

# Group Whistleblowing Policy

**We will provide this policy on request at no cost, translated, in large print, in Braille, on tape or in another non-written format.**



We can produce information on request at no cost in large print, in Braille, on tape or in another non-written format. We can also translate this into other languages. If you need information in any of these formats please call us on 0800 479 7979 or email [info@wheatley-group.com](mailto:info@wheatley-group.com)

Możemy, na życzenie, bezpłatnie przygotować informacje dużą czcionką, w alfabecie Braille'a, na taśmie lub w innym niepisanym formacie. Możemy je również przetłumaczyć na inne języki. Jeśli potrzebujesz informacji w którymkolwiek z tych formatów, zadzwoń do nas pod numer 0800 479 7979 lub wyślij e-mail na adres [info@wheatley-group.com](mailto:info@wheatley-group.com)

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يمكننا إنتاج معلومات عند الطلب مجاناً مطبوعة بأحرف كبيرة أو بطريقة برايل أو على شريط أو بتنسيق آخر غير مكتوب. يمكننا أيضاً ترجمة هذا إلى لغات أخرى. إذا كنت بحاجة إلى معلومات بأي من هذه التنسيقات، فيرجى الاتصال بنا على 0800 479 7979 أو إرسال بريد إلكتروني إلى [info@wheatley-group.com](mailto:info@wheatley-group.com)

در صورت درخواست، می توانیم اطلاعات را در چاپ بزرگ، خط بریل، روی نوار یا در فرمت غیرنوشتاری دیگری ارائه دهیم. همچنین می توانیم اطلاعات را به سایر زبانها ترجمه کنیم. در صورت نیاز به اطلاعات بیشتر در هر یک از این فرمتها، لطفاً از طریق شماره 0800 479 7979 با ما تماس بگیرید یا ایمیلی به [info@wheatley-group.com](mailto:info@wheatley-group.com) ارسال کنید.

ہم درخواست پر معلومات کو بڑے حروف، بریل، ٹیپ پر یا کسی اور غیر تحریری صورت میں بغیر کسی لاگت کے مہیا کر سکتے ہیں۔ ہم اس کا دوسری زبانوں میں ترجمہ بھی کروا سکتے ہیں۔ اگر آپ کو ان میں سے کسی صورت میں یہ معلومات درکار ہوں تو براۓ کرم ہمیں 0800 479 7979 پر کال کریں یا [info@wheatley-group.com](mailto:info@wheatley-group.com) پر ای میل کریں۔

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Trade union engagement required	Yes – For consultation
Equality Impact Assessment	No

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## **1. Introduction**

The Wheatley Group and all of its subsidiaries ('the Group') is committed to conducting its operations with honesty and integrity and will treat all reports of suspected misconduct seriously.

The Group Whistleblowing Policy is intended to provide workers with a means to raise serious concerns they may have about the conduct of others in the Group or how the Group conducts its business.

## **2. Policy aims**

The Group is committed to the highest possible standards of openness, probity, good practice and accountability; and conducts its affairs with honesty and integrity. In line with that commitment, all workers and others with serious concerns about any aspect of the Group's work are encouraged to disclose those concerns. It is recognised that certain cases will have to proceed on a confidential basis.

This policy makes it clear that workers can raise concerns without fear of reprisals. The Group recognises that the decision to report a concern can be a difficult one to make, not at least because of the fear of reprisal from those responsible for the malpractice. The Group will not tolerate harassment or victimisation and will take action to protect staff when they raise a concern which they believe to be true.

This Policy:

- Describes the avenues for staff to raise concerns and receive feedback on any action taken;
- Informs staff on how to take the matter further if they are dissatisfied with the response;
- Describes the process for investigation of concerns raised; and
- Describes responsibilities of staff and managers in relation to whistleblowing training and the application of this Policy.

### ***Legal and regulatory framework***

This Policy takes account of relevant legal and regulatory requirements including:

- Employment Rights Act 1996;
- Public Interest Disclosure Act 1998;
- The Public Interest Disclosure (Prescribed Persons) Order 2014;
- Scottish Housing Regulator's Regulatory Standards of Governance and Financial Management; and
- Care Inspectorate's National Care Standards.

## ***Policy review***

This Policy shall be reviewed at least every three years and more frequently where, for example, there is a need to respond to new legislation/policy guidance. Reviews will consider legislative, performance standard and good practice changes.

The Group will publish this policy on the staff intranet, WE Connect, and on its website. A hard copy is also available on request. Customers may also request a copy of the policy in other formats and community languages.

## **3. Policy Scope**

Whistleblowing is the term used when a worker passes on information concerning wrongdoing by making a disclosure or “blowing the whistle”. The wrongdoing will typically (although not necessarily) be something they have witnessed at work.

This Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures. These concerns may include for example:

- Criminal and unlawful activity;
- Failure to comply with any legal or professional obligation or regulatory requirements;
- Accounting irregularities;
- Offering or acceptance of bribes;
- Danger to the health or safety of any individual;
- Harassment or discrimination;
- Violations of the Company’s Code of Ethics;
- Breach of our Standing Orders, policies or procedures;
- Damage to the environment; or
- Improper or unethical behaviour or conduct.

The above list is not exhaustive. A whistleblower is a person who raises a genuine concern relating to any of the above if they have a genuine belief the matter is in the public interest. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the Group activities (a whistleblowing concern) you should report it under this policy.

Sometimes a worker believes they are blowing the whistle when, in fact, their complaint is a grievance. Workers who make a disclosure under an organisation’s whistleblowing policy should believe that they are acting in the public interest. This means in particular that personal grievances and complaints are not usually covered by whistleblowing law. Guidance on how to raise concerns relating to a worker’s employment or the conduct/behaviour of employees is provided in section 5 of this policy.

## ***Roles and responsibilities***

The Group Chief Executive has overall responsibility for the maintenance and operation of this Policy. They ensure that a record is maintained of concerns raised and the outcomes (but in a form which does not endanger confidentiality) and will report as necessary to the Group Board.

The **Director of Assurance** is responsible for ensuring that all whistleblowing cases are fully recorded and reported. To facilitate this, the Director of Assurance will maintain a record of all whistleblowing concerns notified to the Group. The Director of Assurance will report summary details of all whistleblowing concerns raised to the Group Audit Committee.

The **Director of Governance** is responsible for notifying appropriate Regulators of all whistleblowing concerns that result in a notifiable event, and how we are responding to them.

If a **Manager** is made aware of a whistleblowing concern from a worker, the Manager should inform the Director of Assurance and agree any initial investigation steps required.

**Workers** should familiarise themselves with the contents of this policy and complete the Group's mandatory Business Ethics e-learning module. If a worker wishes to raise a whistleblowing concern, the process outlined in section 5 of this policy should be followed.

## **4. Safeguards**

Workers are often the first to discover there may be something seriously wrong within their workplace. However, they may not express their concerns because they feel that speaking out would be disloyal to their colleagues, management, or the Group. They may also feel under pressure from harassment or victimisation. In these circumstances, it may feel easier to ignore the concern rather than report what maybe a suspicion of suspected misconduct.

### ***Public Interest Disclosure Act 1998***

The Public Interest Disclosure Act 1998 provides protection for workers who raise genuine concerns about or within the organisation for which they work (including serious issues of wrongdoing, malpractice, or unlawful matters). These protections apply to all workers (including full-time and part-time employees, home workers, trainees, and agency staff) and it applies whether or not the concerns relate to confidential matters.

The 1998 Act does not apply to volunteers. Accordingly, some of the Group's governing body members fall outside the statutory arrangements relating to

Whistleblowing. As matter of policy and good practice, the Group encourages all governing body members with any concerns about malpractice or wrongdoing to raise these under the terms of this Whistleblowing Policy.

### ***Harassment or Victimisation***

The Group will not tolerate harassment or victimisation and will take action to protect workers when they raise a concern which they believe to be true. A whistleblower's employment status will not be affected, and the whistleblower will not be disadvantaged if acting in the public interest, even if the concern is unfounded.

This does not mean that if a worker is already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of their whistleblowing.

If worker reports a concern but it is not confirmed by the investigation, no action will be taken against them. If, however, if individuals make malicious allegations, or raise concerns for their own personal gain, disciplinary action will be considered.

### ***Confidentiality***

The Group hopes that workers will feel able to voice whistleblowing concerns openly under this Policy.

The Group will make every effort to protect an individual's identity when they raise a concern and do not want their name to be disclosed. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence. Where identity must be made public (e.g. for an investigation to continue, for legal proceedings) the Group will notify the whistleblower.

Contact made using the whistleblowing telephone number is completely anonymous, there is no requirement to leave a name or contact details.

## **5. How to raise a Concern**

Advice and guidance on how to raise matters of concern can be obtained from the Group Assurance Team. All staff can contact the Director of Assurance (**[ranald.brown@wheatley-group.com](mailto:ranald.brown@wheatley-group.com)**), who is the Group Whistleblowing Officer, to discuss any concerns.

For minor issues, staff should normally raise concerns with their immediate line manager; unless they are not deemed an appropriate first contact or are the subject of the concern. In such instances, a more senior Manager, the Head of Assurance or the Director of Assurance should be contacted.

For issues relating to an organisational review, concerns should normally be raised as part of the staff consultation.

Issues relating to the conduct and/or behaviour of Group employees that fall outwith those matters outlined in section 3 will be dealt with under the relevant Disciplinary Policy. Concerns of this nature should, in the first instance, be raised with your immediate line manager. If staff wish to raise concerns that relate to their own employment, then they should raise this via the relevant Grievance Policy. It is also possible to obtain independent advice from the Advisory, Conciliation and Arbitration Service (Acas) here: [www.acas.org.uk/grievances](http://www.acas.org.uk/grievances).

In general, this Whistleblowing Policy is expected to be used for potentially serious and sensitive issues (e.g. corruption, bribery, fraud) and the first step will be to approach the relevant Senior Manager. If that Senior Manager is the subject of the concern, a more senior Manager or the Director of Assurance should be contacted. If the concern refers to the Group Chief Executive, workers should raise the matter with the Chair of the Group Board. Line Managers conducting initial investigations into whistleblowing concerns should report the outcome of any investigations to the Director of Assurance.

Concerns are better raised in writing and the earlier a concern is expressed, the easier it is to take action. The background and history of the concern, including names, dates and places where possible, should be provided along with the reason why the reporting individual is concerned about the situation. Concerns can be reported in writing by emailing either [Ranald.brown@wheatley-group.com](mailto:Ranald.brown@wheatley-group.com) or [Whistleblowing.Hotline@wheatleyhomes-glasgow.com](mailto:Whistleblowing.Hotline@wheatleyhomes-glasgow.com).

Those who do not feel able to put their concern in writing can telephone or meet the appropriate officer. Concerns can also be raised by calling the Group's confidential whistleblowing hotline on **07391 019887**.

### ***Anonymous Concerns***

This Policy encourages staff to put their names to concerns. Concerns expressed anonymously are much less powerful, but they will be considered at our discretion. In exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issue raised;
- the credibility of the concern; and
- the likelihood of confirming the concern from attributable sources.

While concerns can be raised anonymously, this may limit the investigation.

Concerns can be raised anonymously by emailing either [Ranald.brown@wheatley-group.com](mailto:Ranald.brown@wheatley-group.com) or [Whistleblowing.Hotline@wheatleyhomes-glasgow.com](mailto:Whistleblowing.Hotline@wheatleyhomes-glasgow.com). Concerns can



also be raised anonymously by calling the Group’s confidential whistleblowing hotline on **07391 019887**.

Although staff are not expected to prove the truth of a concern and it is not necessary to have absolute proof of improper conduct, they will need to demonstrate that they reasonably believe that the disclosure they are making is in the public interest.

### ***Alternative ways to raise concerns***

The Group’s preferred approach for raising concerns is outlined above. If an individual feels unable to use this approach, it is possible to approach the following alternative contact points:

- the External Auditor;
- the Scottish Housing Regulator, the Health and Safety Executive or Care Inspectorate;
- Trade Unions;
- the individuals’ solicitor; or
- the police.

If staff do take the matter outside the Group, they must ensure that they do not disclose confidential information or that disclosure may not be protected under whistleblowing legislation.

Individuals may invite their Trade Union to raise a matter on their behalf. All staff can raise concerns directly with a prescribed body. A full list of prescribed bodies is available at <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>

### ***Professional Advisers***

Our auditors (internal and external) and Group legal team are aware of this Policy and our wish to be open and accountable for our actions. They can also be contacted in confidence for advice and as a contact for raising concerns or starting investigations. Contact details are show below.

<b>Professional Advisers</b>	
<b>Name of Organisation</b>	<b>Contact Details</b>
External Auditors, KPMG LLP	319 St Vincent Street, Glasgow, G2 5AS Tel: 0141 226 5511
Assurance,	Wheatley House, 25 Cochrane Street, Glasgow G1 1HL

Director of Assurance	Tel: 07391 019887
Director of Governance, Governance Team	Wheatley House, 25 Cochrane Street, Glasgow G1 1HL Tel: 07917 595336
Chief Counsel, Group Legal	Wheatley House, 25 Cochrane Street, Glasgow G1 1HL Tel: 07920 096904

We will notify the Scottish Housing Regulator, Health and Safety Executive or Care Inspectorate about all whistleblowing concerns that result in a notifiable event and how we are responding to them. The notification should be made by the Director of Governance, who should also ensure that each case is recorded and monitored.

### ***Contacting the Media***

Staff are expected to work within the guidance of this Policy. Contacting the media is not permitted and could result in formal disciplinary action up to and including dismissal.

In line with the Employee Code of Conduct, all contact with the media should be directed through the Communications Department.

### ***Protect***

Protect (formerly known as Public Concern at Work) is the whistleblowing charity. Established in 1993, it provides confidential advice to employees, employers and governments. For more information please visit [www.protect-advice.org.uk](http://www.protect-advice.org.uk) .

## **6. What happens to a raised Concern**

The action taken will depend on the nature of the concern. The matters raised may:

- be investigated internally;
- be referred to the police;
- be referred to the External Auditor; or
- be referred to the Scottish Housing Regulator, Health and Safety Executive or the Care Inspectorate.

In order to protect individuals and the Group, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns which fall within the scope of other, existing, procedures (e.g. discrimination issues) will normally be referred for consideration under those procedures.

Some concerns will be resolved by agreed action without the need for investigation. If it is agreed there are grounds for further investigation, the Senior Manager or the Director of Assurance will consult with the relevant Head of Department, Executive

Director or Group Chief Executive. Details of the matter being investigated will also be referred to the appropriate body (e.g. the Group Audit Committee, the Subsidiary Board, the Group Board, the Scottish Housing Regulator, the Health and Safety Executive or Care Inspectorate).

Within five working days of a concern being received, a representative of the Wheatley Group will write to the person reporting concerns, where the concern has not been raised anonymously:

- acknowledging that the concern has been received;
- telling them whether any initial enquiries have been made; and if not, why not; and
- indicating how the matter will be progressed, with an estimate of how long it will take to provide a final response.

The amount of contact between the person considering the issues (the investigating officer) and the person reporting the concern (the whistleblower), will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further information will be sought.

When any meeting is arranged, the whistleblower has the right, if they so wish, to be accompanied by, for example, an existing member of staff or a Trade Union representative.

The Group will take steps to minimise any difficulties which the whistleblower may experience as a result of raising a concern. For instance, if the whistleblower is required to give evidence in criminal or disciplinary proceedings, the Group will advise them about the procedure.

The Group accepts that workers need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, whistleblowers will receive information about the outcomes of any investigations.

In order to support workers, and to protect the organisation, it is important that a full audit trail, including proper records, is maintained for all whistleblowing cases. The investigating officer must pass the full audit trail to the Director of Assurance, who is responsible for ensuring that all whistleblowing cases are fully recorded and reported in line with this Policy.

In addition to the case record noted at previous paragraph, a register of all concerns notified to the Group under the Group Whistleblowing Policy will be maintained by the Director of Assurance.

## **7. Equal Opportunities Statement**

This Policy complies fully with the Group's Equality and Diversity Policy. We recognise our pro-active role in valuing and promoting diversity, fairness, social justice and equality of opportunity by adopting and promoting fair policies and procedures.

We are committed to providing fair and equal treatment for all our stakeholders including tenants and will not discriminate against anyone on the grounds of race, colour, ethnic or national origin, language, religion, belief, age, sex, sexual orientation, gender re-alignment, disability, marital status, pregnancy or maternity.

We check policies and associated procedures regularly for their equal opportunity implications. We take appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures.