we have asked the Department how much the legal costs were on its side. Antoinette, it might be an idea if you could let us know about the costs on NIPSA's side, because we are not just talking about £20,000. Linda, thanks very much.

Mr McCarthy: When you were brought back into the Fire Service, did you lose any salary? Obviously, you were on a salary in your professional job as financial accountant. Did you lose any salary?

Ms L Ford: No.

The Chairperson: Losing your dignity is enough. Thanks very much, Linda. We will stay in contact throughout the process. Thank you, Antoinette, for coming along. If there are any issues with some of the stuff that you said you would provide the Committee with, can you get it to us when you can?

Ms McMillen: May I just make one more point before I go, Sue, if you do not mind?

The investigative procedures for whistle-blowing need to be laid down so that a whistle-blower, or anyone who is doing their job and doing the right thing, knows what to expect and what rights they have, because that is not clear.

That is a lesson that needs to be learned when it comes to investigations. Such persons are entitled to be interviewed thoroughly about any concerns that they have. They should see the final report before it goes to anyone. Linda was left, on the morning that the report was made public, actually seeing the final report. That, to me, is an absolute disgrace for the person who made the allegations. No court of law would treat you like that.

The Chairperson: You are spot on. Thank you.