

Whistleblowing Policy

Reporting misconduct and wrongdoing at Yorkshire Housing

1. Policy Statement

Yorkshire Housing is committed to the highest standards of quality, probity, openness, and accountability. As part of that commitment, we encourage employees or others with serious concerns about any aspect of our work to come forward and express those concerns under our Whistleblowing Policy.

Yorkshire Housing will ensure that all employees are aware of acceptable standards of practice and behaviour. The Code of Conduct has further details. Advice and guidance can be sought from the People Development Team or Governance Team.

2. What is Whistleblowing?

Whistleblowing is the act of drawing attention to perceived wrongdoing. It can be from someone who works for Yorkshire Housing, a customer, stakeholder, or member of the public.

3. When does this policy apply?

In most cases, concerns or complaints will be dealt with through our normal procedures, such as the mechanisms for resolving grievances, disciplinary matters, complaints, or concerns relating to equal opportunities. Complaints or personal grievances aren't covered by whistleblowing law unless your particular case is in the public interest.

This policy provides for situations when the above arrangements are not possible, and someone believes a significant breach of our high standards has occurred.

Examples of potential whistleblowing can include:

- Fraud; corruption; breach of contract
- Negligence; danger to health and safety

- Administration breach; abuse of those in care
- Health & Safety issues; discrimination; pollution
- Unethical conduct and the cover up of any of these issues
- Modern slavery
- Criminal activity
- Neglect of vulnerable customers
- Offering, taking, or soliciting bribes
- Misreporting performance data
- Dumping damaging materials in environment
- Money Laundering
- Terrorism
- Bullying
- Discrimination
- Any issue that could affect our reputation

Certain issues, if considered of a serious nature, may be subject to investigation by external agencies such as the police.

4. Protection of whistle-blowers

A report under whistleblowing will be protected. The whistle-blower will need to ensure that they make the report in good faith and that they reasonably believe that the information disclosed, including any allegation contained in it, are substantially true.

The Public Interest Disclosure Act 1998 protects employees against detrimental treatment or dismissal as a result of raising legitimate concerns about specified matters. These are called ‘qualifying disclosures’. A qualifying disclosure is one made in good faith by an employee who has a reasonable belief that:

- A criminal offence,
- A breach of legal obligation (including breach of contract)
- A miscarriage of justice,
- An act creating risk to health and safety,
- An act causing damage to the environment, or
- Concealment of any of the above

Has been, is being or is likely to be committed. A reasonable belief is sufficient.

No whistle-blower will be victimised for raising a matter under this procedure if made in good faith. Victimisation of an employee for raising a ‘qualified disclosure’ will be a disciplinary offence. However, if an allegation is found to have been made not in good faith or is deliberately malicious this may also be treated as a disciplinary offence. For those external to Yorkshire Housing, this may be dealt with as a vexation complaint and the respective policy followed.

Not sure? seek independent advice if you’re not sure you’re protected, e.g. from Citizens’ Advice.

Confidentiality

Reports can be made anonymously or openly. The concerns will be investigated and will be treated confidentially wherever possible. The whistle-blower may say if they would like to be informed of the outcome and the appropriate method of contact. However, we will not be able to inform the whistle-blower of any matters which will infringe our duty of confidentiality to others.

The policy encourages individuals to put their name to the report as concerns expressed anonymously are more difficult to investigate. We will take steps to protect the confidentiality of the Whistle-blower.

5. How to make a report and what happens next

The Whistleblowing Procedure details how you can report a concern, who to contact and what happens once a concern is raised.

6. Equality, diversity & Inclusion implications

Making sure that our policies are inclusive and ensure fair treatment for all is really important to us. The policy ensures fair treatment for anyone who may raise a concern under this policy or are part of an investigation, regardless of race, ethnic origin, nationality, gender, disability, religion, marital status, maternity, sexuality or sexual orientation, or age. If you think we've got this wrong, please contact the policy owner.

7. Reporting and monitoring

This policy will be reviewed regularly to reflect current legislation and good practice. A report will be presented biannually to the Group Business Assurance Committee.

Date approved	5 th May 2021
Approved by	Group Business Assurance Committee
Recommended by	N/A
Summary of changes	<ul style="list-style-type: none">To update contacts due to role changesTo make explicit reference to customers
Frequency of review	2 years
Next review date	May 2023
Lead officer	Governance Manager
Associated policies or guidelines	Code of Conduct, Anti-Fraud, Bribery & Corruption Policy, Anti-Money Laundering Policy, Modern Slavery Statement, Vexatious Complaints Policy, policies, and procedures covering discipline, grievance, dignity at work and the equality and diversity statement.
Associated procedure	Whistleblowing Procedure

Whistleblowing Procedure

How to report misconduct and wrongdoing at Yorkshire Housing

1. Introduction

This procedure should be read alongside the Whistleblowing Policy. The Whistle Blowing Policy encourages everyone to come forward as early as possible if they have a Public Disclosure Concern. This procedure explains the arrangements for raising concerns, how Yorkshire Housing will engage with whistle-blowers and how concerns will be investigated.

2. How to raise a concern

If you are an employee, in the first instance, discuss with your line manager. However, if the concern involves your line manager or someone senior to them, your main contact for whistleblowing concerns is the Company Secretary or Governance Manager. The same contacts should be used if you are a customer, stakeholder, or member of the public.

Company Secretary	Name: Andy Oldale Email: andy.oldale@yorkshirehousing.co.uk Tel: 07464 907982
Governance Manager	Name: Alex Clift Email: alex.clift@yorkshirehousing.co.uk Tel: 07826049149
Both	Email: whistleblowing@yorkshirehousing.co.uk In Writing: Dysons Chambers, 12-14 Briggate, Leeds, LS1 6ER. Please clearly mark your letter private and confidential.

Please note that the Governance Team offers confidentiality and independence. Their role is to offer guidance and advice in accordance with the law and the organisation's policies and procedures. They have access to legal advice if necessary.

If your concerns are in relation to a Governance Team member or in other exceptional circumstances, you feel it is appropriate to speak to someone else then the following may be contacted:

Head of Service / Director/ Executive Director / Chief Executive	Employees, please use the Staff Directory on Yoho for contact details. Chief Executive: Nick.Aktin@yorkshirehousing.co.uk
Chair of the YHL Board or Chair of the Group Business Assurance Committee (GBAC)	Chair of the YHL Board: Ingrid.fife@yorkshirehousing.co.uk Chair of GBAC: Russell.Galley@yorkshirehousing.co.uk
The Police	(if a criminal offence is involved)
Regulator of Social Housing (if abuse of public funds is involved)	enquiries@rsh.gov.uk Referrals and Regulatory Enquiries team 1st floor - Lateral 8 City Walk Leeds LS11 9AT 0300 124 5225
Yorkshire Housing's internal auditors (particularly if fraud at a significant level is involved)	BDO Leeds Central Square 29 Wellington Street Leeds, LS1 4DL

Independent Support?

If you are unsure whether, or how, to use this policy, or you want independent advice, you can contact PROTECT who are an independent authority on public interest whistleblowing. They can give free, confidential advice at any stage on how to raise a concern about serious malpractice at work. They can be contacted on 020 3117 2520 or via their website www.protect-advice.org.uk.

3. What happens next

The Company Secretary or Governance Manager will assess reports against requirements of the Public Interest Disclosure Act 1998.

We will take other Yorkshire Housing Policies into account, including: the Code of Conduct policy, Contract Standing Orders, Anti-Fraud, Bribery & Corruption Policy, Disciplinary Policy and Procedure, Financial Regulations and Anti-Money Laundering Policy, and consider concerns in accordance with the relevant policy and procedure, taking confidentiality into account.

If an investigation is not to take place, the reasons for this will be explained to you. Any related issues that do not meet the requirements of whistleblowing will be shared with the relevant Head of Service or Director. Where specific policies do not apply the Head of Assurance or Head of People will determine an appropriate investigator.

If an investigation is to take place a suitable manager will be appointed, and the concern will be dealt with at the earliest opportunity.

Investigation

We will investigate carefully and thoroughly. Any named witnesses will be interviewed as part of the investigation and Yorkshire Housing will respect any concerns expressed about confidentiality to ensure the safety and career of employees involved.

We will allow those being interviewed to be accompanied. For employees this may be a work colleague or trade union representative. Although we will need to check that there is an appropriate separation between the investigation in hand and the accompanying person. Some concerns may be resolved by agreed action without the need for a full investigation.

Following an investigation, all those who have been involved will be advised of the results of the investigation and any proposed recommendations. This will be subject to the confidentiality of other employees as well any legal considerations (such as a criminal investigation).

4. Not satisfied?

If, on conclusion of an internal investigation, you are dissatisfied with the outcome of the investigation, listed below are a number of possible contact points:

- HM Revenue & Customs.
- The Financial Services Authority.
- The Office of Fair Trading.
- The Health & Safety Executive.
- The Environment Agency.
- Director of Public Prosecutions.
- Serious Fraud Office.

5. Recording & Monitoring

The Company Secretary and Governance Manager is responsible for ensuring a Whistle Blowing Register is maintained containing all concerns that are brought to the attention of Yorkshire Housing, together with the action taken in each case.

The individual assigned to investigate the concern must ensure that the Company Secretary or Governance Manager is provided with sufficient details of the investigation for the Register.

The register will be reviewed, and a biannual report produced for the Group Business Assurance Committee. The report will not mention whistle-blowers by name, only the concerns raised, the number of such concerns, which department and service area they relate to, and if appropriate the post they relate to. Any recommendations will be highlighted.

An annual extract from the Register, anonymous where appropriate, will be available for inspection by Yorkshire Housing’s auditors.

Last review date	4 th October 2021
Key changes	Changes to role titles and contact details
Lead Officer	Governance & Compliance Manager