

SAXON WEALD
WHISTLEBLOWING POLICY



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1.0 Introduction

- 1.1 Saxon Weald is committed to ensuring high standards of probity and conduct in all it does. It is therefore important that our people know what to do if they come across something which, they believe, is fundamentally wrong, illegal or endangers the safety and/or wellbeing of others, with regard to the business of Saxon Weald.
- 1.2 Key to this is a culture of openness and honesty, which encourages the reporting of all forms of wrongdoing or inappropriate behaviour, in a 'safe' and 'protected' environment; along with a robust structure for managing such disclosures.
- 1.3 The reporting of concerns about wrongdoing or the inappropriate behaviour of an employee, Board member, or somebody acting on the Saxon Weald's behalf, is known as 'blowing the whistle' or 'whistleblowing', as it is referred to in this policy.
- 1.4 This policy sets out Saxon Weald's approach to whistleblowing. Supported by our Whistleblowing Procedure, it provides a framework for our staff, Board members, stakeholders, or anyone working on our behalf, to report their concerns confidently, confidentially and safely, without fear of disadvantage or victimisation.
- 1.5 This policy aligns with and supports Saxon Weald's corporate value 'Do the right thing'. It should be read and followed in conjunction with the Whistleblowing Procedure.

2.0 Background

Legal requirements

- 2.1 The legal framework relating to whistleblowing is contained in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act (PIDA) 1998). The PIDA encourages the disclosure of information that is deemed to be in the public interest and which relates to any of the matters set out in 3.1 below, such as illegal, dangerous or corrupt practices. It also provides the right for certain individuals to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

Regulatory requirements

- 2.2 The Regulator of Social Housing's Governance and Financial Viability Standard requires that Registered Providers shall ensure effective governance arrangements are in place that deliver their aims, objectives and intended outcomes for tenants and potential tenants in an effective, transparent and

accountable manner. Governance arrangements shall ensure registered providers:

- a) Adhere to all relevant law;
- b) Comply with their governing documents and all regulatory requirements;
- c) Are accountable to tenants, the regulator and relevant stakeholders;
- d) Safeguard taxpayers' interests and the reputation of the sector;
- e) Have an effective risk management and internal controls assurance framework; and
- f) Protect social housing assets.

2.3 Other Saxon Weald documents linked to this policy

2.4 The following policies, procedures and codes of conduct cover activities which, if breached, could trigger a qualifying disclosure under this Whistleblowing Policy:

- Anti-Corruption Policy
- Fraud Response Plan
- Data Protection Policy
- Information Security Policy
- Equality, Diversity and Inclusion Policy
- Financial Regulations
- Health and Safety Policy
- Modern Slavery Statement
- NHF Code of Conduct
- Disciplinary Procedure
- Grievance Procedure
- Safeguarding Policy

3.0 Definitions and clarifications

3.1 A qualifying disclosure is one made in the 'public interest' by an employee, a worker or other qualifying individual who has a reasonable belief that one of the following acts is being, has been, or is likely to be, committed:

- Criminal offences (this may include, for example, types of financial impropriety such as fraud);
- Failure to comply with an obligation set out in law;
- Miscarriages of justice;
- Endangering of someone's health and safety;
- Damage to the environment; and
- Covering up wrongdoing in the above categories.

3.2 The wrongdoing will usually (although not necessarily) be something they have witnessed at work. It is not necessary for the individual to have proof that such an act is being, has been, or is likely to be, committed; a reasonable belief is sufficient to permit a disclosure to the employer.

3.3 There is no definition of 'public interest' in the PIDA; although case law suggests that it is when a wrongdoing either has or has the potential to have an impact on a sufficiently large group of the 'public'. This includes Saxon Weald's customers and could also apply to disclosures that affect a group of Saxon Weald employees or workers where an important interest of theirs has been affected or where the whistleblower believes the act/omission to have been deliberate.

3.4 Under the Public Interest Disclosure Act 1998, the law provides protection for workers who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. Anyone who works for Saxon Weald, under any type of

contract, is classified as a 'worker' in this context and will fall within the scope of the protection provided by the PIDA where they make a disclosure that satisfies 3.1 and 3.3. However, this policy also provides a route for people who aren't covered by the PIDA (for example stakeholders or those employed by contractors working on behalf of Saxon Weald) to raise a disclosure and, whilst not legally protected, the principles set out in this policy of how whistleblowers should be protected and treated will be honoured by Saxon Weald as far as possible in relation to such other groups.

- 3.5 This policy does not consider personal grievances and/or complaints made by one member of staff about another or a customer about a member of staff, unless they relate to any of the acts outlined in 3.1 above and have the public interest angle outlined in 3.3. Personal grievances or complaints should be dealt with through alternative channels, such as the grievance, complaints, disciplinary and dignity at work procedures.

4.0 Policy

- 4.1 Saxon Weald's employees are a valuable source of business intelligence (our 'eyes and ears'). They are often the first people to witness and uncover wrongdoing, which has the potential to damage our reputation, finances, performance and business relationships. In some cases, their vigilance and ability to report wrongdoing could save people from harm.

- 4.2 It is important that any concerns about acts of wrongdoing (as set out in 3.1 above) involving Saxon Weald's employees, Board members, or anyone working on our behalf, are reported, recorded and properly investigated.

- 4.3 This policy sets out how Saxon Weald will deal with concerns of wrongdoing raised by its employees, workers or Board members. It is supported by a detailed procedure and process map, which set out what employees, workers or Board members should do if they have any serious concerns about wrongdoing within the organisation and how it will be managed thereafter.

- 4.4 To ensure that whistleblowing is recognised and supported effectively, Saxon Weald will:

- a) Encourage employees, workers and Board members to report concerns of wrongdoing at the earliest opportunity.
- b) Provide and promote a clear and robust framework for employees, workers and Board members to report their concerns of wrongdoing confidentially, safely and anonymously, if they prefer; with the confidence that they will be heard, treated fairly and consistently, and protected from any disadvantage or victimisation.

Please note that whilst we permit anonymous disclosures to be made, we do not encourage them because they can be more difficult to investigate.

- c) Where requested, respect and protect the confidentiality of persons reporting concerns under this policy as much as possible.
- d) Identify designated people, at a senior level within the business, to whom employees can report their concerns of wrongdoing.
- e) Signpost potential whistleblowers who wish to seek independent advice to external organisations who are able to provide this.

- f) Maintain clear and accurate records regarding disclosures and related investigations, in-line with GDPR requirements.
- g) Take all reports of wrongdoing seriously, positively and professionally; acting quickly to investigate and respond to them.
- h) Manage the expectations of the whistleblower, in terms of what action and/or feedback they can expect, as well clear timescales for providing updates and feedback on the outcome of any resulting investigation.
- i) Maintain records of the date and content of feedback provided to whistleblowers.
- j) Record and report all genuine concerns of wrongdoing, as well as the outcomes of related investigations, to the Board and, where appropriate, our Regulator.
- k) Promote this policy and implement training and coaching to ensure that employees, workers and Board members know how to identify and report concerns of wrongdoing and feel confident in doing so.
- l) Provide training to the relevant senior managers and Board members on how to deal with disclosures; ensuring they are confident in doing so and aware of the protection available under the PIDA.
- m) Provide any necessary support that may be required by employees, workers [and Board members] to raise and express their concerns. This includes allowing them to be accompanied by a trade union representative or colleague at any meeting about the disclosure, should they wish to do so.
- n) Learn from whistleblowing cases and use them to improve and strengthen our business practices.
- o) Offer support to whistleblowers after a disclosure has been made and investigated, to help them to remain comfortable and confident in their work environment.

5.0 Framework for reporting qualifying disclosures

- 5.1 In the event that an employee or worker feels it necessary to report a concern under this policy, they must report it to a Director or the Chief Executive.
- 5.2 If the concern involves a Director or the Chief Executive, the matter should be reported to the Chair of the Audit and Risk Committee.
- 5.3 Board members should report their concerns directly to the Chair of the Audit and Risk Committee (as identified in 5.3 above). In the event that a Board member has concerns about the Board that cannot be resolved by the Chair of the Audit and Risk Committee, their concerns should be shared with the Board and formally recorded. The Chair of the Board will then decide on the most appropriate course of action required to deal with the matter.
- 5.4 Stakeholders or those working on Saxon Weald's behalf (for example employees of one of our contractors) may report a concern to the Chief Executive or to the Chair of the Audit and Risk Committee.
- 5.5 Saxon Weald will always seek to investigate and resolve reports of wrongdoing in-house and in accordance with this policy and its supporting procedure. However,

dependent on the nature of an allegation or expression of concern received, there may be occasions when we need to involve external agencies.

- 5.6 There may be good reasons why a whistleblower wishes their identity to remain confidential; however, the law does not require an organisation to honour this. In line with recommended best practice, Saxon Weald will maintain the confidentiality of a whistleblower's identity as far as possible. One possible example where disclosure of the whistleblower's identity might need to happen would be if Saxon Weald was required by law to disclose it.
- 5.7 It is recognised that potential whistleblowers may wish to seek independent advice in the event that they feel unsure or unaware of how to raise a concern or lack confidence in doing so. Where this is the case, organisations such as Saxon Weald's Employee Assistance Programme, the whistleblowing charity – Public Concern at Work (PCaW), trade unions, ACAS and professional trade associations can provide independent and confidential advice.
- 5.8 In the event that employees feel unable to report their concerns directly to Saxon Weald, there are other ways to do so, whilst maintaining their rights to protection under the PIDA. One option for external disclosures of this type is through 'Prescribed Persons'. These are mainly regulators and professional bodies but include other persons and bodies such as MPs.
- 5.9 The Regulator for Social Housing (RSH) is recognised as the Prescribed Person for Registered Providers, such as Saxon Weald. However, before escalating a matter to the RSH, where appropriate, employees are encouraged to raise their concerns internally in line with our Whistleblowing Procedure.
- 5.10 A complete list of Prescribed Persons can be found at (<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>).
- 5.11 Saxon Weald's Whistleblowing Procedure explains the process for external disclosures in more detail.
- 5.12 The following activities are not acceptable and, if found to occur, will result in disciplinary (or equivalent) action and any external intervention that may be appropriate:
 - Any individual who knowingly makes false allegations or statements relating to a whistleblowing matter.
 - Victimisation of anyone for raising a qualifying disclosure.
 - Instructing an employee, stakeholder or somebody working on our behalf to cover up any wrongdoing.
- 5.13 Raising a concern outside of the prescribed routes listed in Saxon Weald's Whistleblowing Policy and Procedure, could result in disciplinary action, if it amounts to an unauthorised disclosure that is not protected under the PIDA.
- 5.14 'Unauthorised disclosure' is defined as; the disclosure of official information without authorisation (commonly referred to as 'leaking' e.g. to a journalist, social media, campaign groups or any other individual or organisation outside of Saxon Weald who should not have access to the information in question).
- 5.15 Employees should not agree to remain silent if told not to pursue a concern by a colleague or person in authority.

- 5.16 Anyone who reports a genuine concern, which turns out to be unfounded, will not be penalised and will remain protected from disadvantage or victimisation under this policy.
- 5.17 In the event that a whistleblower believes they have been treated unfairly because they have blown the whistle, they should follow Saxon Weald's Grievance Procedure.

6.0 Equality & Diversity

- 6.1 The Whistleblowing Policy and Procedure are available and accessible to all employees, Board members and involved residents of Saxon Weald. Appropriate support will be provided, where required, for persons that wish to make a disclosure but have difficulty in doing so. Should such support be required, the director or Board member receiving the disclosure will agree the type and level with the person concerned and make the necessary arrangements.
- 6.2 Please refer to Saxon Weald's Equality, Diversity and Inclusion Policy for further information.

7.0 Monitoring and review

- 7.1 Use of the Whistleblowing Policy will be reported to the Board and, where appropriate, to the Regulator for Social Housing (RSH) and Saxon Weald's auditors. In the event that a whistleblowing activity increases risk to the organisation, the corporate risk register will be updated to reflect this while the matter is dealt with.
- 7.2 In addition to 7.1, the annual Fraud Register report to the Audit and Risk Committee will include a summary of any whistleblowing activities reported during the year. This will be included under a specific section 'Fraud and Whistleblowing Summary'.
- 7.3 Our policies, procedures and strategies are reviewed and updated, where necessary, in accordance with an agreed timetable. This helps to ensure accuracy, compliance and best practice.
- 7.4 This policy will be reviewed every three years in accordance with the Saxon Weald's policy review timetable or in the interim period should any legislative or regularly changes require it.

Version	Amendment	By	Date
2.0	Amended 2.9 to remove former vice chair of audit and risk committee.	Norman Hill	Sep 16
2.1	Amended 2.9 to remove former vice chair of audit and risk committee.	Jeremy Jones	Jan 18
2.2	Amended 2.9 to include a deputy designated Board member.	Ellen Whitefield	Sep 18
2.3	Amended 2.9 to reflect changes to the audit and risk committee membership.	Ellen Whitefield	Jan 19
3.0	Update and rewrite.	Linda Kawycz	Sep 19
4.0	Full update and rewrite including changes to incorporate the recommendations of the CT	Jim Dean	Aug 21

	governance review and ensure continued compliance. New additions regarding access to independent advice and non-acceptable behaviour are set out in sections 5.5 to 5.14.		
4.1	Update of names and contact details of Chair and Vice Chair of Audit & Risk Committee.	Michael Chinn	Oct 23
5.0	Three-yearly review and update with advice from Devonshires.	Michael Chinn	Oct 24