



## Whistleblowing Policy

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## **1. Introduction**

- 1.1 Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. People should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of. We encourage a culture of openness, integrity and accountability which enables staff or any other persons who have concerns to express these without fear that they will then be victimised.
- 1.2 It is recognised that it is an important aspect of accountability and transparency to provide a mechanism which enables staff, Board members, contractors, tenants or any other person to raise any serious concerns relating to conduct or practices of the organisation; and to do so in confidence without fear of reprisal.
- 1.3 This Policy is designed to enable concerns to be raised where an individual believes there is any wrongdoing. This Policy is not intended to replace any of our existing employment or grievance related policies or procedures. For the avoidance of doubt:
  - our Service Issues, Concerns, Complaints and Compliment Policy applies in instances where people external to the organisation can express dissatisfaction about our services which relate to them
  - our Working Together – Conflict Resolution Procedure is designed to assist in resolving staffs' personal issues
  - our Fraud Policy is intended to deal with instances of fraudulent activity
- 1.4 It should be noted that all these policies are linked and there is a possibility of cross over between them as the concern is investigated.

## **2. Policy Objectives**

- Demonstrate a commitment to deal with suspected and identified unethical practices
- Establishment and promotion of a culture of integrity, openness and honesty in the conduct of our business
- Encourage a culture whereby people feel confident to report any concerns
- Safeguard assets and reputation
- Ensure any potential wrongdoing is detected, reported and investigated
- Ensure all concerns raised under this policy are treated seriously, sensitively and in as confidential a manner as possible

## **3. Definitions**

- 3.1 Whistleblowing is the term used to describe the process whereby a person who has serious concerns about practices or conduct of an organisation, decides to report these to a person or persons who they believe will be in a position to deal with them.
- 3.2 Anybody is able to whistleblow e.g. an applicant, a tenant or their relative, a member of staff, a contractor or a representative from any outside agency who believes that there have been instances of improper conduct or malpractice.

#### **4. Legislation**

4.1 Whistleblowing is covered by the Public Interest Disclosure Act 1998 and provides protection for staff who raise legitimate concerns about the following specified matters:

- a criminal offence
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- a breach of any other legal obligation
- concealment of any of the above

4.2 It is not necessary for a whistleblower to have proof that such an act is being, has been, or is likely to be committed; a reasonable belief is sufficient.

4.3 There is currently no whistleblowing legislation that provides protection to whistleblowers who are external to the organisation.

#### **5. Scope of the Policy**

5.1 Customers expect the highest possible standards from us. Staff, Board members, contractors or other partner organisations must not act in any way which could jeopardise the reputation of the organisation. Action and behaviour which is unacceptable and could lead to whistleblowing includes:

- failure to comply with our internal policies and procedures
- failure to comply with current legislation
- fraud (dealt with via our Fraud Policy)
- non-disclosure of interests
- breaches of confidentiality
- failure to identify Health & Safety hazards and/or failure to rectify these
- failure to act on allegations of harassment, bullying and violence of any kind in the workplace
- use of discriminating practices or actions
- gross incompetence
- gross negligence of duties and responsibilities
- improper behaviour towards tenants or acting on behalf of tenants in personal matters, particularly financial matters

5.2 The above list is not exhaustive but is intended to indicate types of behaviour and action which are unacceptable and could fall within the scope of this policy.

#### **6. Reporting a Concern**

6.1 All concerns must be reported in the first instance via one of the following routes:

- A manager, Head of Service, Deputy Director or Director
- Internal audit
- Speak in Confidence (staff only)
- Head of Corporate Services

- 6.2 If appropriate, employees should discuss their concerns with their line manager. This informal approach will be treated in the strictest of confidence. It will only be progressed with the employee's agreement except where the line manager believes the concerns raised are of a serious nature which requires immediate action.
- 6.3 If an employee feels it is inappropriate to raise their concerns with their line manager in the first instance they should speak to another manager, Head of Service, Deputy Director or Director.
- 6.4 If appropriate, non-employees should discuss their concerns with the service manager or our Customer Liaison Officer. If this is not appropriate another manager, Head of Service, Deputy Director or Director should be contacted.

## **7. Anonymous Allegations**

- 7.1 We encourage people to put their names to any concerns they raise as this will enable us to request additional information, if needed. All concerns expressed anonymously will be assessed by the Head of Corporate Services. If there is sufficient evidence and the concern warrants we will investigate further.

## **8. Protection for Whistleblowers**

- 8.1 We will make every effort to ensure that whistleblowers who disclose their concerns will not be subject to any reprisals, harassment or victimisation (including informal pressures), provided the disclosure is made:
- in good faith;
  - to an appropriate person; and
  - in the reasonable belief of the person making the disclosure that it tends to show wrongdoing

## **9. Confidentiality**

- 9.1 All concerns will be treated in confidence and every effort will be made not to reveal a person's identity if they so wish. However, there may be occasions when we have to reveal the identity of the whistleblower as they have to provide a witness statement.

## **10. Untrue Allegations**

- 10.1 If a person reports a concern that is not confirmed by the subsequent investigation, it is probable that no action will be taken against them providing the concern was not made maliciously. If, however, the person reports a concern that is deemed to be made 'in bad faith' i.e. frivolously, maliciously or for personal gain, disciplinary or other appropriate action may be taken against them.

## **11. Training**

- 11.1 All staff will be trained at a level appropriate to their role.

## **12 Responsibilities**

12.1 Everyone has the responsibility to be observant and report any concerns.

### Board

- Ensure a robust system of internal control is in place that supports the ethos of this Policy
- Ensure the organisation has a Whistleblowing Policy in place

### Executive Management Team (EMT)

- Ensure all stakeholders, including staff and Board members, are aware of their responsibilities in regard to whistleblowing through the induction programme and refresher training
- Ensure appropriate mechanisms are in operation for people to whistleblow
- Ensure appropriate resource is available to support the investigation of whistleblowing reports
- Take appropriate action in line with the whistleblowing investigation
- Promote a culture of openness and transparency

### Company Secretary

- Report any whistleblowing investigations to the Audit & Risk Committee at each meeting
- Ensure that vigorous and prompt investigations are carried out

### Deputy Directors/Heads of Service

- Ensure all staff in their area are aware of the Policy and their responsibilities
- Take appropriate disciplinary action against staff who are responsible for harassing or victimising another member of staff who has whistleblown

### Head of Corporate Services

- Day to day management of the Whistleblowing Policy and associated procedures

### Line Managers

- Ensure there are no repercussions for staff who whistleblow in good faith

### Staff

In most situations, staff will be the first to see or suspect any wrongdoing and are responsible for:

- Reporting immediately any concerns in line with the Whistleblowing procedure
- Co-operate fully with any subsequent investigation

## **13. Consequences of Non Compliance**

13.1 Non-compliance with whistleblowing legislation could result in financial, regulatory and reputational damage and, in certain instances, fines and prosecution.

## **14. Welsh Language Implications**

14.1 This policy complies with our Welsh Language Scheme.

## **15. Equality Implications**

15.1 We are committed to giving an equal service to all. Any action taken under this Policy will comply with our Equality and Diversity Policy and current equalities legislation.

## **16. Policy Monitoring**

16.1 This policy will be monitored on a regular basis to ensure it remains fit for purpose, reflects our practices and any changes in legislation.

## **17. Accessibility**

17.1 A copy of this Policy will be made readily available to stakeholders on the intranet.

17.2 We will, in all reasonable circumstances, make information available in a variety of information formats, including: large print; audio media; and community languages.

## **18. Links to other Documents**

- Whistleblowing Procedure
- Fraud Policy
- Fraud Procedure
- Employee Code of Conduct
- Internal Audit Strategy
- Employee Handbook
- Schedule 1 Policy
- Employee Guide Harassment and Bullying