



IMPROVING LIVES

P046: Whistleblowing Policy

Revision 1.0

Date of Issue: Mar 21

Policy Details

Policy Title	Whistleblowing Policy
Policy Number	P046
Current Revision	1.0
Policy Owner	Governance Officer
Consultation & Engagement Mechanism	Two week consultation period with employees via SharePoint.
Linked Policies	P004 Declarations of Interest Policy P030 Health & Safety Policy P035 Data Protection Policy P039 Financial Regulations P045 Grievance Policy P047 Disciplinary Policy P054 Anti-Money Laundering Policy
Relevant Legislation	The Employment Rights Act, as amended by the Public Disclosure Act 1998

Corporate Plan Reference

People	Aim to ensure that RHA is regarded as a great place to work.
Homes	
Growth	
Strength	We will demonstrate the highest level of governance and financial strength.

Approval & Review

Approval by (per SODA)	Board (Electronic)
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	Name	Signature	Date
Chief Executive/Director Approval	Luke Takeuchi		30.03.21

Date of Issue	Mar 2021
Next Review Due	Mar 2024

Equality Impact Assessment

An Equality Impact Assessment of this Policy has been undertaken in line with current legislation and is detailed in Annex 4 to this policy.

Data Protection Impact Assessment

Is a DPIA Required?	No
DPIA Reference No	N/A

Other Policy Implications

Resource	This Policy can be delivered using existing resources. In some instances, it may be appropriate to appoint an external party with specialist knowledge to investigate a concern.
Welsh Language	No implications.
Risk Management	CORP06 Governance Poor governance leading to poor regulatory judgement and reputational damage.
Health, Safety & Wellbeing	Any health and safety issues will be dealt with under P030 Health & Safety Policy.

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Section 1: Policy Statement & Scope

1.1 Policy Statement

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. People should be watchful for illegal or unethical conduct and we are all responsible for reporting anything of that nature that we become aware of.

At RHA, we are committed to conducting our business with integrity, openness and honesty, and we expect all employees to maintain these high standards.

This Policy is designed to enable concerns to be raised where an individual believes there is wrongdoing.

RHA's **Whistleblowing Officer** is the PA and Governance Officer.

RHA's **Whistleblowing Champion** is the Chair of the Remuneration & People Committee.

1.2 Policy Scope

The aims of this Policy are:

- to demonstrate a commitment to deal with any suspected and identified unethical practices.
- to ensure any potential wrongdoing is detected, reported and thoroughly investigated.
- to continue to promote a culture of integrity, openness and honesty in the conduct of our business.
- to encourage employees to report suspected wrongdoing as soon as possible.
- to provide employees with the guidance on how to raise any concerns.
- to reassure employees that they are able to raise genuine concerns in good faith without fear of reprisal, even if they turn out to be mistaken.

This Policy applies to all employees, Board members and volunteers.

This Policy does not form part of any employee's contract of employment and it may be amended at any time.

Section 2: Responsibilities

2.1 Board

- 2.1.1 Ensuring that the organisation has a Whistleblowing Policy in place.
- 2.1.2 Ensuring a robust system of internal control is in place that supports the ethos of this Policy.

2.2 Audit and Risk Committee

- 2.2.1 Having oversight of all whistleblowing investigations.

2.3 Chief Executive

- 2.3.1 Reporting any whistleblowing investigations to the Audit and Risk Committee.
- 2.3.2 Ensuring that vigorous and prompt investigations are carried out.

2.4 Executive Management Team

- 2.4.1 Ensuring that employees are aware of their responsibilities with regards to whistleblowing.
- 2.4.2 Ensuring that appropriate mechanisms are in operation for people to whistleblow.
- 2.4.3 Ensuring that appropriate resource is available to support the investigation of whistleblowing reports.
- 2.4.4 Promoting a culture of openness and transparency.

2.5 Heads of Service

- 2.5.1 Ensuring that all employees in their area are aware of this Policy and their responsibilities.

2.6 Line Managers

- 2.6.1 Ensuring that there are no repercussions for employees who whistleblow in good faith.

2.7 All Employees

- 2.7.1 The Whistleblowing Officer has day to day operational responsibility for this Policy.
- 2.7.2 All employees are responsible for the success of this Policy and should ensure that they use it to disclose any suspected danger or wrongdoing.
- 2.7.3 All employees are expected to fully co-operate with any investigation resulting from whistleblowing.

2.8 Contractors and Partners

- 2.8.1 Partners and suppliers are invited to contact us to share any concerns they may have.

2.9 Tenants

- 2.9.1 Tenants and the wider general public are invited to contact us to share any concerns they may have.

Section 3: Policy

3.1 Whistleblowing Definition

- 3.1.1 Whistleblowing is the process where a person reports serious concerns about the practices or conduct of an organisation.
- 3.1.2 Whistleblowers are legally protected by the Employment Rights Act (as amended by the Public Disclosure Act 1998) when making a qualifying disclosure. Qualifying disclosures include:
- a criminal offence;
 - a breach of a legal obligation;
 - miscarriages of justice;
 - danger to the health and safety of an individual;
 - damage to the environment;
 - the deliberate attempt to conceal any of the above.
- 3.1.3 RHA is committed to operating at the highest possible standard. Employees and Board Members must not act in anyway which could damage the reputation of the organisation. Unacceptable action and behaviour that could lead to whistleblowing includes, but is not limited to:
- Failure to comply with any legal, professional or regulatory requirements;
 - Financial fraud or mismanagement;
 - Breach of our internal policies and procedures;
 - Non-disclosure of interests;
 - Unauthorised disclosure of confidential information;
 - Failure to identify health and safety hazards and the failure to rectify these;
 - Failure to act on allegations of misconduct;
 - Using discriminating practices or actions;
 - Improper behaviour towards tenants, or acting on behalf of tenants in personal matters, particularly financial matters.
- 3.1.4 A whistleblower is a person who raises a genuine concern in good faith relating to any of the above. If anyone has any genuine concerns related to suspected wrongdoing or danger affecting any of RHA's activities they should report it under this Policy.
- 3.1.5 This Policy should not be used for complaints relating to an employee's own personal circumstances. Such cases should be dealt with by following P045 Grievance Policy as appropriate.

- 3.1.6 If uncertain whether something is within the scope of this Policy, employees should seek advice from the Whistleblowing Officer.
- 3.1.7 Anybody is able to whistleblow, including tenants or their relatives, employees, a contractor or a representative from an outside agency.

3.2 Raising a Whistleblowing Concern

- 3.2.1 RHA hopes that in many cases, employees will be able to raise any concerns with their Line Manager, either in person or in writing if preferred.
- 3.2.2 However, where the matter is more serious, or it is felt that the Line Manager has not addressed the concern, or the employee prefers not to raise it with them for any reason, for example if the complaint concerns that individual, it should be raised by contacting the Whistleblowing Officer.
- 3.2.3 If the matter complained about concerns the Chief Executive, it should be raised with the Chair.
- 3.2.4 If the matter complained about concerns the Whistleblowing Officer, the Chair or the Board, the matter should be raised with the Chief Executive.
- 3.2.5 RHA will arrange a meeting with the employee reporting the concern as soon as possible to discuss the matter. The employee may bring a colleague to any meetings under this Policy. This companion must respect the confidentiality of the disclosure and any subsequent investigation. RHA will take down a written summary of the concern and provide the employee with a copy after the meeting. RHA will also aim to give an indication of how we propose to deal with the matter.

3.3 Confidentiality

- 3.3.1 RHA hopes that employees will feel able to voice whistleblowing concerns openly under this Policy. However, for anyone preferring to raise a concern confidentially, we will make every effort to keep the identity of the whistleblower secret. If it is necessary for anyone investigating the concern to know the identity of the person who reported it, we will discuss it with the whistleblower.
- 3.3.2 The law recognises that in some circumstances it may be appropriate for people to report their concerns to an external body, such as a regulator. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage our employees to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, 'Protect' (formerly 'Public Concern at

Work'), operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

- 3.3.3 Whistleblowing concerns usually relate to the conduct of our employees, but they may sometimes relate to the actions of a third party, such as a supplier or service provider. The law allows someone to raise a concern in good faith with a third party, where that person reasonably believes it relates mainly to their actions or something that is legally their responsibility. However we encourage our employees to report such concerns internally first. Employees should contact their Line Manager or the Whistleblowing Officer for guidance.

3.4 Investigation and Outcome

- 3.4.1 Once a concern has been raised, RHA will carry out an initial assessment to determine the scope of any investigation. RHA will inform the employee who reported the concern of the outcome of our assessment. That person may be required to attend additional meetings in order to provide further information.
- 3.4.2 In some cases, we may appoint an investigator or teams of investigators including employees with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.
- 3.4.3 RHA will aim to keep the person who reported the concern informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent RHA providing specific details of the investigation or any disciplinary action taken as a result. Employees should treat any information about an investigation as confidential.
- 3.4.4 If RHA concludes that a whistleblower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistleblower will be subject to disciplinary action under P047 Disciplinary Policy.
- 3.4.5 While RHA cannot guarantee any outcome, we will try to deal with any concern raised fairly and in an appropriate way. By using this Policy, our employees can help us achieve this.
- 3.4.6 If an employee is not happy with the way a concern has been handled, they can raise it with a member of the management team.

3.5 Protection and Support for Whistleblowers

- 3.5.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support employees who raise genuine concerns in good faith under this Policy, even if they turn out to be mistaken.
- 3.5.2 Employees must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an employee believes that they have suffered any such treatment, they should inform the Whistleblowing Officer immediately. If the matter is not remedied they should raise it formally under RHA's Grievance Policy.
- 3.5.3 Employees must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary actions.

3.6 Non-Compliance

- 3.6.1 Non-compliance with the whistleblowing legislation could result in financial, regulatory and reputational damages, and in certain instances, fines and prosecution.

Annex 1: Version Control

Revision	Date	Nature of Change	Responsibility
1.0	30.03.21	First issue of policy in new template	Governance Officer

Annex 2: Documents & Records

List all associated documents, forms & records

Document Name	Document Number	Rev	Storage	Retention

Annex 3: Definitions

Whistleblowing	The process where a person reports serious concerns about the practices or conduct within an organisation. See section 3.1 for further detail.
Whistleblower	A person who raises a genuine concern in good faith about a person or organisation regarded as engaging in an unlawful or immoral activity.

Annex 4: Equality Impact Assessment

Protected Characteristic Group	Potential Positive Impacts Identified	Potential Negative Impacts Identified	Examples, Evidence & Engagement	Mitigating Actions (to address negative impacts)
Disability	<p>This Policy will be applied fairly and equally.</p> <p>Certain individuals with protected characteristics may be perceived as being more vulnerable to the effects of unethical behaviour and this Policy may have a positive impact in these circumstances.</p>	It should be recognised that reporting any concern under this Policy may cause additional stress and worry, particularly for employees who may have an existing mental health condition.		RHA is committed to supporting all employees who raise a concern under this Policy and ensuring that, where concerns were raised in good faith, there will be no resulting detrimental treatment. RHA has existing systems in place to support the wellbeing of employees.
Gender Reassignment		None	N/A	N/A
Marriage or Civil Partnership <i>Employment Only</i>		None	N/A	N/A
Pregnancy and Maternity		None	N/A	N/A
Race		None	N/A	N/A
Religion or Belief		None	N/A	N/A
Sexual Orientation		None	N/A	N/A
Sex (Gender)		None	N/A	N/A
Age		None	N/A	N/A

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Completed by: *Business Improvement Partner*

Date: *21-12-20*

Outcome: A full, standalone Equality Impact Assessment is required
(where significant issues are raised)

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