



Whistle Blowing Policy

Date of Approval
29 October 2019

Review Date
29 October 2022

Executive Summary

Brief Overview

The purpose of a Whistleblowing Policy is to provide a framework and guide on how an individual can raise a concern internally and at a high level to disclose information that the individual believes shows malpractice or impropriety. Our existing policy, while out of date, remained valid in terms of content with the exception contact details for external bodies on which an individual could raise a concern to.

Risks – Not updating leads to poor governance and does not allow staff access to correct whistle blowing procedures.

Relevance to Business Plan

Necessary for sound governance and ensures that we meet our strategic objective of 'To ensure that sound corporate governance and financial management which strives to deliver affordable rents and services'

Financial Implications - None

Equalities

This policy is available and accessible to all staff and committee within the association.

Regulatory Impact

Chapter 3 of the new SHR Regulatory Framework places a requirement on organisations to have a Whistleblowing Policy. By having this reviewed and updated this ensures that we comply with this element of the regulatory framework.

Recommendations - Review and approval



Whistleblowing Policy

If you require this policy in a different format please ask a member of staff

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1. Introduction

- 1.1 Elderpark Housing Association Ltd recognises that its staff and Committee may be the first to see or suspect misconduct or wrongdoing. While very often the circumstances may turn out to be quite innocent, they could in some cases result in fraud on the organisation, be a potential public danger, or some other form of serious malpractice. Staff and Committee are therefore encouraged to be vigilant and to raise such concerns in a sound way to demonstrate and ensure good practice in all the Association's activities.
- 1.2 This statement outlines the Association's position on Whistleblowing. Whistleblowing is covered by the Human Rights Act 1998 and the Public Interest Disclosure Act 1999.
- 1.3 The Association wishes to make it clear to our tenants, our staff, the local communities, partner organisations and anyone else connected with the Association that any attempt to defraud the Association or to be reckless with its good reputation will not be tolerated.

2. Scope of the Policy

- 2.1 For the purposes of this policy, the Association considers that examples of potential malpractice which could occur within a Registered Social Landlord include, but are not limited to, the following:
 - Fraud
 - Corruption
 - Breach of contract
 - Negligence
 - Danger to Health & Safety
 - Administrative breach (for example, allocations, contract tendering) Public safety issue
 - Discrimination
 - Pollution
 - Unethical conduct, and
 - The attempt to conceal any of the above
- 2.2 This policy outlines:
 - The Association's commitment to openness and good communication
 - The ways in which staff and Committee members can raise serious concerns in the workplace
 - The availability of support for those raising issues of concern
 - How the Association will give equal weight to the pursuit of individuals who make malicious allegations as with any other wrongdoing
- 2.3 The Association hopes it will never have to use the terms of this policy. However, it is essential that if malpractice is proven, the Association will have the opportunity to put it right and to justify the trust placed in the Association by its staff, tenants, the local community, and partner organisations and anyone else connected with the Association. Equally, the Association would wish to develop a relationship of trust with its staff and Committee members.

The Association therefore needs to know their concerns and promises to:

- Respect confidentiality
- Investigate thoroughly
- Provide support and protection if necessary
- Report on the outcomes of any investigation and where possible on the resulting action proposed.

3. The Association's Grievance & Complaints Procedures

- 3.1 This procedure should not be confused with the Association's Grievance Procedure which should be used where an employee is aggrieved with his/her personal position (see Statement of Terms & Conditions of Employment).
- 3.2 Similarly, tenants who are aggrieved about the action or inaction of the Association in relation to a particular problem should use the Association's Complaints Procedure.

4. Communications and Openness

- 4.1 This policy will be provided to every member of staff and Committee member; it will be brought to the attention of new staff members at his/her induction, and it will be publicised on the office notice board.
- 4.2 The Association has a proven track record and the Management Committee wishes to protect its good name, and to pursue anyone who would threaten it.
- 4.3 The Association firmly believes that its staff and Committee members have a considerable contribution to make in the development of the organisation and in ensuring continuous improvement in the Association's service to its clients. The contribution of staff and Committee members can be improved by good communication throughout the organisation, enabling individuals to suggest good ideas and raise concerns without fear or favour.
- 4.4 The Association has developed policies which meet the requirements of the law, Scottish Housing Regulator, and good practice in Housing and Employment. Of particular relevance in this area are the Association's policies on Declaration (or conflict) of Interest, Gifts and Hospitality, Health & Safety, Tendering, Housing Management, Financial Regulations, Equal Opportunities and Dignity at Work.

5. Raising Concerns in the Workplace

- 5.1 Any member of staff who has a concern should raise it first with their Line Manager or the Chairperson and/or Chief Executive if they feel this is more appropriate.
- 5.2 Any Committee member who has a concern should raise it first with the Chairperson, and/or Vice-Chair as appropriate.
- 5.3 Staff and Committee members should be assured that the Management Committee will support all those who have an honest and reasonable suspicion that malpractice has occurred, is occurring, or is likely to occur. Anyone raising such a concern will be promised confidentiality and will be protected from reprisals.

5.4 Members of staff and Committee members may also raise their concerns, in confidence, with any of the following where they feel unable to raise them internally:

Mark Ewing	Solicitor TC Young	0141-225-2568
Tony Sinclair	Auditor (external)	0141-221-2984
Phil Morrice	Auditor (internal)	0141-204-8989

5.5 Staff can also obtain confidential advice regarding raising any concerns, and the best course of action to take, by contacting the charity 'Public Concern at Work' on 020 7404 6609, or whistle@pcaw.org.uk. Each contact will take such action as he/she deems appropriate.

6. Malicious Allegations

6.1 The Association will be equally firm with any staff or Committee member who makes false allegations maliciously. They could leave themselves open to disciplinary action, and even dismissal, or removal from the Committee, depending on the circumstances.

6.2 The concept of making a malicious allegation should not, however, be confused with an allegation made genuinely but not proven. Those making allegations genuinely, and who act reasonably and responsibly, should have no fear of arbitrary decisions by the Association.

7. Distribution and Publicity

7.1 This policy will be:

E-mailed to every member of staff
Provided to every Committee Member with their Code of Governance
Displayed on the office notice boards

7.2 A copy will also be retained in the association's electronic document library.

8. Review

8.1 This policy will be reviewed every three years, the next review being due in October 2022, or sooner if legislative or best practice changes require this.