

Whistleblowing Policy

Reporting misconduct and wrongdoing at Yorkshire Housing

1. Policy Statement

- 1.1. 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.
- 1.2. 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?

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

3. When does this policy apply?

- 3.1. 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.
- 3.2. This policy provides for situations when the above arrangements are not possible, and someone believes a significant breach of our high standards has occurred.
- 3.3. 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 and 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.

3.4. 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

4.1. A report under whistleblowing will be protected. The whistleblower 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.

4.2. 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.

4.3. No employee 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.

4.4. Not sure? seek independent advice if you’re not sure you’re protected, for example, from Citizens’ Advice.

5. Confidentiality

- 5.1. 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.
- 5.2. 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.

6. How to make a report and what happens next

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

7. Equality, diversity and Inclusion implications

- 7.1. 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.

8. Reporting and monitoring

- 8.1. This policy will be reviewed regularly to reflect current legislation and good practice. A report will be presented biannually to the Audit and Risk Committee.

Date approved	1 August 2024
Approved by	Audit and Risk Committee
Recommended / scrutinised by	N/A
Summary of changes	Name and role changes
Frequency of review	Every two years
Next review date	August 2026
Policy owner	Head of Governance
Policy author	Head of Governance
Associated policies or guidelines	Code of Conduct, Anti-Fraud, Bribery & Corruption Policy, Anti-Money Laundering Policy, Modern Slavery Statement, 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

1.1. 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

2.1. In the first instance, if you are a Yorkshire Housing employee, discuss with your line manager. However, if the concern involves your line manager, someone senior to them or you are not an employee of Yorkshire Housing, your main contact for whistleblowing concerns is the Company Secretary or Head of Governance:

Company Secretary	Name: Syka Sheikh Email: Syka.Sheikh@yorkshirehousing.co.uk Tel: 07900 496 422
Head of Governance	Name: Alex Barker Email: alex.barker@yorkshirehousing.co.uk Tel: 07467 015 065
Both	Email: whistleblowing@yorkshirehousing.co.uk In Writing: The Place, 2 Central Place, Leeds, LS10 1FB Please clearly mark your letter private and confidential.

2.2. 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.

- 2.3. 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 Colleague Directory on Central for contact details. Chief Executive: Nick.Aktin@yorkshirehousing.co.uk
Chair of the YHL Board or Chair of the Audit and Risk Committee (ARC)	Chair of the YHL Board: Ingrid Fife@yorkshirehousing.co.uk Chair of ARC: 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 Regulator of Social Housing Level 2 7-8 Wellington Place Leeds LS1 4AP 0300 124 5225
Yorkshire Housing's internal auditors (particularly if fraud at a significant level is involved)	KPMG St Nicholas House 31 Park Row NOTTINGHAM NG1 6FQ

- 2.4. 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

- 3.1. The Company Secretary or Head of Governance will assess reports against requirements of the Public Interest Disclosure Act 1998.
- 3.2. We will take other Yorkshire Housing Policies into account, including: the Code of Conduct, Contract Standing Orders, Anti-Fraud 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.
- 3.3. 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.
- 3.4. Where specific policies do not apply the Director of Governance, Risk and Assurance or Director of People will determine an appropriate investigator.

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

4. Investigation

- 4.1. 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.
- 4.2. We will allow those being interviewed to be accompanied to a meeting by 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.
- 4.3. 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).

5. Not satisfied?

- 5.1. 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 and Customs.
 - The Financial Conduct Authority.
 - The Office of Fair Trading.
 - The Health and Safety Executive.
 - The Environment Agency.
 - Director of Public Prosecutions.
 - Serious Fraud Office.

6. Recording and Monitoring

- 6.1. The Company Secretary and Head of Governance is responsible for ensuring a Whistleblowing Register is maintained, containing all concerns that are brought to the attention of Yorkshire Housing, together with the action taken in each case.
- 6.2. The individual assigned to investigate the concern must ensure that the Company Secretary or Head of Governance is provided with sufficient details of the investigation for the Register.

- 6.3. The register will be reviewed, and a biannual report produced for the Audit and Risk 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.
- 6.4. An annual extract from the Register, anonymous where appropriate, will be available for inspection by Yorkshire Housing’s auditors.

Last review date	August 2024
Key changes	Changes to role titles and contact details
Lead Officer	Head of Governance