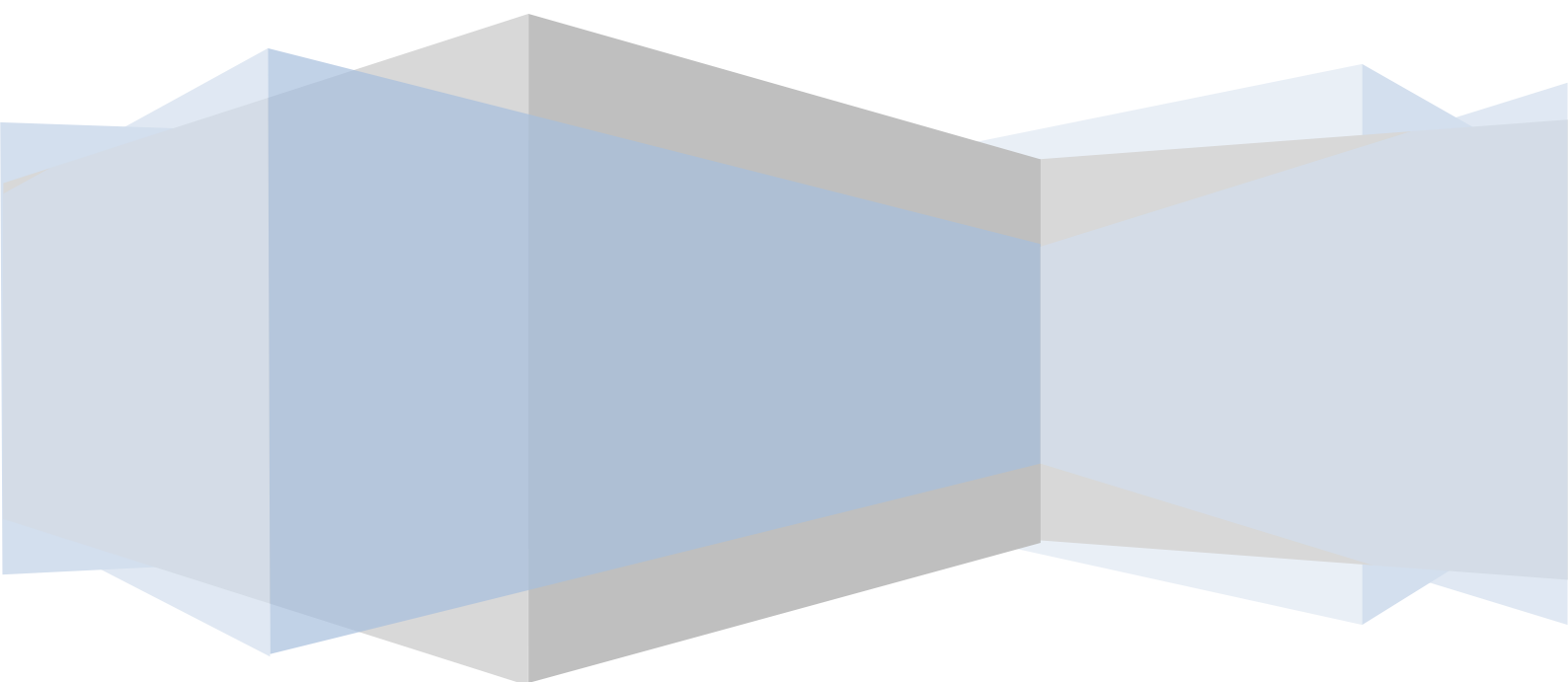




# **WHISTLEBLOWING POLICY**

**January 2023**



All Policies are available on tape, in braille, and in translation into most languages. Please ask a member of staff if you would like this policy in a different format

Date of Policy Review: January 2023  
Date of Committee Approval: 17 January 2023  
Date of Next Review: January 2026

<b>SCOTTISH HOUSING REGULATOR STANDARDS</b>	<p>STANDARD 1: The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.</p> <p>STANDARD 2: The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users, and stakeholders. Its primary focus is the sustainable achievement of these priorities.</p> <p>STANDARD 4: The governing body bases its decisions on good quality information and advice, and identifies and mitigates risks to the organisation's purpose.</p> <p>STANDARD 5: The RSL conducts its affairs with honesty and integrity.</p> <p>STANDARD 6: The governing body and senior officers have the skills and knowledge they need to be effective.</p>
---	---

<b>Contents</b>	<b>Page No.</b>
Purpose and Scope	1
Principles	1
The Procedure: How to raise a concern	2
Appendix 1: List of prescribed persons	4
Appendix 1: Equality Impact Assessment	5

## **PURPOSE AND SCOPE**

CDHA is committed to the highest standards of openness, probity, and accountability, and recognises that it is an important aspect of accountability and transparency to provide a mechanism to enable concerns about wrongdoing to be raised without fear of reprisal, as set out in the Public Interest Disclosure Act 1988. This policy is designed to enable employees of CDHA to raise concerns internally and disclose information that they believe shows malpractice or impropriety, in the knowledge that their concerns will be taken seriously. It is intended to cover matters which are reasonably believed to be in the public interest. It applies to all employees, workers, agency or temporary staff, consultants, or otherwise providing services under a contract with CDHA.

If you do not work for CDHA but nevertheless have a concern about wrongdoing on the part of CDHA or any officer of CDHA, you should raise your concern directly with the Director or Chair of the Management Committee in writing, marked "Private & Confidential", for their attention.

## **PRINCIPLES**

These principles will apply to all matters dealt with under this Policy.

The Public Interest Disclosure Act 1998 gives legal protection to employees and workers against being dismissed or penalised by their employers as a result of publicly disclosing information about wrongdoing by their employer, which they reasonably believe to be in the public interest. CDHA is committed to ensuring it complies with such obligations.

No one to whom this policy applies will be placed at a disadvantage for having raised legitimate concerns. CDHA will not tolerate any harassment, victimisation, or detrimental treatment of anyone raising a legitimate concern under this policy, including formal or informal pressure being placed upon them, and will take appropriate action to protect the individual. Anyone acting in breach of this will be subject to disciplinary action.

For the purposes of this policy, legitimate concerns are concerns about wrongdoing, improper conduct, or unethical behaviour on the part of CDHA which the individual reasonably believes are made in the public interest, and which are raised in good faith, even if they turn out to have been mistaken. The wrongdoing should be:

- a criminal offence, such as financial malpractice, impropriety, or fraud
- the breach of a legal obligation
- a miscarriage of justice
- a danger to health and safety
- damage to the environment
- deliberate concealment of information tending to show any of the above five matters
- deliberately giving false information to get a particular outcome.

This policy does not apply to matters which are not in the public interest, but any concerns on the part of a member of staff which do not fall within this policy may nevertheless be raised through CDHA's other policies, such as the Grievance Policy, as appropriate.

### **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. However, CDHA is not able to guarantee absolutely that the individual raising information about the wrongdoing may not be required to be identified for the purposes of any investigation in due course

### **Anonymous Allegations**

This policy encourages individuals to put their names to any disclosures they make. Concerns expressed anonymously are much less powerful, but will be considered at the discretion of CDHA.

### **Designated officer**

The Director will appoint a designated officer with responsibility for investigating concerns raised under this policy.

### **Untrue Allegations**

If an individual makes an allegation in good faith that is not confirmed by the subsequent investigation, no action will be taken against that individual. However, if an individual has made an allegation frivolously, maliciously, for personal gain, or otherwise in bad faith, disciplinary action may be taken against the individual concerned.

### **Notifiable Events**

Complaints against the Senior Officer are classed as notifiable events and the Notifiable Events Policy should be followed in relation to all whistleblowing allegations.

## **THE PROCEDURE: HOW TO RAISE A CONCERN**

### **Step 1**

The individual should normally raise a concern with their manager, who will notify the designated officer in place from time to time with responsibility for overseeing any investigation into the allegations of wrongdoing.

If the complaint is about or otherwise concerns your line manager, you should raise your concern directly with the designated officer.

If the complaint concerns the designated officer, it may be raised directly with the Director. If the complaint concerns the Director, it may be raised directly with the Chair of CDHA. The Chair has the right to refer the complaint back to the Director or the designated officer if they feel that that is appropriate and that there is no conflict of interest.

Concerns may be raised verbally or in writing.

## **Step 2**

On receipt of a disclosure, the designated officer, Director, or Chair, as appropriate, will consider the information in order to determine the manner in which any form of investigation should be undertaken. This may include referring the matter to CDHA's auditors or solicitors, or to an external investigator.

The investigator may wish to speak to you to obtain full details, and any clarifications, about the matters which you have raised. In any event, you will be notified within 10 days of raising the complaint that it has been received and the nature of the investigation, if any, which is to be undertaken.

We will aim to keep you informed of the progress of the investigation and its likely timescale, but you must understand that sometimes the need for confidentiality may prevent us from giving you specific details of the investigation.

## **Step 3**

Once the investigation has concluded, a report will be prepared for the Director or Chair, as appropriate.

If it is possible to advise you of the outcome of the investigation, you will be given such information as is appropriate. However, in view of CDHA's duties of confidentiality to other members of staff, it may not be possible to advise you of any action taken.

You should treat any information about the investigation as confidential.

If you are not satisfied that your concern is not being, or has not been, properly dealt with, you are entitled to make a disclosure to any of the prescribed bodies identified in Schedule 1.

## **APPENDIX 1**

### **List of Prescribed Persons**

The Scottish Housing Regulator

Tel: ~~0131 313 0044~~ 0141 242 5642

Environmental Health (Glasgow City Council)

Tel: 0141 287 1059

Health and Safety Executive

Tel: 0845 345 0055

~~Scottish Executive~~

~~Tel (general): 0131 556 8400~~

### **Further Sources of Information**

ACAS

Helpline: ~~08457 47 47 47~~ 0300 123 1100

~~Public Concern at Work~~ Protect (formerly Public Concern at Work)

Tel (general): ~~020 7404 6609~~ 020 3117 2520

**Cathcart & District Housing Association  
Appendix 2: Equality Impact Assessment**

<b>Name of policy to be assessed</b>	Whistleblowing Policy	<b>Is this a new policy or a review?</b>	Review
<b>Person completing the assessment</b>	Emma Connelly, Corporate Services Officer	<b>Date of Assessment</b>	15/12/2022

1. Briefly describe the aims, objectives, and purpose of the policy	<p>The main purpose of the policy is to enable CDHA employees, former employees, workers, agency or temporary staff, committee members, consultants, contractors, and any relevant stakeholders to raise concerns internally and disclose information that they believe shows malpractice or impropriety.</p> <p>The Whistleblowing process is designed to prevent the individual from being the subject of victimization, harassment, or discrimination as a result of their allegations.</p>
2. Who is intended to benefit from the policy? (e.g. staff, applicants, tenants, staff, contractors)	Current and former staff, agency or temporary workers, committee members, consultants, contractors, and customers
3. What outcomes are wanted from this policy? (e.g. benefits to customers)	The intended outcome is to encourage anyone who has serious concerns about the Association to come forward and speak up without fear of reprisal. It also provides a clear framework for how any whistleblowing may be dealt with by the Association.

4. Which protected characteristics could be affected by the policy (tick all that apply)		
Minority Ethnic:		Age:
Gender:		Religion/belief:
Disability:		Transgender:
Sexual Orientation:		Maternity/Pregnancy:
Marriage/civil partnership:		Socio-economic status:
5. If the policy is not relevant to any of the protected characteristics listed in part 4. State why and end the process here.		
This policy is equally applicable to all and has no detrimental impact on protected characteristic groups as specified within the Equality Act 2010.		
6. Describe the likely positive or negative impacts the policy could have on the groups identified in part 4.	<b>Positive Impacts</b>	<b>Negative Impacts</b>
7. What actions are required to address the impacts arising from this assessment?	N/A	

Signed: Emma Connelly

Date: 15/12/22