



WILLIAMSBURGH
HOUSING ASSOCIATION LTD

Whistleblowing Policy

Revision History

Reviewed	Reviewer(s)	Review Date
March 2023	Chief Exec	March 2026

Definition and Scope

Staff, committee members (and others that we deal with) are often the first to realise that there may be something seriously wrong in the organisation. We expect those who have serious concerns to come forward and speak up without fear of reprisal. *Whistleblowing is when an employee (or connected person) goes to an internal or external authority to report unethical or illegal behaviour by someone within their organisation.*

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

This procedure should not be confused with the **grievance procedure**, which should be used where employees are aggrieved with their personal position. Tenants who are aggrieved about their individual situations should use our **complaints procedure**.

Examples

This policy is concerned with serious malpractice or impropriety where disclosure is in the public interest.

This may include:

- financial malpractice, impropriety or fraud,
- deliberate failure to comply with a legal obligation or statutes,
- criminal activity involving Williamsburgh Housing Association, our staff, committee members or stakeholders,
- danger to the health and safety of any individual,
- serious 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.

Safeguards

(a) Protection

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

- in the public interest
- to an appropriate person/body, and
- in the reasonable belief of the individual making the disclosure that the concerns raised are valid.

Williamsburgh 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 in good faith with the above provisions acknowledged.

The Public Interest Disclosure Act 1998 gives legal protection to employees against being dismissed or penalised by their employers as a result of disclosing certain serious concerns. These concerns must be made in the 'public interest', as per the Enterprise and Regulatory Act 2013.

(b) Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal the individual's identity if they so wish. The individual may, however, need to come forward as a witness at the appropriate time.

(c) Anonymous Allegations

This policy encourages individuals to put their names to any disclosures they make. Concerns expressed anonymously are much less robust but will still be investigated.

(d) 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 that individual. If, however, 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.

Procedure

(a) First Step

The individual should be satisfied that the issue of concern is very serious and cannot be addressed through normal processes.

The individual should normally raise their serious concern with their immediate manager or supervisor, unless the issue relates to them. This information will be passed on as soon as is reasonably possible to the appropriate designated investigating officer as follows:

- Complaints will be investigated by the Chief Executive (including potentially instigating an independent external investigation) unless the complaint is directed against the Chief Executive or is in any way related to the direct actions of the Chief Executive. In such cases, the complaint should be passed to the Chairperson.

If the complainant is a customer, member of the public or other service user, they will be advised to raise any 'whistleblowing' concerns directly with the Chief Executive.

(b) Communicating the Disclosure

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.

Concerns may be raised verbally or in writing. Any individual making a written report is invited to use the following format:

- The background and history of the concern (giving relevant dates).
- The reason why there is concern about the situation.

The earlier the individual expresses their concern, the easier it is to action.

Employees can also gain advice, in confidence, by contacting their trade union (Unite) or the charity, Public Concern at Work (Whistleblowing Advice Line), or the Association's Solicitors, Cochran Dickie. All can advise on the best course of action.

Employees and committee members may also raise their concerns, in confidence with:

Internal Auditor : Alexander Sloan
External Auditor : Chiene & Tait

Whistleblowing can also be made directly to the Scottish Housing Regulator. While it is not normally the Regulator's role to intervene in complaints between an individual and a regulated body, if they are notified of a very serious allegation they may gather information in order to determine whether they need to take action.

(c) Process

On receipt of a disclosure, the appropriate person will consider the information made available to him/her and decide on the form of investigation to be undertaken. This may be to:

- Investigate the matter by management, internal audit, or through the disciplinary process.
- Refer the matter externally to the external auditor or the police.
- Call for an independent inquiry.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

The responsible person will write to the individual concerned within ten working days of a disclosure being made. They will:

- acknowledge that the concern has been received,
- indicate how the matter will be dealt with,
- 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 not.

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, the Association will seek further information from the individual concerned.

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

Outcome of Internal Investigations

Once the investigation has been completed and the report is received by the Chairperson, consideration will be given as to what action should be taken. If there are reasonable grounds to substantiate the complaint, the Association's appropriate procedures will be invoked.

This may also involve referral to an external body or regulator.

The Association would hope that the individual will be satisfied with any action taken. If the individual is still not satisfied with the outcome, they can raise the issue with the appropriate external regulatory body.

Evaluation and Monitoring

It is fundamental to Williamsburgh Housing Association's operation that we conduct ourselves with honesty and integrity. In order to maintain standards of conduct, we must have procedures in place which enable staff, committee members and others, including residents, shareholders and other parties, to raise confidentially any concerns about the propriety or probity of the Association's affairs.

Details of such concerns raised will be incorporated into our performance indicators and presented to our residents/members annually.

Review

The policy will be reviewed every three years to ensure that it responds to any changing circumstances.