

Whistleblowing Procedure

1.0 Introduction

1.1 This procedure document should be read in conjunction with the Whistleblowing Policy.

2.0 Scope

2.1 This procedure applies to the following (*“employees / others”*):

- Employees
- Board members
- Agency staff
- Contractors
- Consultants
- Suppliers
- Customers / service users
- Volunteers
- Employees and principals of partner organisations.

3.0 Procedure statement

3.1 The purpose of the procedure is to ensure that those reporting matters of concern through the Whistleblowing policy are aware of the reporting procedure, who will deal with their concern and how the matter will be progressed.

4.0 Whistleblowing and Confidential Reporting

4.1 It may not be easy for someone to report a concern which relates to a potential case of wrongdoing. However, employees should report their concerns as soon as they become aware to ensure that the issue is dealt with before it has a chance to become more serious.

4.2 There may be an occasion where a customer feels that the Complaints procedure is not the right avenue for raising a matter of concern. This concern may relate to something that is illegal or endangers others rather than a complaint about a service which would be dealt with through the Complaints procedure.

4.3 If the concern relates to an employee’s own employment it should be dealt with under the Grievance procedure or Bullying & Harassment policy. A grievance is a personal complaint about an individual’s own employment situation: for example, a staff member may feel aggrieved if they think a management decision has affected them unfairly or that they are not being treated properly.

- 4.4 The Public Interest Disclosure Act 1998 provides protection against being treated unfairly, or any disciplinary action for raising a whistleblowing concern, so long as that concern is based on reasonable belief and made in the public interest. This is known as a 'protected disclosure'.
- 4.5 There is a liability for the organisation should we fail to take reasonable steps to prevent the harassment or victimisation of whistle-blowers by their colleagues.
- 4.6 An employee / other raising a serious concern may wish to do so in the presence of another colleague, friend, trade union representative or another advisor and the Group is happy to encourage such representation or assistance.
- 4.7 Regardless of whether or not the concern reported by an employee / other turns out to be justified, the Group will support employees / others raising concerns. In the case of any concerns that are in the public interest as defined in the relevant legislation, the Group will not permit the career of an employee to be adversely affected as a result of that employee reporting a concern of this nature.
- 4.8 The Group will, wherever possible, respect an employee's / other's request to remain anonymous, however this may not be practicable and the Group will discuss this with the employee / other.
- 4.9 Any attempt or alleged attempt by any employee to dissuade another employee / other from reporting a concern; or any criticism or victimisation of an employee / other who has reported a concern, will be investigated and if found to be substantiated may be treated as a disciplinary offence especially if the reason for the attempt is found to have been motivated by malice or self-interest.

5.0 How to report

- 5.1 In most cases employees should report any concerns to their line manager verbally or in writing providing any evidence to support the allegation/concern raised. If this is not practical in the circumstances, employees / others should report to any one of:
- the Senior Managers
 - a member of the Executive Team
 - Head of Care & Support
 - the Group Chief Executive
 - the Company Secretary
 - the Chair of the Group Board
 - the Group's internal auditors – (currently RSM who have a duty to report serious, material concerns to the Audit & Assurance Committee).

Contact details for the above are listed at **Appendix 1** attached.

- 5.2 Employees / others can raise confidential concerns directly with the Chair of the Audit & Assurance Committee where these are serious concerns that cannot appropriately be raised through the channels listed above. Contact details for the Chair of the Audit & Assurance Committee can be found at **Appendix 1**.
- 5.3 Where necessary employees / others should ask for a confidential meeting with the appropriate person who will respect the employee's / other's confidence.
- 5.4 Employees / others can obtain independent and confidential advice on Whistleblowing or Public Interest Disclosures from:
- Protect (formerly Public Concern at Work) an independent charity focused on Whistleblowing www.pcaw.org.uk
 - Protect Advice Line: 020 3117 2520 and 020 7404 6609
Monday-Friday: 9am-6pm or whistle@protect-advice.org.uk
 - ACAS (an independent adviser to employers and employees) www.acas.org.uk
Helpline number: 0300 123 1100
Monday-Friday: 8am-8pm and Saturday 9am-1pm.
 - Social Care Workers can also contact Speak Up. Speak Up is delivered by Social Enterprise Direct on behalf of the Department of Health.
<https://speakup.direct/>
Helpline number: 08000 724 725
- 5.5 If you feel that you have fully exhausted all of the internal processes relating to Whistleblowing and still feel that the concern has not been adequately addressed you may contact the relevant regulatory body.

This could include:

- The Care Quality Commission (CQC)
- Health and Safety Executive (HSE)
- Environment Agency
- Homes England
- The Regulator of Social Housing (RSH)
- HM Revenue and Customs
- Serious Fraud Office.

- 5.6 Where we receive an external whistleblowing specifically from Care Quality Commission we will be guided by the timeframes set out from them to respond to the information request, these are usually within a week turnaround time. These whistleblowing concerns will go to the Nominated Individual or Registered Manager who will inform the Head of Care Operations, unless the concern is in relation to the Head of Care operations in which case this will need to be passed to the Executive Director of Operations.

6.0 How the Group will deal with reported concerns

- 6.1 Any person listed in 5.1 above receiving a disclosure must report it to the Company Secretary, who will review the report, with the Governance Manager if required, to ascertain if the report is a whistleblowing event or one which should follow the Grievance or Disciplinary Policy.
- 6.2 The Company Secretary will consider along with the Head of People Services who is best to investigate. An independent investigation by the internal auditors will be carried out in any case of allegations involving a Senior Manager, Director, Executive Director or Group Chief Executive, or of serious fraud. The Company Secretary or Governance Manager will report quarterly to the Audit & Assurance Committee on whistleblowing matters of concern and on Public Interest Disclosures and the actions taken in response. In any case of particular concern or sensitivity the Group Chair and Chair of the Audit & Assurance Committee will be informed.
- 6.3 If a Board member has concerns about the Board or the organisation that cannot be resolved, these concerns will be shared with the Board and formally recorded. This will be addressed through the Matters of Concern Procedures contained within Standing Orders via the Senior Independent Director of appropriate.
- 6.4 The Group will investigate all concerns reported to it carefully and thoroughly ensuring that it is fair both to the employee / other reporting the concern and to any other employees / others involved. Where there is any allegation of misconduct the person or persons accused must have the opportunity to state their side. At all times the Group will respect any concerns that the employee / other reporting the matter under investigation may have as to their safety or career.
- 6.5 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. We aim to respond to any internal investigation within 30 days. Investigations will be evidence-based and led by an independent person in the organisation, with a subsequent report focusing on lessons to be learnt.
- 6.6 In order to avoid prejudicing an investigation all parties should ensure confidentiality is maintained when reporting a concern and discussions should only take place with those involved in the investigation

- 6.7 Where requested to do so the Group will endeavour to report to the employee / other reporting the concern what the outcome of an investigation has been and what action the Group proposes to take. This will only be possible provided the Group would not be in breach of any duty to respect the confidentiality of any other employee involved in the investigation.
- 6.8 If an employee / other abuses the confidential reporting procedure (e.g. raising allegations for reasons of spite or malice, or to distract from disciplinary matters or to obtain a personal advantage) this will be treated as gross misconduct or a serious disciplinary matter for the employee.
- 6.9 Any employee / other who takes action under the Public Interest Disclosure Act 1998 will be protected from suffering any detriment in relation to the allegations that are made, including victimisation by the Group or by colleagues.
- 6.10 If the employee / other does not follow the procedure set out, which encompasses the requirements of the Public Disclosure Act 1998, the protection against detriment will not apply. Disclosing information in an inappropriate way (e.g. contacting the media) could result in disciplinary action being taken against the individual, which could include dismissal.
- 6.11 It is important to the Group that wrongdoing is identified and dealt with properly so that the Group can act in accordance with its values: employees are therefore encouraged to report where necessary.

7.0 Measuring Effectiveness

- 7.1 The policy shall be automatically reviewed every three years although may require review/update sooner based on continual use or in line with legislative changes.

Summary of changes table

Revision history			
Author	Summary of changes	Version	Authorised by & date
Catherine Rogerson	<p>This policy replaces the two separate policies that were in place for The Wrekin Housing Group and Choices Housing Association.</p> <p>The policy and procedure have been separated.</p>	1.0- September 2021	The Wrekin Housing Group Board - 20 th September 2021
Angelina Hicklin	<p>Reviewed in line with policy and review cycle.</p> <p>To include an additional step to ensure clarity over when a concern is a whistleblowing report and when it is a grievance.</p> <p>The expectations that evidence of allegations to support a concern should be provided and discussion of matters relating to the concern should be limited to those those involved in the investigation.</p>	1.0 – September 2024	The Wrekin Housing Group Board – 25 th September 2024

Appendix 1 – How to report

In most cases employees should report any concerns to their line manager verbally or in writing. If this is not practicable in the circumstances employees/ others should report to any one of the following

Name / Email Address	Title
Des.Hudson@wrekin.com	Group Chair
Alan.Hawkesworth@wrekin.com	Chair of Audit & Assurance Committee
Wayne.Gethings@wrekin.com	Group Chief Executive
Jon.Lamb@wrekin.com	Executive Director of Finance
David.Wells@wrekin.com	Executive Director of Operational Services
Jan.Lycett@wrekin.com	Executive Director of Business Solutions
Claire.Skelton@wrekin.com	Head of Care Operations
Simon.Thompson@wrekin.com	Director of Development
Nick.Grubb@wrekin.com	Head of Housing
Carron.Morrow@wrekin.com	Head of Financial Services
Jan.Lycett@wrekin.com	Company Secretary
David.Hall@wrekin.com	Head of Property
Edward.Thomas@wrekin.com	Head of Marketing and Communications
Emma.Humphries@wrekin.com	Head of Operational Services
Lawrence.Gardner@wrekin.com	Head of ICT
Mark.Thompson@wrekin.com	Head of Risk and Policy
Hazel.Edwards@wrekin.com	Head of Customer Voice & Value
Sophie.Jones@wrekin.com	Head of People Services
Paula.Reynolds@wrekin.com	Head of Retirement Housing
Richard.Nowell@wrekin.com	Head of Financial Planning and Treasury
Mike.Gennard@rsmuk.com	RSM Internal Auditors