

WHISTLEBLOWING

Key questions for anyone
wishing to raise a concern

The Wrekin
Housing Group

Whistleblowing

What is Whistleblowing?

It is important that any fraud, misconduct or wrongdoing by colleagues, workers, contractors or volunteers is reported and properly dealt with. We therefore encourage all individuals to raise any concerns that they may have about the conduct of others in the business.

Who does the Whistleblowing policy apply to?

This policy applies to all colleagues employed at Wrekin Housing Group as well as other individuals performing work activities in connection with or on behalf of the organisation, including but not limited to agency workers, contractors and volunteers.

How are you protected when you Whistleblow?

The law provides protection for you to raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an individual who has a reasonable belief that:

- a criminal offence has been committed, is being committed or is likely to be committed;
- a person has demonstrated inappropriate behaviour which is likely to affect the wellbeing of the customer and or impact upon the safeguarding of the customer;
- 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;
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject;
- information tending to show any matter falling within any one of the above has been, or is likely to be deliberately concealed.

Such qualifying disclosures are covered by the Public Interest Disclosure Act (PIDA).

What if it is just a suspicion and I don't have any proof?

It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. You have no responsibility for investigating the matter - it is the responsibility for us as the organisation to ensure that an investigation takes place. If you make such a protected disclosure in good faith you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure.

How do I whistleblow?

Stage 1: Raising concerns

You should raise any concerns either verbally or in writing in the first instance with your line manager. However, if you reasonably believe that your line manager is involved in the wrongdoing, or if for any other reason you do not wish to approach your line manager, you should escalate this to the next senior manager or a member of the HR team. You can remain anonymous if you want to, however there may be times this isn't possible but we will discuss this with you.

Stage 2: Investigation

The person you have reported your concerns to will arrange an investigation into the matter either by investigating the matter personally or appointing an investigating officer at a similar level. The line manager (or the person who carried out the investigation) will then report to the relevant Director, who will agree any necessary action, including if required, reporting the matter to the Board and any appropriate government department or regulatory agency.

On conclusion of any investigation, you will be told the outcome of the investigation and what the Director has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

Stage 3: Escalating to a more Senior Manager

If you are concerned that your line manager is involved in the wrongdoing, or has failed to make a proper investigation or has failed to report the outcome of the investigations to the board, you should inform your Executive Director. They will arrange for another manager to review the investigation carried out, make any necessary enquiries and make their own report to the Executive board & Board as in stage 2 above.

Stage 4: External reporting

If on conclusion of stages 1, 2 and 3 above you reasonably believe that the appropriate action has not been taken, you should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made.

These include but are not limited to:

- HM Revenue & Customs;
- Financial Conduct Authority (formerly the Financial Services Authority);
- Competition and Markets Authority;
- Health and Safety Executive;
- Environment Agency;
- Independent Office for Police Conduct;
- Serious Fraud Office;
- The Care Quality Commission (CQC);
- Homes England; and
- The Regulator of Social Housing.

What will happen if I raise an issue under whistleblowing?

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to you as the person who raised the issue.

Will I be required to take part in any investigation?

You may be involved in the investigation as this may entail giving a written statement and also providing information on any other witnesses to the alleged offence.

What if I whistleblow and this is related to safeguarding?

Where a whistleblowing matter identifies a safeguarding concern, this should be managed and investigated in line with our Safeguarding Policy and Procedure.

Will I be treated differently if I raise an issue under whistleblowing?

You will not be victimised or treated differently for raising a matter in good faith under this procedure. We will treat any victimisation of a colleague, contractor or worker for raising a qualified disclosure as a disciplinary offence.

What will happen if any wrongdoing is discovered as a result of me whistleblowing?

If misconduct is discovered as a result of any investigation under this procedure we will instigate our disciplinary policy and procedure, in addition to any appropriate external measures.

What if an allegation once investigated is found to be malicious, vexatious or unfounded?

Maliciously making a false allegation is a disciplinary offence and will be dealt with under our disciplinary policy and procedure.

What if I raise the issue in the first instance with my line manager and I am told not to take this further or they say they will not take it any further?

If you raise an issue under whistleblowing and you are told not to raise or pursue any concern, even by your manager, you should not agree to remain silent. You should escalate your concerns to the next senior manager or a member of the HR team.

When should I make a disclosure to an external agency?

Before making a disclosure to an external agency, you should ask yourself:

- have you followed the internal procedure first?
- has the internal procedure been exhausted?
- if the internal procedure has been followed, has it proved to be unsatisfactory?
- whether the disclosure will be protected under the provisions of the Public Interest Disclosure Act 1998.

What if my concerns are related to my employment for example my terms and conditions of employment?

If you are aggrieved in relation to your personal circumstances or terms and conditions of employment you should raise this via our Grievance Policy and Procedure.