

Whistleblowing Policy



Directorate: Governance, Risk & Assurance

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1. Introduction

- 1.1. At Salix Homes, we are committed to achieving the highest standards of probity, transparency, integrity and accountability. We look to promote an atmosphere of openness and responsiveness - where any concerns of wrongdoing can be raised in the public interest and resolved. While the majority of concerns are usually resolved easily, we do recognise that there might be instances where concerns are considered more serious and cannot be dealt with through normal channels. This policy and procedure aims to encourage colleagues, Board/ committee members and other key interested parties to feel comfortable raising a concern where it is in the public interest while also being reassured that it is safe for them to speak up, their concerns will be taken seriously and investigated as appropriate, and their confidentiality respected.
- 1.2. The Whistleblowing Policy and associated procedure sets out how an individual can raise any concerns of wrongdoing that they have and explains how they will be dealt with.

2. Policy Statement

2.1. This Policy and procedure aim to:

- Positively encourage individuals to feel confident in raising any concerns they may have about Salix Homes in the knowledge that these concerns will be taken seriously, investigated appropriately and robustly and that confidentiality will be respected;
- Clearly articulate how an individual can raise a concern and receive feedback on any action taken;
- Outline how Salix Homes will respond to and resolve concerns raised under this policy;
- Create an environment and culture where an individual feels safe in raising a concern in the knowledge that they will not face any disadvantage from the organisation for speaking up; and
- Protect the organisation, its colleagues, stakeholders, assets and reputation.

2.2. The Policy also:

- Ensures compliance with the Employment Rights Act 1996 (as amended by the Public Disclosure Act 1998) and other related legislation.

- Demonstrates that we follow best practice and the requirements of our adopted Codes of Governance and Conduct.
- To ensure ongoing compliance with the requirements of our Regulator – the Regulator of Social Housing (RSH) in particular, the Governance and Financial Viability Standard.

3. Scope

- 3.1. This Policy applies to all colleagues - whether full or part time, permanent or temporary (including agency or those on a fixed term contract), Board and committee members, contractors, consultants and suppliers.
- 3.2. All entities within the Salix Home Group are covered by this Policy.
- 3.3. The Whistleblowing Policy should not be used to respond to concerns identified by customers. Concerns being raised by customers and leaseholders should be raised through the Customer Feedback and Complaints Policy and Procedure.
- 3.4. Similarly, this Policy is not intended to be used if the concern relates to a complaint about an individuals' employment, how they have been treated at work or a personal matter. In these instances, the procedures relating to the approved policy (e.g. the Grievance Policy or Dignity at Work Policy) should be followed. Further advice will be provided by People Services.

4. What is Whistleblowing?

- 4.1. Whistleblowing is the disclosure of information relating to suspected wrongdoing or dangers at work. These may include:
 - Criminal offences (this may include, for example, types of financial impropriety such as fraud, bribery, corruption or the improper use of position within Salix Homes for personal gain)
 - Failure to comply with an obligation set out in law
 - Miscarriages of justice
 - Endangering of someone's health and safety
 - Damage to the environment
 - Covering up wrongdoing in the above categories
- 4.2. A whistleblower is a person who raises a genuine concern relating to any of the above.
- 4.3. If an individual has a reasonable belief that a criminal offence has been committed, is being committed or is likely to be committed in relation to the work of Salix Homes and it is in the public interest to do so, they can raise a "qualifying disclosure".

- 4.4. Under the Public Interest Disclosure Act 1998, workers who raise “qualifying disclosures” are protected. Board/ committee members do not enjoy the same legal protection as colleagues.
- 4.5. It is not necessary to have proof that wrongdoing has or will be committed. A reasonable belief is sufficient. The individual making the disclosure will, however, need to demonstrate that they are acting in good faith and that there are reasonable grounds for concern.
- 4.6. Other terms used in this policy and procedure have the following meanings:

Term	Description
Act or Acts	The Public Interest Disclosure Act 1998 and /or the Enterprise and Regulatory Reform Act 2013
Board / committees	The Board of Management and delegated committees of Salix Homes
Board / committee member	A member of the Board and its delegated committees (including co-optees and independent committee members)
Company Secretary	Appointed to advise the Board on all governance related matters. A role held by the Executive Director of Resources.
Governance Team / Manager	The team/ individual appointed by the Executive Team to oversee the Whistleblowing Policy and monitor compliance with it from time to time
People Services Team	The team/ individual appointed by the Executive Team to support colleagues involved during the investigation under the Whistleblowing Policy.
Employee / Colleague	A person employed by a member of the Salix Homes Group under a contract of employment, including a member of the Executive Team and any temporary / agency / fixed term / casual colleagues
Executive Team	The Executive management team of Salix Homes, including the Chief Executive Officer and Executive Directors
Code of Conduct	The adopted Code of Conduct (currently the National Housing Federation Code 2022)
Code of Governance	The adopted Code of Governance (currently the National Housing Federation Code 2020)
Whistleblowing law	Public Interest Disclosure Act 1998

5. How to Raise a Concern

- 5.1. Salix Homes encourages the raising of concerns. Where appropriate, if a colleague has an initial concern, this should be raised with their line manager as they may be able to agree a way of resolving your concerns quickly and effectively. If in doubt, advice should be sought from the Governance Manager.
- 5.2. If a concern is more serious in its nature and it is considered in the public interest to do so (see examples in 4.1), all concerns should be raised with the Whistleblowing Officer (the Executive Director, Resources). If the concern relates to the Whistleblowing Officer in some way, the concern should then be reported to the Chief Executive (CEO) or another member of the Senior Leadership Team (SLT).

- 5.3. The earlier a concern is expressed, the easier it is to act on and resolve the issue. Concerns can be reported either by telephone, in person or in writing. In raising a concern, the following information should be provided:
- The nature of the concern and why it is believed to be true; and
 - The background and history of the concern (giving any relevant dates).
- 5.4. Anyone raising a concern should be prepared to engage and cooperate fully and constructively with the process. This includes providing information to support any investigation.

6. Salix Homes' Response

- 6.1. All concerns received by the Whistleblowing Officer will be acknowledged within 2 working days.
- 6.2. As part of the acknowledgement, to allow them to consider whether or not / how the concern will be progressed, the Whistleblowing Officer will schedule a meeting with the individual to discuss the concern. It is likely that the Whistleblowing Officer may also request another officer attends this meeting. Colleagues can be accompanied at this meeting by a colleague of their choice or their trade union representative. Where appropriate reasonable adjustments will be made to support engagement in the meeting.
- 6.3. Based on the information provided, and in discussion with the People Services and Governance teams, the Whistleblowing Officer will consider what action should be taken to ensure that the Whistleblowing Policy is complied with. This may involve an informal review or a formal investigation under the most appropriate policy e.g. Disciplinary Policy. The Whistleblowing Officer will nominate an appropriate Whistleblowing Investigation Officer for each concern raised.
- 6.4. The officer nominated for conducting the investigation will arrange a meeting with the complainant within as soon as possible to start the investigation. We will tell the complainant how we will investigate the concern, how the investigating officer can be contacted, what further assistance will be required and expected timescales.
- 6.5. In some instances, and to ensure complete transparency, an external body may be appointed to conduct the investigation (e.g. the Internal Auditors).
- 6.6. The objective will always be to ensure a full, transparent investigation is carried out within a reasonable timescale.

- 6.7. The Whistleblowing Officer (or other investigating officer) will report their findings to the Chief Executive (or the Chair of the Board, if the matter concerns the Chief Executive) and appropriate actions identified. This will include consideration as to whether the matter should be reported to the appropriate regulatory body.
- 6.8. On conclusion of the investigation, the Whistleblowing Officer will provide appropriate feedback on the outcome(s) to the whistleblower.

7. Confidentiality

- 7.1. Salix Homes hopes that individuals will feel comfortable raising concerns openly, although it is appreciated that there may be instances where someone may wish to raise a concern confidentially.
- 7.2. Whilst Salix Homes will make every effort to protect the confidentiality of an individual or group, this may not be possible in all circumstances - particularly when third party agencies are involved in investigating or taking further action with regards to alleged malpractice. In such circumstances, the individual/group will be asked to consent to their identity/identities being revealed. This consent must not be unreasonably withheld.
- 7.3. The whistleblower is also expected to maintain confidentiality and act with appropriate sensitivity throughout the process. They should not discuss their disclosure with their colleagues, family or friends without prior consent.

8. Protection and Support

- 8.1. If a genuine concern is raised in good faith, under the terms of this policy and legislation (the Public Interest Disclosure Act 1998 and the Enterprise and Regulatory Reform Act 2013), the whistleblower will not be at risk of losing their job or suffer any detriment (such as reprisal, harassment or victimisation) as a result of making a disclosure.
- 8.2. Salix Homes will not tolerate the harassment or victimisation of anyone raising a concern. Nor will it tolerate any attempt to bully someone into not raising concerns.
- 8.3. Any such behaviour may result in disciplinary action being taken.
- 8.4. Full support throughout the will be provided to those raising a concern. For those who are not Salix Homes employees, Salix Homes will endeavour to provide appropriate advice and support wherever possible.
- 8.5. If a whistleblower believes they have suffered as a consequence of raising a concern, they immediately should inform People Services..

9. Anonymous and Malicious Reports

- 9.1. Salix Homes hopes that, through this policy, individuals will feel able to voice their concerns openly. It is, however, recognised that sometimes a whistleblower might want to remain anonymous.
- 9.2. An anonymous concern should be raised with the Whistleblowing Officer in the most appropriate way that their identity can be withheld (e.g. letter, telephone call/ message).
- 9.3. Whistleblowers should be aware that if the concern is raised anonymously, it may be more difficult to conduct a thorough investigation and provide feedback.
- 9.4. An anonymous concern will be considered at the discretion of Salix Homes based on:
 - The seriousness of the issue raised
 - The credibility of the concern
 - The likelihood of the concern coming from other sources
- 9.5. Any deliberately false or malicious reports will be treated as a disciplinary offence.

10. Independent Advice

- 10.1. This policy provides an internal mechanism for reporting, investigating and remedying wrongdoing. In most cases, it should not be necessary to alert any external bodies. Salix Homes would always encourage whistleblowers to report any concerns internally in the first instance.
- 10.2. If anybody has a concern with the policy or would like independent, confidential advice at any stage, they can contact Protect – an independent charity (see appendix 1 for contact details).
- 10.3. Advice can also be sought from Salix Homes' Internal and External Auditors.
- 10.4. Contact details for external bodies are listed in appendix 1,

11. Monitoring / Performance / Targets

- 11.1. Salix Homes will monitor the successful implementation of this policy via:
 - 100% completion of mandatory whistleblowing training
 - Regular review of whistleblowing reports by the appropriate delegated committee, to include:

- Number of incidents p.a.
- Actions taken
- Appropriateness of actions
- If resolution led to change in practice/process/policy

11.2. The policy and procedure will be reviewed every 3 years, or sooner if required.

12. Roles / responsibility

12.1. All colleagues have a responsibility to:

- raise any concerns about wrongdoing where it is in the public interest as detailed in this policy;
- to familiarise themselves with the contents and requirements of this policy;
- to take part in training, as required; and
- to actively engage to support investigations.

12.2. Managers have a responsibility to:

- take steps to promote awareness of the policy;
- be responsive to and support any colleague who raises a concern to them;
- seek advice from the People Services Team/Governance Team on how to manage the concern so that they can provide clear advice on how to use the procedure;
- make every effort to ensure that the likelihood for any wrongdoing are minimised, particularly in the areas of work for which they are responsible by ensuring their colleagues are following approved policies and procedures.

12.3. Governance Team has a responsibility to:

- provide awareness, guidance and training to colleagues and line managers to support the fair application of this policy and associated procedure;
- maintain a central log of concerns for reporting purposes and for learning; and
- review the effectiveness and completeness of this policy and procedure

12.4. The Whistleblowing officer is responsible for:

- ensuring adherence to the policy and procedure;
- retaining oversight to ensure that any concerns raised are appropriately managed;
- act as a point of contact for whistleblowers.

12.5. The lead Board Member for Whistleblowing will:

- on behalf of the Board, retain oversight of the effectiveness of the Whistleblowing Policy and Procedure
- provide feedback to Board on Whistleblowing activities, as appropriate
- support investigations into disclosures, as required

- be a trusted source for disclosures where a whistleblower does not feel comfortable raising a concern within the organisation

12.6. The Audit & Risk Committee will:

- Review and approve the Whistleblowing policy and procedures as necessary
- Review and consider whistleblowing reports

13. Legal / Regulatory Links

13.1. This policy relates to the following:

- Bribery Act 2010
- Enterprise and Regulatory Reform Act 2013
- Public Interest Disclosure Act 1998
- Employment Rights Act 1996
- Governance and Financial Viability Standard
- Code of Governance 2020
- Code of Conduct 2022

14. Equality, Diversity and Inclusion

14.1. Salix Homes is committed to promoting and embedding a culture of equality, diversity and inclusion (EDI) within our workplaces and the communities we serve.

- Equality is about ensuring that every individual has an opportunity to make the most of their lives and talents;
- Diversity is recognising difference and responding positively to those differences;
- Inclusion is about creating an environment where our services and employment opportunities are accessible to all

14.2. We are committed to meeting our obligations and duties under the Equality Act 2010 and to promoting equal opportunities both in the provision of services and in our employment practices. We will consider all the protected characteristics of the Act which are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Race
- Religion or belief
- Sex
- Sexual orientation
- Pregnancy and maternity

14.3. We also recognise that Socio-economic background is an area where inequalities exist and commit to addressing this disadvantage and inequality in our communities where able to do so.

14.4. We are also mindful of our duties under the Public Sector Equality Duty, which is to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14.5. Where reasonable to do so, Salix Homes will make any reasonable adjustment to ensure compliance with the Act.

15. Related Documents

15.1. This Policy should be read in conjunction with/ and or links to the following documents:

- Probity Policy
- Anti-Fraud and Anti-Money Laundering Policy
- Anti-Money Laundering Policy
- Board Member Grievance Dispute and Disciplinary Policy
- Code of Governance
- Code of Conduct
- Customer Feedback and Complaints Policy
- Declarations of Interests Procedure
- Dignity At Work Policy
- Disciplinary Policy and Procedure
- Complaints Policy
- Governance Framework
- Gifts and Hospitality Procedure
- Employee Grievance Policy and Procedure
- Harassment and Bullying Policy
- Modern Slavery Statement
- Safeguarding Policy

Contact Details

Whistleblowing Officer	Executive Director of Resources eric.tamanis@salixhomes.co.uk
Chief Executive	sue.sutton@salixhomes.co.uk
Chair, Salix Homes Board	mwarhurst@habinteg.org.uk
Board Member responsible for Whistleblowing	Monika.Liskiewicz@AccentGroup.org
Internal Auditor	BDO Natalie Hinchcliffe 0161 817 7500 Natalie.Hinchcliffe@bdo.co.uk
External Auditor	Beever & Struthers Richard Graham 03330 910411 RGraham@beeverstruthers.co.uk
Protect	<i>Advice Line Protect - Speak up stop harm</i>
Regulator of Social Housing	Regulator of Social Housing Level 1 A City Tower Manchester M1 1RG Telephone: 0300 1234 500 Mail to: enquiries@rsh.gov.uk
GMP	Greater Manchester Police Northampton Rd Manchester M40 5BP Telephone: 101 www.gmp.police.uk