

## **WHISTLEBLOWING Policy and Procedure**

### **What is it?**

It provides a way for individuals to report serious concerns about aspects of their work without the fear of themselves being disloyal. It also provides a route that meets any fear they may have of recrimination or victimisation as a result of having raised their concerns.

In framing this policy and procedure, account has been taken of the model 'whistleblowing' code of the National Housing Federation and the codes adopted by other Registered Housing Providers.

This policy reflects the good practice recommendation made by the Nolan Committee during its deliberations on Standards in Public Life made law in the Public Disclosure Act of 1998.

We are committed to the highest standards of professionalism, and seek to involve staff in understanding the need for such a policy, backed up by line management, supervision and training.

### **Why is it needed ?**

This policy is designed to limit the likelihood of serious malpractice, such as:

- Financial Fraud or malpractice
- Corruption
- Deception
- Cover-ups
- Negligence
- Abuse of neglect or vulnerable persons
- Failure to uphold professional standards
- Inter-personal conflicts of abuse
- Bullying, harassment or victimisation.

### **When not to use ?**

Whistle blowing procedures should not be used where there is no need for special confidentiality. Ordinarily the mechanisms for dealing with Grievances, Disciplinary or Equal Opportunities and Complaints should be used. Nor should it be used as a way to protest about our legitimate strategy, plans, policies or activities or which individuals may happen to disapprove. It should only be used when there is a clear public dimension.

### When to use ?

All employers are encouraged to be involved with, aware of and familiar with the purpose and availability of this procedure. This ensures that:

- Those with concerns feel confident about how to address them correctly in a safe and non-prejudicial manner.
- Those who may be tempted to commit misconduct will know that detection is more likely and that a route for it to be addressed, when detected, exists.
- Clients and external agents (including regulators and funders) can be confident that the likelihood of malpractice is reduced and its detection increased.

### How to use ?

Considering whether to 'whistleblow'.

- It is understood that it is never easy to act on a concern and make a report through a confidential route. It is always better to raise concerns at an early stage than at a later stage – even if in doubt.
- In reporting a concern in this way, staff may wish to be accompanied by a colleague, friend or other person.
- We will support concerned employees and protect them from reprisal or victimisation. Staff can be confident that bringing a concern forward in good faith will not affect their career or employment. This will be equally true if, having acted in good faith, the concern expressed turns out not to have been justified.
- We will also do all we can to respect the confidentiality if this has been requested, although in certain circumstances this may be more difficult to or even impossible (i.e. in criminal matters).
- This uncertainty should not put staff off from expressing a valid concern in the first instance as no breach of confidentiality will be made without consulting with the member of staff who has raised the concern.
- If someone else in the project discourages anyone from bringing forward a concern, we will consider disciplinary action against that party, as it would be victimisation by a third party after a concern has been raised.
- In making the declarations above, we must remain mindful that we have duties and obligations to all members of staff. Also statutory, regulatory duties and duties under criminal and civil law and therefore cannot allow the confidential reporting process to be abused by raising of unfounded or malicious allegations. We will regard such actions as a disciplinary matter. However as indicated above this does not apply to any issue raised in good faith.

It is important, for the smooth running of the project, that staff watch out for problems which may damage or negatively affect the quality of services provided, such as:

- Fraud
- Abuse or neglect
- Negligence and / or breach of statutory duty.
- Failure to deliver proper standards of service.
- Damaging personal conflicts (especially at senior level).
- Discrimination or unfair treatment.
- Harassment, bullying or victimisation.
- Unprofessional Conduct.

We seek to ensure that staff know and understand what is expected of them and what practices are regarded as unacceptable. Staff should discuss anything that seems unclear and get clarification from their manager (especially before taking any required action).

We will deal with a problem (once identified) in a clear objective and firm manner – by means of the disciplinary procedure and / or (if appropriate) through police involvement or action. Proven frauds alleged instances of violence, or any allegation of the physical or sexual abuse of vulnerable adults (including frail elderly) will always and automatically be reported to the police.

**What to do to raise a concern confidentially and who to contact.**

Consider if you can safely raise your concern with your line manager.

If you do not feel that you can or think that this may not be the best thing to do (especially if your concern includes them), you should raise the matter in confidence with Dr Stephen Dellar. You should contact them directly and ask for a confidential meeting. You may, if you choose prefer to put your concern in writing – but the level of confidentiality is greater if you do not.

If your concerns are about your line manager, you should contact their line manager.

You should not think of contacting agencies or individuals to express your concerns outside before you have done so internally – unless the matter is grave such as;

Your concern includes the Chair of the Management Committee, in such matter as;

A case of criminal offence including fraud.

A case of misuse of public funds.

A case of some other malpractice or maladministration.

In cases of this type;

If criminality is involved, you should contact the police.

If malpractice or maladministration is involved you should contact the Homes and Community Agency – the regulator for all Registered Social Landlords.

Such instances would be very exceptional or urgent circumstances.