

Whistleblowing Policy

1.0 SCOPE

Purpose

- 1.1. This document sets out whg's policy towards the confidential reporting of potential malpractice, danger or wrongdoing within the organisation that affects others. The Policy helps to ensure that colleagues understand whg's commitment to openness and transparency, the legal protections afforded to whistleblowers, how to report concerns and to whom, and where to go for advice.
- 1.2. This Policy will also apply to any whistleblowing concerns raised with whg regarding any other company, contractor supplier or partner agency that whg works with.

Legal and regulatory framework

- 1.3. The relevant legislation protects whistleblowers who work for the company. However, this Policy covers anyone who wishes to raise concerns as set out in section 2.1 below.
- 1.4. The Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998) provides protection for employees who suffer a detriment or are dismissed as a result of whistleblowing due to making a 'qualifying disclosure'.
- 1.5. The Act defines 'qualifying disclosure' as information where, in the reasonable belief of the person making the disclosure, one or more of the following applies:
 - A criminal offence has been committed, is being committed or is likely to be committed;
 - A person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
 - A miscarriage of justice has occurred, is occurring or is likely to occur;
 - The health or safety of any individual has been, is being or is likely to be endangered;
 - The environment has been, is being or is likely to be damaged; or
 - Information regarding any of the above has been, is being or is likely to be deliberately concealed.

- 1.6. The Act allows for 'qualifying disclosure' to be made to a range of different people including the employer and prescribed persons. 'Prescribed persons' includes the Regulator of Social Housing, the Charity Commission, the Health and Safety Executive, the Financial Conduct Authority and the Information Commissioner, so long as the matter reported is relevant to them. If whg is contacted by a prescribed person the matter will be dealt with in line with this Policy.
- 1.7. The Regulator of Social Housing's (RSH) Governance and Financial Viability Standard requires all Registered Providers (RPs) to adhere to all relevant law.
- 1.8. The Regulatory Procedure Statement April 2018, 'How the Regulator deals with Whistleblowing Concerns' states that all RPs must have a whistleblower policy in place which recognises the importance of whistleblowing to good governance. The policy must promote an open and positive approach to whistleblowing where colleagues, Board Members and others can feel confident about reporting matters internally without fear of reprisal. The RSH expects all RPs to take any concerns raised seriously and to look into the matter properly and fully. The policy must also make it clear that colleagues can appropriately report concerns to the RSH and that they should not suffer any detriment for doing so.

2.0 POLICY STATEMENT

Definition

- 2.1. Whistleblowing is the confidential raising of potential malpractice within an organisation. A whistleblower is usually a witness to the malpractice rather than a complainant, and the incident being reported is done so because it is in the public interest to raise it. A whistleblower can be anyone who has concerns of organisational malpractice, for example:
 - A colleague
 - A Board or Committee Member
 - A customer or member of the public
 - A stakeholder and/or their employee
 - A volunteer
 - Anyone who was previously one of the above.
- 2.2. A wide range of concerns may be raised under this Policy as listed in 1.5 above. Examples are:
 - theft, fraud, corruption or malpractice
 - unsafe working conditions
 - abuse or neglect of vulnerable people and failure to safeguard customers
 - failure to deliver proper standards of service
 - undisclosed personal conflicts of interest
 - non-compliance with Group financial regulations

- a culture of bullying or harassment (where it affects a number of people rather than an individual) including inappropriate behaviour
 - all types of discrimination or victimisation in the workplace
 - circumstances that may give rise to enhanced risk of slavery or human trafficking.
- 2.3. Whistleblowing is not a complaint about something that personally affects someone. A whistleblower is someone who raises concerns about workplace wrongdoing more generally. If a colleague has a complaint about something that affects them or their individual employment contract they should refer to the Grievance Policy.
- 2.4. A customer who is aggrieved about his/her individual situation should use the Customer Complaints Policy. A customer raising issues of wrongdoing more generally in line with the examples at section 2.2 should use the Whistleblowing Policy.

Raising Concerns

- 2.5. It is important that colleagues feel they are able to raise concerns at the earliest opportunity without fear of reprisals or retribution. Any colleague who has a reasonable concern of malpractice should raise it with a member of the Group Executive who will notify the Corporate Director of Governance and Compliance, or the Deputy Chair of the Board. Concerns can be raised in person, via email or in writing. The Corporate Director of Governance and Compliance will notify the Chair and Deputy Chair of the whg Board once sufficient information has been obtained from the whistleblower and/or the investigation.
- 2.6. Any Board or Committee Member who has a reasonable concern of malpractice should raise it with the Deputy Chair of the whg Board or the Corporate Director of Governance and Compliance (unless he/she is implicated). This is the preferred route but any Board Member can be approached. If raised with the Corporate Director of Governance and Compliance, the Corporate Director will notify the Deputy Chair of the Board.
- 2.7. Any other person raising concerns under this Policy should contact the Corporate Director of Governance and Compliance, who will notify the Chair and Deputy Chair of the Board.
- 2.8. Where allegations are made to whg regarding a third party that whg works with, the Corporate Director of Governance and Compliance will notify the Chair and Deputy Chair of the whg Board once sufficient information is available. The identity of the whistleblower and the exact nature of the allegations should not be disclosed to the whole Board and the details must not be shared with any other organisations that do business with the party complained about.

- 2.9. All allegations will be treated in confidence and the personal data of the whistleblower will be held securely in line with our Data Protection Policy and relevant Privacy Notice. If the whistleblower does not want his / her identity to be disclosed, their identity will only be shared with the appointed investigating officer unless section 2.13 below applies or a criminal investigation results, in which case the whistleblower's details may need to be provided to the police. Before providing details to the investigating officer, the Corporate Director will obtain permission from the whistleblower to share their details, making it clear that the allegation cannot be investigated otherwise. whg encourages individuals to put their name to any concerns or allegations as anonymous complaints can be more difficult to investigate. However, anonymous allegations will be considered at the discretion of the Corporate Director of Governance and Compliance.
- 2.10. A thorough investigation of every allegation against whg will be undertaken by an Investigating Officer, appointed by the Corporate Director of Governance and Compliance. This may be a whg colleague or an outside organisation. The Corporate Director of Governance and Compliance will determine how an allegation made against a third party will be dealt with. External advice, for example from our solicitors or auditors will be sought where needed
- 2.11. If the allegation is found to be wholly or partly substantiated, appropriate action will be taken, which may include disciplinary action in relation to one or more colleagues, or action under the Code of Conduct for Board and Committee Members. Where the allegation is regarding another company, contractor supplier or partner agency that whg works with, any action taken will be at their discretion. Unlawful acts will be reported to the police and action may be taken through the courts, depending on the particular malpractice.
- 2.12. The person raising the concern will be informed of the outcome providing that this does not prejudice any other action.
- 2.13. If the allegation is not substantiated, no action will be taken against the person making the complaint and they will suffer no detriment if the allegation was raised in reasonable belief. Allegations found to be malicious however may result in disciplinary action against colleagues, or removal of Members from a Board or Committee. In this situation the person's identity will be shared with the minimal number of colleagues/Board/Committee Members to enable the appropriate action to be taken.
- 2.14. The Whistleblowing Guidance document provides additional guidance to this Policy.
- 2.15. Colleagues, Board and Committee Members are expected to raise issues with whg in the first instance unless the nature of the concern prohibits it. Whistleblowers are however able to report concerns directly to a prescribed person including those listed in 1.5 above. Concerns may also be raised with

whg's Internal or External Auditors and advice can be sought from the organisation 'Public Concern at Work'. Details are included in the Whistleblowing Guidance. In exceptional circumstances, a whistleblower can go direct to the media and some may choose to use social media. However, in most cases, if a concern is reported to the media, the whistleblower will lose his/her protected rights.

3.0 PERFORMANCE MEASURES

- 3.1. The Audit and Assurance Committee will regularly receive an account of matters raised under the Whistleblowing Policy and actions taken in response.
- 3.2. Any allegations made under the Policy will be reported to the whg Board on completion of the investigation, along with assurance that it has been dealt with in line with this Policy.

4.0 EQUALITY AND DIVERSITY

- 4.1 An Equality Assessment has been carried out. The Policy will be made available on our website, which enables customers to search in other languages. We can make documents available in other languages if requested or provide an interpreter via Language Line.
- 4.2 Concerns can be raised with any senior officer or Board Member that the whistleblower feels most comfortable in approaching.

5.0 TRAINING AND DISSEMINATION

- 5.1. Awareness of the Policy and the arrangements in place will be disseminated to colleagues and Board and Committee Members by the relevant members of the Senior Leadership Team. The Policy will be published on whoogle and the whg website.

6.0 MONITOR AND REVIEW

- 6.1 This Policy will be monitored by the Corporate Director of Governance and Compliance and will be reviewed every three years by the Policy Group and the Group Executive and reviewed and approved by the Governance and Remuneration Committee.

7.0 ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES

- 7.1 Documents, policies and procedures associated with this Policy are:
 - Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998)
 - Disciplinary Policy

- Code of Conduct for Board and Committee Members
- Gov.uk Guidance - Whistleblowing: list of prescribed people and bodies
- Regulatory Procedure Statement April 2018 - How the Regulator deals with Whistleblowing Concerns
- Charity Commission Guidance – Report serious wrongdoing at a charity as a worker or volunteer
- 2020 NHF Code of Governance

Document author	Sarah Johnson, Head of Governance and Risk
Document owner	Corporate Director of Governance and Compliance
Legal advice	Legislation checks completed by Head of Governance and Risk and Head of HR
Consultation	Consulted with the Head of HR to ensure Policy is in line with employment legislation. Checked with Legal Services Manager regarding the correct legislation to refer to.
Approved by	Policy Group June 2021 Governance and Remuneration Committee 15 July 2021
Review Date	October 2024
Corporate Plan aim	<ul style="list-style-type: none"> • Deliver a strong business, fit for today and prepared for tomorrow
Equality Assessment	N/A
Key changes made	<p>Key updates made in line with the new NHF Code of Governance:</p> <ul style="list-style-type: none"> • Identifies the Deputy Chair as the designated non executive Board Member with responsibility for whistleblowing, rather than the Chair. • States that whistleblowing matters will be reported regularly to Audit and Assurance Committee