Whistleblowing Policy

If you have difficulty with reading this policy, including any difficulties with sight or hearing, or if you require this document translated into another language, please contact us and we will be happy to provide this information in a format that suits your needs.

Our Vision, Our Values, Our Strategic Objectives

Our Vision

A vibrant neighbourhood where everyone can prosper.

Our Values

Caring, Reliable, Fair, Open and Adaptable

Our Strategic Objectives



Equality and Diversity Statement

Elderpark Housing are committed to ensuring people or communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex or sexual orientation.

This document complies with our Equality and Diversity Policy.

We will regularly review this Policy and consider any equalities implications taking the necessary action to address any inequalities (either directly or indirectly) that result from the implementation of this Policy.

Executive Summary

Policy Author

The Chief Executive Officer has developed this policy on behalf of the organisation and it applies to all employees and members of the Management Committee.

Purpose of the Policy

Elderpark Housing Association is committed to the highest standards of openness, probity and accountability.

As employees are often the first to realise that there may be something seriously wrong, Elderpark Housing Association expects those who have serious concerns about any aspect of the association's work to come forward and speak up without fear of reprisal.

Therefore, Elderpark Housing Association recognises that it is an important aspect of accountability and transparency to provide a mechanism to ensure that no employee, committee member or stakeholder of Elderpark Housing Association feels at a disadvantage in raising legitimate concerns.

The Policy addresses the legal and regulatory requirements we must meet, and how we will translate our own mission, vision and values into tangible outcomes that will benefit our customers, communities, employees, management committee members and external stakeholders.

Aims and Objectives of the Policy

The aims and objectives of this policy is to provide a mechanism to ensure that any employee, Committee Member or Stakeholder of Elderpark Housing Association feels able and confident in raising a whistleblowing concern. These aims and objectives include:

- To provide information on how to raise concerns
- To reassure that all concerns will be taken seriously
- To identify and resolve problems early
- To ensure our people receive feedback on any action taken
- To allow our people to take the matter further if they are dissatisfied with our response
- ~~To offer our people protection for whistleblowing in 'good faith'~~
- To demonstrate a culture of openness and honesty to employees, customers and stakeholders in order to maintain and enhance the reputation of Elderpark Housing Association

Legislative and Regulatory Compliance

Elderpark Housing Association will seek to meet all of its legal and regulatory obligations as set out in the following legislation:

- Public Interest Disclosure Act 1998
- Enterprise & Regulatory Act 2013
- The Public Interest Disclosure (Prescribed Persons) Order 2014

Equalities

This policy has been written taking consideration of the Equality Act 2010 and an Equality Impact Assessment has been carried out which finds no direct or indirect discrimination to any of the protected characteristic groups.

Privacy

This policy will be administered in terms of GDPR and FOISA, ensuring data is handled in line with legislation and information requests are dealt with regardless of any restriction which may be imposed as a result of this policy. A GDPR Impact Assessment has been carried out to ensure compliance.

Related Policies

Policy Title	Location
Code of Conduct Employees policy	V:\Elderpark Policy Suite\Governance Policies\G3 Code of Conduct Employees.pdf
Code of Conduct Management Committee policy	V:\Elderpark Policy Suite\Governance Policies\G4 Code of Conduct Management Committee.pdf
Entitlements, Payments and Benefits policy	V:\Elderpark Policy Suite\Governance Policies\G16 Entitlements, Payments and Benefits Policy.pdf
Disciplinary policy	

Contents Page

1. Introduction	Page 7
2. Scope of the Policy	Page 7,8
3. Legal Framework	Page 8
4. Safeguards	Page 8,9
5. Raising a Concern	Page 9
6. Process	Page 9
7. Timescales	Page 10
8. Outcome of Investigation	Page 10
9. GDPR	Page 10
10. Policy Review	Page 10

Appendices

Appendix 1 – list of prescribed persons	Page 11
Appendix 2 – Equality Impact Assessment	Page 12
Appendix 3 – GDPR Impact Assessment	Page 14

1 Introduction

1.1 Elderpark Housing is committed to the highest standards of honestly, openness and accountability. As employees are often the first to realise that there may be something seriously wrong within their workplace, Elderpark Housing expects and would encourage those who have serious concerns about any aspect of the association's work to come forward and speak up without fear of reprisal. Therefore, Elderpark Housing Association recognises that it is an important aspect of accountability and transparency to provide a mechanism to ensure that no employee, board member or stakeholder of Elderpark Housing Association feels at a disadvantage in raising legitimate concerns.

1.2 Employers may also be held vicariously liable for workers who victimise colleagues for making a disclosure. Elderpark Housing Association will take all reasonable steps to protect workers from being victimised as we recognise that the decision to report a concern can be a difficult one to make.

1.3 All employees, committee members and stakeholders working for or acting on behalf of Elderpark Housing Association are covered by this policy. The policy also applies to suppliers and those providing services under a contract within Elderpark Housing Association.

1.4 If you are a customer, member of the public or other service user, you should raise any concerns regarding "Whistleblowing" directly with the Chief Executive, or in writing marked 'Private and Confidential' FAO the Chairperson.

2 Scope of Policy

2.1 This policy is designed to enable employees of Elderpark Housing Association to raise concerns internally and at a high level to disclose information that the individual believes shows malpractice or impropriety.

2.2 A number of policies are already in place, including dignity at work, and disciplinary and grievance procedures. This policy is intended to cover concerns that are in the **public interest** and may (at least initially) be investigated separately but may lead to the instigation of other procedures. These concerns might include but is not limited to:

- Financial malpractice, impropriety or fraud
- Failure to comply with a legal obligation or Statutes
- Dangers to health and safety or the environment
- Criminal activity involving Elderpark Housing, its staff, board member or stakeholders
- Professional malpractice
- Improper conduct or unethical behaviour

- Failure to meet legal obligations
- Abuse of power or status
- Deliberate attempts to conceal any of the above

3 Legal Framework

3.1 Public Interest Disclosure Act 1998

The Public Interest Disclosure Act, 1998, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. These concerns must be made in the 'public interest' as per the Enterprise and Regulatory Act 2013, in addition if a disclosure is not made in 'good faith' this will still be considered by an employment tribunal but compensation can be reduced by up to 25% in such circumstances.

3.2 Enterprise & Regulatory Act 2013

The Enterprise & Regulatory Act 2013 removed the requirement for protected disclosures to be made in good faith, but did outline that bad faith disclosures could impact compensatory awards. It also made employers vicariously liable for the actions of co-workers that cause detriment to a whistle-blower.

4 Safeguards

4.1 Protection

This policy is designed to offer protection to those employees of Elderpark Housing Association who disclose such concerns provided the disclosure is made:

- In the public interest;
- ~~In good faith;~~
- To an appropriate person/body; and
- That the individual has reasonable belief in the validity of the concerns being raised.

Elderpark Housing Association will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect the individual when they raise a concern with the above provisions acknowledged.

4.2 Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal the individual's identity if they wish so. However, at the appropriate time the individual may need to come forward as a witness and provide evidence as part of an investigation.

4.3 Anonymous Allegations

This policy encourages individuals to put their names to any disclosures they make. Concerns expressed anonymously are much less robust but may nevertheless be considered at the discretion of Elderpark Housing Association.

4.4 Untrue Allegations

If an individual makes an allegation that is not confirmed by the subsequent investigation, it is probable that no action will be taken against them. However, if the individual makes an allegation that is deemed to be made 'in bad faith' i.e frivolously, maliciously or for personal gain, disciplinary action may be taken against them, and this may be up to and including dismissal. It should also be noted that under the provisions of the Enterprise and Regulatory Act 2013, if a disclosure is not made in 'good faith' this will still be considered by an employment tribunal, but compensation can be reduced by up to 25% in such circumstances.

5 Raising a Concern

5.1 The individual should normally raise concerns with their immediate line manager. This information will be passed on as soon possible to the Chief Executive. If the concern is about the line manager or in any way relates to the line managers actions, the individual should report the concern directly to the Chief Executive.

5.2 Any complaints will be investigated by the Chief Executive unless the complaint is against the Chief Executive or is in any way related to their actions. Where the complaint is related to the Chief Executive, it should be addressed to the Chair of the Board who will in turn appoint an independent person to investigate the allegations.

5.3 Although the individual is not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate that there are reasonable grounds for their concern.

5.4 The earlier the individual expresses their concern, the easier it is to action. The amount of contact between the persons considering the issues and the individual will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, will seek further information from the individual concerned.

5.5 Where any meeting is arranged, the individual can be accompanied by a trade union representative or workplace colleague and also have the meeting off-site if they so wish.

6 Process

6.1 On receipt of a disclosure the following process will be followed:

- The disclosure will be considered, and, if appropriate, a meeting will be arranged with the individual who raised the concerns to gather initial information.

- Further to this meeting, if appropriate, an independent investigator will be appointed to take forward an investigation into the concerns raised.
- The individual who raised the concerns will be provided with an update and a likely timescale on when they will receive a final response.
- Once the investigation is complete a report will be provided to the individual who instructed the investigation.
- The report will be considered, and appropriate actions will be taken.
- A final outcome will be provided to the individual who raised the concerns.

6.2 Depending on the circumstances surrounding the investigation appropriate action will be taken in accordance Elderpark Housing's existing policies and procedures.

7 Timescales

7.1 Once the investigator has completed the investigation it will be given to the individual who instructed the investigation. They will then write to the person who raised the concern as soon as possible and:

- Acknowledge that the concern has been received.
- Indicate how the matter will be dealt with as far as possible.
- Give an estimate of how long it will take to provide a final response.
- Supply the individual with information on staff support mechanisms; and inform the individual whether further investigations will take place and if not, explain why.

8 Outcome of Investigation

8.1 Once the investigation has been completed and the report is received by the Chief Executive or the Chair, a decision on what action to take will be considered. If there are reasonable grounds to substantiate the complaint, an appropriate procedure will be initiated. This may also include referral to an external body or regulator.

8.2 Where an individual feels that their concern has not been dealt with appropriately, they can appeal the decision. Details of who the appeal will be heard by will be communicated to the individual who raised the concerns. If the individual is still not satisfied with the outcome, they can raise the issue with the appropriate external regulatory body as outlined in Appendix 1.

9 General Data Protection Regulations

9.1 The organisation will treat your personal data in line with our obligations under the current data protection regulations and Elderpark Housing Association's own Privacy Policy which also provides information regarding how your data will be used and the basis for processing your data.

10 Policy Review

10.1 The association will review this policy at least every 3 years. The next review will therefore take place in March 2029 or earlier to take account of:

- Applicable legislation, rules, regulations and guidance.
- Changes in the organisation and community's requirements.
- Developments in best practice.

Appendix 1

List of Prescribed Persons

Scottish Housing Regulator

Tel: 0141 242 5642

Environmental Health

Glasgow City Council

Tel: 0141 287 2000

Health and Safety Executive

Tel: 0300 003 1647

HSE: Information about health and safety at work

Whistleblowing: List of prescribed people and bodies

Whistleblowing: list of prescribed people and bodies - GOV.UK (www.gov.uk)

Further Sources of Information

ACAS

Helpline: 0300 123 1100

www.acas.org.uk

Public Concern at Work

Tel: 020 3117 2520

Appendix 2 Equality Impact Assessment

Name of Policy to be assessed	Whistleblowing Policy	**New policy or revision of existing?**	Revision
Person(s) responsible for assessment		Chief Executive	
1. Briefly describe the aims, objectives and purpose of the policy.	This policy is designed to empower our people to raise concerns internally and at a high level to disclose information that the individual believes shows malpractice or impropriety which is in the public interest.		
2. Who is intended to benefit from the policy? (e.g applicants, tenants, staff, contractors)	Employees, management committee members and all other stakeholders.		
3. What outcomes are wanted from this policy? (e.g the measurable changes or benefits to members/ tenants / staff)	We expect and will support our people who have serious concerns about any aspect of Elderpark Housing Association's work to come forward and speak up without fear of reprisal. This should give confidence to staff, committee, contractors and customers about how we operate.		
4. Which groups could be affected by the policy? (note all that apply)			
Age	✓	**Disability**	✓
Gender reassignment	✓	**Marriage and Civil Partnership**	✓
Pregnancy and Maternity	✓	**Race**	✓
Religion or Belief	✓	**Sex**	✓
Sexual Orientation	✓	**Other**	
5. If the policy is not relevant to any of the equality groups listed above, state why and end the process here.			
This policy applies all groups, including those protected by the Equality Act 2010, however it is not expected that those protected groups would be disadvantaged in the application of the policy.			
6. Have those affected by the policy / decision been involved?			
This policy will be approved by our Management Committee. Staff will also be encouraged to discuss the new policy and any issues it raises for them with their line manager.			
7. Describe the likely positive or negative impact(s) that the policy could have on the groups identified above.		**Positive Impact(s)**	**Negative Impact(s)**
		N/A	N/A
8. What actions are required to address the impacts arising from this assessment? (This might include: additional data, putting monitoring in place, making adjustments, taking specific action to mitigate any potentially negative impacts)		N/A	

Signed:	Julie-Ann Cloherty
Dated:	20.03.2026

Appendix 3 - GDPR Impact Assessment

Name of Policy to be assessed	Whistleblowing Policy	**New policy or revision of existing?**	Revision
Person(s) responsible for assessment		Chief Executive	
Briefly describe the aims, objectives and purpose of the policy.	This policy is designed to enable our people to raise concerns internally and at a high level to disclose information that the individual believes shows malpractice or impropriety which is in the public interest.		
Which type of data will be used by implementation of this policy? (e.g. personal, sensitive or special category)	Personal data relating to those who make a whistleblowing complaint and those who are subject to the complaint will be stored, this will be sensitive data and stored in line with our GDPR and data retention policy, and in line with this approach, access to the complaint will be restricted to only those who need to have it.		
What outcomes are wanted from this policy? (e.g. necessary to meet legal obligations)	We expect and will support our people who have serious concerns about any aspect of Elderpark Housing Association's work to come forward and speak up without fear of reprisal. This should give confidence to staff, Committee, contractors and customers about how we operate.		
Which groups could be affected by the policy? (note all that apply)			
Tenants	✓	**Committee**	✓
Employees	✓	**Contractors**	✓
If the policy is not relevant to any of the data groups listed above, state why and end the process here.			
Have those affected by the policy / decision been involved?			
This policy will be approved by our Management Committee. Staff will also be encouraged to discuss the new policy and any issues it raises for them with their line manager.			
Describe the likely positive or negative impact(s) that the policy could have on the groups identified above.		**Positive Impact(s)**	**Negative Impact(s)**
		N/A	N/A
What actions are required to address the impacts arising from this assessment? (This might include: additional data, putting monitoring in place, making adjustments, taking specific action to mitigate any potentially negative impacts)		N/A	
Signed:		Julie-Ann Cloherty	
Dated:		20.03.2026	