

# Whistleblowing Policy & Procedure

WHISTLEBLOWING POLICY & PROCEDURE	
<b>Purpose</b>	This policy aims to help and support individuals in raising any serious concerns they may have about Harrison Housing and/or any connected individual, without having to worry about being victimised, discriminated against, or disadvantaged in any way as a result.
<b>Applies to</b>	All members of Harrison Housing's Board of Trustees, all permanent and temporary employees, any resident-related groups, and any individual or corporate entity associated with Harrison Housing who performs functions in relation to, or for and on behalf of Harrison Housing.
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## **1. Policy Statement**

- 1.1 Harrison Housing is committed to dealing responsibly, openly and professionally with any genuine concern someone may have about any practice, procedure or policy carried out by any trustee, employee or volunteer of the almshouse, which may be a breach of rules, irregularity, malpractice, a danger to our employees or our residents, financial malpractice, breach of legal obligations or which may damage the environment.
- 1.2 Harrison Housing encourages employees and those working with the almshouse in any other capacity to raise their concerns about any incidents of malpractice in the workplace at the earliest possible stage. Our approach to 'whistle blowing' is to enable staff, and others, to raise their concerns and to disclose information they believe shows malpractice or impropriety in the first instance.
- 1.3 This policy is non-contractual and can be subject to change or withdrawn at any time.

## **2. Policy Principles**

- 2.1 This policy aims to enable anyone to raise concerns should they have reasonable grounds to believe that an incident of work malpractice or mismanagement has occurred, is occurring, or is likely to occur within Harrison Housing.
- 2.2 This policy ensures that no one is at a disadvantage in raising concerns and that Harrison Housing deals with disclosures consistently and fairly.
- 2.3 This policy meets the UK regulatory requirements for Whistleblowing and adheres to the principles in the Public Interests Disclosure Act 1998, which is designed to reassure workers that they can raise concerns safely about serious wrongdoings.

## **3. Implementation**

- 3.1 All staff will be made aware of this policy through Harrison Housing's internal communication channels, including email.
- 3.2 Changes to this policy and its associated procedure, if applicable, will be communicated to all staff.
- 3.3 All staff will be required to read this policy, and to confirm that they have read and understood it.

- 3.4 The latest version of this policy will always be available on Harrison Housing's website to enable residents, contractors, and other external stakeholders to follow the whistleblowing process if required.

## **4. What is Whistleblowing?**

- 4.1 Whistleblowing is the term used when a worker passes on information concerning a wrongdoing, often referred to as 'making a disclosure' or 'blowing the whistle'. The wrongdoing will typically (although not necessarily) be something you have witnessed at work.
- 4.2 Whistleblowing occurs when an employee or worker provides certain types of information, usually to the employer or a regulator, which has come to their attention through work. Whistleblowing is 'making a disclosure in the public interest' and occurs when a worker raises a concern about danger or illegality that affects others, for example members of the public. The discourse may be about the alleged wrongful conduct of the employer, a colleague, client, or any third party. The whistleblower is usually not directly or personally affected by the danger or illegality, although they may be.
- 4.3 There is no definitive list of what counts as 'malpractice' but it involves any serious wrongdoing affecting Harrison Housing, its residents, employees, stakeholders or others.
- 4.4 The Public Interest Disclosures Act 1998 encourages staff to raise their concerns internally about malpractice or impropriety, which may include:
- The commission, or likely commission, of a criminal offence;
  - A failure to comply with any legal or regulatory obligation;
  - A miscarriage of justice;
  - Endangering the health and safety or regulatory obligation;
  - Endangering the health and safety of any individual, including failure in the protection of a vulnerable adult;
  - Damage to the environment;
  - Fraud or financial irregularity;
  - Blackmail, corruption or bribery;
  - Deliberate concealment relating to any of the above.

## **5. What Does Whistleblowing Not Cover?**

- 5.1 This policy is not suitable for situations where an individual employee feels personally aggrieved or harassed, or where another policy deals with a specific malpractice. These should continue to be reported through the respective policies as detailed in the Staff Handbook.

## 6. Process for Raising Concerns

- 6.1 It is our primary aim to prevent workplace malpractice from occurring in the first place. If it happens, it is our objective to prevent it from reoccurring. If appropriate, every effort will be made to resolve the situation promptly. If this is not possible, we will take further action to fully investigate and then take appropriate action.
- 6.2 Whistleblowing concerns are handled by Harrison Housing's Chief Executive, Alison Robson-Young who can be contacted as follows:
- Email: [alisonrobson-young@harrisonhousing.org.uk](mailto:alisonrobson-young@harrisonhousing.org.uk)
  - Phone: 020 7603 4332
- 6.3 If the concern involves the Chief Executive, it should be raised to the Trustee Whistleblowing Lead, which is the Vice Chair of the Board of Trustees, on [whistleblowing.trustee.HH@gmail.com](mailto:whistleblowing.trustee.HH@gmail.com)
- 6.4 A concern can be raised via phone or in writing. If you are raising a concern over the phone, please can you be clear you are making a report under our Whistleblowing Policy.
- 6.5 It would help the investigation if you can provide as much information as possible – the history of the concern, and if relevant, names, dates and locations as well as the nature and basis of the concern. You do not need to provide proof or evidence for us to investigate a concern.
- 6.6 External Helpline – Protect  
In exceptional circumstances, if you feel unable or unwilling to raise your concerns within Harrison Housing you can use the confidential external helpline Protect, which is run by a charity set up specifically to make sure that concerns about malpractice in the workplace are properly raised and addressed. You will be given free and confidential advice on how to raise a concern at any stage. Their website is: [www.protect-advice.org.uk](http://www.protect-advice.org.uk) where you can make a report online. Their phone number is: 020 3117 2520.

## 7. Investigations

- 7.1 All concerns about malpractice will be treated seriously. All reports will be thoroughly investigated and appropriate action taken. An "Investigating Officer" will be appointed to manage the investigation and will normally be a member of the Leadership Team from a department not purported to be involved in the alleged malpractice

- 7.2 Upon receipt of the 'disclosure report' the Chief Executive Officer (or Vice Chair of the Board of Trustees) will arrange an interview with the whistleblower, in confidence, to discuss the concerns no later than five working days or as soon as is practicable after the initial concerns were raised. Confidential notes will be kept of the meeting.
- 7.3 The whistleblower may be accompanied at this interview by a work colleague or a trade union representative. If accompanied it is the whistleblower's responsibility to ensure they keep the details of the disclosure confidential.

## **8. Further Action**

- 8.1 If the concern raised results in further action being required, the Chief Executive (or Vice Chair of the Board of Trustees) will recommend one or more of the following steps (which is a non-exhaustive list):
- Initiate an internal investigation to be carried out;
  - Refer to a technical expert;
  - Refer the whistleblower to the Harrison Housing grievance procedure;
  - Refer the matter to the Harrison Housing Board of Trustees;
  - Refer the matter to the appropriate external regulatory body for further investigation;
  - Refer the matter to the police.
- 8.2 Unless exceptional circumstances do not permit it, the whistleblower will be told what action the Chief Executive (or Vice Chair of the Board of Trustees) has decided to take within five working days. Information must be treated in the strictest confidence.

## **9. Unresolved Concerns**

- 9.1 If a concern has been raised about a Board or Committee member, the Board of Trustees or the organisation, and following investigation this cannot be resolved, these concerns will be shared with the Board of Trustees and formally recorded.

## **10. Dissatisfaction and External Disclosure**

- 10.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any workplace wrongdoing. It is therefore hoped that it will not be necessary for staff, trustees or volunteers to alert external organisations. However, in very serious circumstances, or following an internal report which has not been addressed, we recognise that it may be appropriate for you to report your concerns to an external body.

- 10.2 If you are not satisfied with how Harrison Housing has dealt with your concern you can contact the Advisory, Conciliation and Arbitration Service (ACAS) ([www.acas.org.uk/advice](http://www.acas.org.uk/advice)) or the whistleblowing charity Protect (see section 6.6) for more guidance.
- 10.3 If, after having followed the procedural steps set out above, the whistleblower remains genuinely and reasonably dissatisfied with the outcome, concerns can be raised on a confidential basis with:
- The relevant regulatory authority, for example the Regulator of Social Housing (or other current regulatory authority)
  - The police
  - A professionally qualified lawyer for the purposes of obtaining legal advice.

## **11. Confidentiality**

- 11.1 Provided that concerns are raised in good faith and not out of malice or with a view to personal gain, if there are reasonable grounds for believing concerns to be true and the whistleblower has complied in full with the spirit of the policy and procedural steps set out above, the following will apply:
- So far as possible the Whistleblower's identity will not be disclosed at any time by Harrison Housing unless necessary for the purposes of the investigations, to obtain legal advice, or to comply with a legal or regulatory obligation. Where this is the case, this will be advised accordingly.
  - Whilst every effort will be taken to ensure that identity is not disclosed it may become possible for third parties to deduce the identity of the whistleblower. For this reason, no guarantee of anonymity can be given.
  - So far as possible any supporting evidence relating to the concerns will be kept secure at all times.

- 10.2 If you report your concern to the media, in most cases you will lose your whistleblowing law rights.

## **12. Anonymous Allegations**

- 12.1 This policy encourages individuals to put their name to any disclosure they make, requesting confidentiality where they do not want to be identified. Concerns expressed anonymously will be considered, but present unique challenges to the whistleblowing process.
- 12.2 If a claim is made anonymously it may not be possible for the whistleblower to be contacted for further information. Throughout the investigative

process it may be necessary to contact you, often by organising another meeting or phone call, to harvest crucial information. Remaining anonymous makes this option difficult and may impede or even halt the investigation if all the information needed has not been provided.

## **13. Unfounded Allegations**

- 13.1 If allegations are made in good faith but are not confirmed by subsequent investigation, no action will be taken. In making an allegation due care should be exercised to ensure the accuracy of the information. If however an individual makes malicious or vexatious allegations, and particularly if they persist with making them, this may result in disciplinary action.

## **14. Safeguards for Whistleblowers**

- 14.1 Harrison Housing recognises that reporting malpractice or impropriety may be difficult for a number of reasons. However, we want to make it safe and acceptable for staff to report concerns. The Whistleblower will be viewed as a witness to the malpractice as opposed to a complainant and will be afforded the protections outlined below:

- Victimisation of whistleblowers will not be tolerated, even if the whistleblower is subsequently found to be mistaken. Providing the policy is followed and concerns are not raised maliciously, the whistleblower will not be treated in any adverse way by Harrison Housing. In addition to Harrison Housing policy, the Public Interest Disclosure Act 1998 (PIDA) gives protection under the law.
- If there are concerns about repercussions as a result of reporting malpractice, the Chief Executive (or Vice Chair of the Board of Trustees) should be made aware without delay. If the whistleblower believes they have been victimised, they can raise a grievance through the Harrison Housing Grievance Policy.
- If the whistleblower continues to be unfairly treated directly because of the reported malpractice, they are entitled to take their case to an employment tribunal. The process for this would involve attempted resolution through the Advisory, Conciliation and Arbitration Service's (ACAS) early conciliation service. Information can be found at: [www.acas.org.uk](http://www.acas.org.uk). Tel: 0300 123 1100.

## **15. Responsibility**

- 15.1 All those persons referred to within the scope of this policy are required to be familiar with the terms of this policy.
- 15.2 Individual managers are responsible for ensuring that this policy is communicated and applied within their own area. Any queries on the

application or interpretation of this policy must be discussed with the Leadership Team prior to any action being taken.

- 15.3 Revisions, amendments or alterations to the policy can only be implemented following consideration and approval by the Leadership Team and Board of Trustees.

## **16. Training**

- 16.1 Harrison Housing will make all employees and Trustees aware of the requirements and obligations placed on Harrison Housing and on themselves as individuals and will ensure that employees and Trustees are suitably trained. Whistleblowing training will be a mandatory training course for all new employees and Trustees with refresher training being on a three year basis.

## **17. Equality, Diversity, and Inclusion**

- 17.1 For Harrison Housing, diversity is about respecting people's individual differences and ensuring that all people that come into contact with us have access to the same high standards of behaviour and service.
- 17.2 We are committed to ensuring that no resident or team member will be treated less favourably because of their protected characteristics.

# Appendix A

## Further Information on the Investigating Procedure

The following steps should be followed during a whistleblowing investigation:

- Full details and clarifications of the concern raised should be obtained.
- The employee or Trustee against whom the concerns have been raised should be informed as soon as is practically possible unless the allegation is in relation to money laundering (then see Money Laundering Policy). The Trustee or employee will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.
- The allegations should be fully investigated by the investigating officer with the assistance, where appropriate, of other individuals/bodies. The investigating officer should consider the involvement of the Police at this stage if the allegations warrant it and consult with the Chief Executive (or Vice Chair of the Board of Trustees).
- A judgement concerning the concerns raised and validity of the concerns raised will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and the reasons for the judgement. The report will be passed to the Chief Executive or Vice Chair of the Board of Trustees as appropriate. The Chief Executive/ Vice Chair of the Board of Trustees will decide what action to take. If the concerns raised are found to be justified, then they will invoke the disciplinary procedure or other appropriate Company/ Legal procedures.
- The whistleblower should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
- Where appropriate, a copy of the outcomes should be passed to the Leadership Team to enable a review of relevant procedures.

## Appendix B

### WHISTLEBLOWING POLICY CONTACT FORM

TO BE COMPLETED BY INVESTIGATING OFFICER:

Date:	
Your Name and job title:	
Name/address/business address/telephone no.	
Name of client (if appropriate)	
Nature of Concern. Please give full details. Continue overleaf if necessary.	
<b>PLEASE SEND TO CHIEF EXECUTIVE OR VICE CHAIR OF THE BOARD OF TRUSTEES</b>	

TO BE COMPLETED BY CHIEF EXECUTIVE OR VICE CHAIR OF THE BOARD OF TRUSTEES:

Action taken:	
Further actions required:	
Signature:  Date:	