

# Concern at work (whistleblowing) policy

Policy	Concern at work (whistleblowing) policy
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Responsible board	Housing Plus Group board
Responsible officer	Company secretary and director of legal and governance

## 1. Policy statement and purpose

- 1.1. Housing Plus Group (the Group) is a values-driven organisation. We are committed to maintaining the highest standards of integrity, fairness and accountability in all that we do. That's why it is important that all serious concerns and risks are reported, investigated and resolved.
- 1.2. Employees are often the first to learn that there may be something wrong in an organisation. The purpose of this policy is to make sure all Housing Plus Group employees know that serious concerns can be raised in confidence and to explain the protection that will be given to whistleblowers.
- 1.3. Whistleblowing is a term used when someone who works for an organisation, raises a concern. This could be about possible fraud, illegal activity, bribery, malpractice or another serious risk that could threaten the business, customers, employees, a member or members of the public and/or the reputation of an organisation.

- 1.4. The purpose of whistleblowing is to alert others to an actual or perceived risk.

It is covered in the Public Interest Disclosure Act 1998 (PIDA) and examples include:

- ◆ A fraud committed by - or against - an organisation
- ◆ Gross waste or mismanagement of public funds
- ◆ Serious misuse or abuse of authority
- ◆ A breach of policies and procedures
- ◆ Behaviour that harms, or is likely to harm, the reputation or financial wellbeing of an organisation
- ◆ Offering, taking or soliciting bribes
- ◆ Failure to follow financial and contract procedure rules
- ◆ Showing undue favour to a contractor or job applicant
- ◆ Ignoring a danger in the workplace
- ◆ Endangering, or potentially endangering, the health or safety of any individual
- ◆ Misreporting performance data
- ◆ Dumping damaging material in the environment
- ◆ Deliberately neglecting vulnerable people in the care of an organisation
- ◆ Concealing any of the above

- 1.5. This policy applies to the people listed below, who are encouraged to use it.
- ◆ All permanent and fixed-term employees of the Group
  - ◆ Board and committee members
  - ◆ Customers and individuals undertaking any activity relating to, or on behalf of, the Group
  - ◆ Workers employed by a third-party agency/intermediary
  - ◆ Self-employed contractors
  - ◆ Service providers
  - ◆ Agency workers
  - ◆ Homeworkers
- 1.6. A whistleblower is not usually directly or personally affected by the risk or illegal activity that is being reported. This means that they rarely have a personal interest in the outcome of a whistleblowing investigation but they know that the Group needs to take action. It is essential that you are not afraid to report a concern because of any potential personal impact.
- 1.7. Whistleblowing is different to making a complaint because a complaint involves an individual being mistreated.
- 1.8. This policy does not apply to the list below. Those circumstances are not covered by whistleblowing law and should be handled in line with the relevant people policies.
- ◆ Personal grievances concerning an individual's terms and conditions of employment or other aspects of a working relationship
  - ◆ Complaints by an individual of being bullied, harassed or discriminated against
  - ◆ Disciplinary matters
- 1.9. A whistleblower is legally protected if they share information about:
- ◆ A criminal act
  - ◆ A failure to comply with a legal obligation
  - ◆ A miscarriage of justice
  - ◆ A danger to health and safety
  - ◆ Damage to the environment
  - ◆ An attempt to cover up any of the above
- 1.10. To be protected, a whistleblower must have:
- ◆ A reasonable belief that information shows one or more of the examples above have happened, are happening or are likely to happen
  - ◆ A reasonable belief that the information being disclosed is true

If these conditions are met, this information may be treated as a 'qualifying disclosure' in terms of relevant legislation. This means that the whistleblower will be protected.

## 2. Policy details

- 2.1. All concerns raised under this policy will be investigated thoroughly, promptly and confidentially.
- 2.2. You are encouraged to report concerns openly, so that the business can conduct a full and thorough investigation. As long as it is reasonably practical, the Group will keep a whistleblower's identity confidential.

You may prefer to make a report anonymously via a colleague or manager initially, although you will be encouraged to come forward if the allegation is confirmed.

- 2.3. You might prefer to be accompanied or supported by a friend, colleague, trade union representative or another advisor when reporting your concern.  
If a conflict of interest is identified with the supporting person, the relevant manager and/or the whistleblowing investigator will notify you.
- 2.4. Whistleblowers have a right not to be victimised as a result of raising a concern. The Group will take action to protect the rights of these individuals. Victimisation of a person who has raised a legitimate concern may result in disciplinary action.
- 2.5. The Group will not tolerate any attempts to harass a whistleblower or to prevent concerns being raised. If this happens, appropriate action will be considered.
- 2.6. Any attempts to cover up serious risks or discourage someone from reporting a concern, will be considered a disciplinary offence. If someone is being pressured not to raise a concern, they should escalate this and their report will be dealt with in confidence.
- 2.7. You are trusted to report legitimate concerns. Any malicious or knowingly false allegations may be considered a disciplinary offence.
- 2.8. The Group will investigate all reported acts of wrongdoing through our internal processes and, where appropriate, through external regulatory agencies.
- 2.9. As stated in the Group anti-fraud policy, some matters may be referred to the police for criminal investigation. This will happen at the discretion of the chief executive and in consultation with the chair of the audit and risk committee.
- 2.10. Housing Plus Group is committed to making sure all employees, and all people who do business with the Group, are aware of the importance of whistleblowing in preventing and eliminating fraud, malpractice, illegal activity and other serious risks.
- 2.11. If a whistleblowing investigation identifies an act of potential misconduct by an employee, it will be dealt with under the Group's disciplinary policy and could lead to dismissal.

### 3. Reporting concerns

- 3.1. You are encouraged to raise concerns with your line manager, as soon as possible. You should provide as much detail and supporting evidence as you can. Please remember that lack of evidence should not stop you raising a concern.
- 3.2. If you feel uncomfortable discussing a concern with your manager, or have a reasonable suspicion that your manager is involved in the wrongdoing, you should escalate your concerns one of the following:
  - ◆ A senior manager. This could be a head of service, director, member of the executive team or the chief executive. You can send a message to their company email address or speak to the company secretary/director of legal and governance, to ask for alternative contact information.
  - ◆ The company secretary, Irene Molyneux.
  - ◆ A board member. You can send a message to their company email address or speak to the company secretary/director of legal and governance, to ask for alternative contact information.
  - ◆ Our internal auditors, Beaver and Struthers. Please ask to speak to Lee Cartwright.
- 3.3. In exceptional circumstances, you might decide it is appropriate to raise your concerns with an external or regulatory agency, such as:
  - ◆ The police
  - ◆ The Regulator of Social Housing (RSH)
  - ◆ Our external auditor, KPMG. Please ask to speak to Sarah Brown.

- ◆ The Care Quality Commission (CQC)
- ◆ The Health and Safety Executive (HSE)

- 3.4. The audit and risk committee will be notified of all whistleblowing reports.
- 3.5. If you need confidential and independent advice about how to raise a concern, you can speak to the whistleblowing charity, Protect.
- 3.6. The Group is committed to identifying and investigating concerns raised through whistleblowing reports. We will respond appropriately and in a timely manner. The Group is also committed to supporting and protecting whistleblowers.

## 4. Investigation of a concern

- 4.1. Once a concern is raised, an investigation may be conducted by an appropriate senior member of the business.
- 4.2. If the whistleblower's identity has been disclosed, they may be asked to give a written statement. Other individuals involved will also be asked to give a written statement.
- 4.3. The investigator will consider the information shared by the whistleblower, who may be asked to comment on any new information that comes to light as part of the investigation.
- 4.4. The investigator will report their findings to the audit and risk committee. The committee will decide what action to take and review whether there is a requirement to report the issue to any external regulatory agencies.
- 4.5. If acts of potential misconduct have been identified during the investigation, the relevant manager will work with the people team to arrange for these issues to be investigated further and managed as part of the Group disciplinary policy.
- 4.6. The audit and risk committee will oversee investigations that present a risk to the Group.

## 5. Replying to a concern

- 5.1. We will aim to keep whistleblowers informed of the progress and timescales of the investigation. Sometimes the need for confidentiality may prevent the investigators from sharing specific details of the investigation or any disciplinary action taken as a result. All information shared during an investigation must be treated as confidential.
- 5.2. We will inform whistleblowers of the completion of an investigation as soon as possible but we will not usually provide any further details.
- 5.3. If you have raised a concern and you feel that it has not been taken seriously or you have reason to believe that the true findings of the investigation haven't been reported in full to the board, you should inform the chief executive and/or chair of the audit and risk committee. They will take appropriate action, which may include a further review or investigation to address your concerns.

## 6. Regulatory issues and links to other policies, procedures or documents

- ◆ Governance and financial viability standard
- ◆ Disciplinary policy
- ◆ Employee code of conduct
- ◆ Grievance policy

## 7. Monitoring, review and impact assessments

The audit and risk committee monitors all whistleblowing reports. Impact assessments are undertaken as required.

## 8. Conclusion

- 8.1. Existing good practice within Housing Plus Group seeks to make sure that cases of suspected fraud or impropriety are few and are dealt with effectively. We observe good practice through systems of internal control - financial and non-financial - and the external regulatory environment that the Group operates in.
- 8.2. This policy is provided as a reference document to allow the Group to establish a framework for employees to raise concerns confidentially and, if necessary, outside the management structure of the business.

The policy is a demonstration of the Group's commitment to making sure that concerns that are drawn to our attention are taken seriously and will be acted upon.



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