



WHISTLEBLOWING POLICY

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Executive Summary:
<p>Whistleblowing is also called ‘speaking up’ and is a way for individuals to raise a concern about anything that they think isn’t quite right. In most instances individuals will feel comfortable raising concerns with their manager if an employee or with their usual contact at RBH if a tenant or one of our partners. Where this isn’t the case there are a number of other routes individuals can take to ensure their concerns are addressed. The Whistleblowing Policy gives guidance on the routes that are available and how individuals should go about doing this.</p>

Policy Grouping/Directorate(s)	Resources	
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Notes:		

1. Introduction

- 1.1 Rochdale Boroughwide Housing (RBH) and its subsidiaries RBH (Design and Build) and RBH Professional (dormant) are committed to the highest possible standards of openness, probity and accountability and encourage freedom to speak up. It is therefore expected that colleagues or any third parties who have serious concerns about any aspects of the Society's work should come forward and voice those concerns.

2. Scope

- 2.1 This policy applies to all colleagues (permanent, temporary and fixed term contract staff), consultants, contractors, agency staff, trainees, apprentices, or any other person associated with RBH including third parties and our subsidiaries. The policy also applies to board members and committee members.

3. Context

- 3.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The law protects workers from being retaliated against by their employer if they make a 'protected' disclosure.
- 3.2 The Public Interest Disclosure Act 1998 sets out the circumstances in which a disclosure of specific categories of wrongdoing or malpractice will be protected. The person(s) raising a concern must have a reasonable belief that the wrongdoing has taken place in the past, is continuing or is likely to happen in the future.

4. Aims & Objectives

- 4.1 The aims of the policy are to:
- a) To encourage colleagues (and others covered by this policy) to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected,
 - b) To provide colleagues (and others covered by this policy) with guidance as to how to raise those concerns,
 - c) To reassure colleagues (and others covered by this policy) that they should be able to raise genuine concerns without fear of reprisals even if they turn out to be mistaken.

5. Policy Statement

5.1 What types of issues can be raised?

This policy is intended to deal with serious concerns or sensitive concerns about wrong-doing such as, but not limited to, the following:

- Fraud or bribery and corruption;
- Customers, including children and vulnerable adults in our care, who are being mistreated;
- Unauthorised use of RBH resources.
- A criminal offence or an unlawful act
- Any danger to health and safety
- All forms of harassment, victimisation or bullying
- Misuse of drugs and/or alcohol
- The environment being damaged (for example, by pollution)
- Breach of our internal policies and procedures including our Code of Conduct, a code of practice or any law or regulation
- A person failing to meet appropriate professional standards
- A person being discriminated against because of their race, colour, religion, ethnic or national origin, disability, age, sex, sexual orientation.
- Instances or suspicions of modern-day slavery or human trafficking in any aspect of our
 - business
 - Attempts to conceal or hide any information relating to any of the above

5.2 Your concern may be about a colleague, people who work directly for RBH, suppliers or people who provide services on our behalf.

5.3 If you have any genuine concerns related to suspected wrongdoing or danger affecting any of activities (a 'whistleblowing concern') you should report it under this policy.

5.4 **What is not covered?**

The Whistle-blowing Policy does not cover matters that are covered by other policies and procedures, including:

- Colleagues' complaints about their employment. These are dealt with through the Grievance Procedure.
- Customer complaints about our services which will be dealt with via our complaints process.
- Contract disputes which will be dealt with under the contract resolution clause in the contract.

6. Safeguards

RBH is committed to good practice and high standards and wants to support colleagues in achieving them.

6.1 **Harassment or victimisation**

It is recognised that the decision to report a concern can be a difficult one to make. RBH will not tolerate any harassment or victimisation (including informal

pressures) of a person or persons expressing a concern and will take appropriate action to protect an individual when they raise a concern in good faith.

Any investigation into allegations of potential unacceptable behaviour or practice will not influence or be influenced by any disciplinary or redundancy procedures that already affect colleagues/others covered by this policy.

6.2 Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal the identity of the whistleblower if they so wish. If it is necessary for anyone investigating the matter to know their identity, then this will first be discussed with the whistleblower.

6.3 Anonymous allegations

This policy encourages those reporting an issue to put their names to their allegations whenever possible. Concerns expressed anonymously are much less powerful and can be more difficult to investigate as we may want to liaise with those making a report to obtain further information. We are also unable to offer support to anonymous whistle-blowers. Nevertheless anonymous reports will still be considered at the discretion of the Chief Executive and the Chair of the Audit and Risk Committee.

In exercising this discretion, the factors to be taken into account include:

- The seriousness of the issues raised
- The credibility of the concerns; and
- The likelihood of confirming the allegations from attributable sources.

6.4 Untrue allegations

If colleagues make allegations in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, colleagues make allegations frivolously, maliciously or for personal gain, disciplinary or other action may be taken against them.

7. How to Raise a Concern

7.1 As a first step, colleagues should normally raise concerns with their immediate manager or their supervisor.

This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. You may also report your concerns in the following ways:

- By contacting the Head of Legal & Compliance;
- By contacting the Chair of Audit and Risk Committee;
- Concerns can also be raised via the RBH website - www.rbh.org.uk/about-us/governance/whisteblowing/ This can be done anonymously though as mentioned at 6.3 we do encourage people to provide contact details wherever possible.
- If you have concerns about using any of the above routes you can contact the Chief Executive, or any Executive Director;

- 7.2 Concerns may be raised verbally or in writing, providing the following information:
- The background and history of the concerns (giving relevant dates whenever possible);
 - The reasons why they are particularly concerned about the situation.
- 7.3 Colleagues (and others covered by this policy) should express their concerns as early as possible as it may then be easier to take action.
- 7.4 Although colleagues (and others covered by this policy) are not expected to prove the truth of allegations, they will need to demonstrate to the person contacted that there are reasonable grounds for their concerns.
- 7.5 Colleagues may invite their trade union or workplace colleague to be present during any meetings or interviews in connection the concerns they have raised.

8. How will RBH respond?

- 8.1 RBH will respond to all concerns raised.

Once a concern has been raised, an initial assessment will be undertaken to determine the scope of any investigation. The individual raising the issue will be informed of the outcome of the initial assessment.

Every effort will be made to keep the whistle-blower informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent specific details of the investigation or any disciplinary action taken as a result from being shared.

Those raising a concern should remember that testing out their concerns is not the same as either accepting or rejecting them.

- 8.2 Within ten working days of concerns being raised, the Chief Executive, appropriate Executive Director, Chair of Audit and Risk or Head of Legal and Compliance will write to the whistle blower:
- acknowledging that the concerns have been received;
 - indicating how it is proposed to deal with the matters raised;
 - giving an estimate of how long it will take to provide a final response;
 - indicating whether any initial enquiries have been made;
 - supplying information on support mechanisms where appropriate, and indicating whether further investigations will take place and, if not, why not.
- 8.3 The level of contact between the officer considering the issues and the individual raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided.
- 8.4 Concerns or allegations which fall within the scope of specific procedures will normally be referred for consideration under those procedures.

8.5 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

8.6 All whistleblowing reports will be reported to the Audit and Risk Committee regardless of the outcome at the point they are lodged as well as during the investigation through to conclusion. For the avoidance of doubt, the name of the person raising the concern will not be shared.

9. How Matters of Concern can be Taken Further

9.1 This Policy is intended to provide colleagues with an avenue to raise concerns within RBH, and it hopes that colleagues will be satisfied. However, if colleagues (and others covered by this policy) feel that matters of concern have not been dealt with satisfactorily, the following are possible contacts if they wish to take the matters further:

- Our internal auditors (Wylie and Bisset) Info@wyliebisset.com 0141 5667000;
- Protect – Free confidential advice for whistle blowers. www.protect-advice.org.uk 0203 1172520
- Police.

9.2 If colleagues take matters outside RBH, it will be necessary to ensure that they do not disclose confidential or legally privileged information as this may result in disciplinary action being taken. It is strongly advised that colleagues take advice before doing so, this can be obtained from RBH's Legal Team or from an outside provider.

10. Training

10.1 All colleagues will be given training in relation to whistleblowing upon induction and at least once every 3 years thereafter.

11. Monitoring

11.1 All allegations that are received under this policy will be reported to the Audit and Risk Committee which will maintain oversight of the case and any actions that arise.

12. Review

12.1 All RBH strategies, policies, service standards and procedures are reviewed on a regular basis to ensure that they are 'fit for purpose' and comply with all relevant legislation and statutory regulations.

12.2 This policy will go through the full policy approval process every 3 years and will undergo a desktop review annually. This is to ensure that it is fit for purpose and complies with all relevant and statutory regulations.

13 Links with Other RBH Documents

13.1 This policy links to the following policies and strategies:

- Anti-Fraud Policy
- Anti-Bribery Policy
- Anti-Money Laundering Policy
- Dignity and Safeguarding at Work Policy
- Grievance, Disciplinary and Capability Policy
- Health and Safety Framework
- Recruitment and Selection Procedure