



Whistleblowing Policy

Department: Organisation

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1. INTRODUCTION

- 1.1. An important aspect of accountability and transparency is a mechanism to enable staff, agency workers and contractors not employed by Hill Homes to voice concerns in a responsible and effective manner.
- 1.2. Whistleblowing refers to disclosures that are made in the public interest; it is not an appropriate policy for workers to use to air private grievances. Private grievances should be raised under the harassment, complaint or disciplinary policies.
- 1.3. Whistleblowing refers to the reporting of suspected misconduct, illegal acts or failure to act and it is often workers who are the first to realise that there is, or may be, something seriously wrong.
- 1.4. It is a fundamental term of every contract of employment (or contractor's terms) that an individual will not disclose confidential information about Hill Homes' affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation then this information should be disclosed internally without fear of reprisal.
- 1.5. Hill Homes believes that whistleblowing is a positive act that can make a valuable contribution to our efficiency and long-term success.
- 1.6. It is not disloyal to colleagues, or to Hill Homes, to speak up. We are committed to achieving the highest possible standards in all that we do.

2. DEFINITIONS

- 2.1. Hill Homes refers to the group of companies comprised of Hill Homes Housing Association, Hill Homes Care Ltd and Hill Homes Care Services Ltd.
- 2.2. A qualifying disclosure is defined as one that is made in good faith by an individual who has a reasonable belief that one of the following has been, or is likely to be committed:
 - a criminal offence;
 - a miscarriage of justice;
 - financial irregularities;
 - an act creating risk to health and safety;
 - an act causing damage to the environment;
 - a breach of any other legal obligation;
 - other unethical behaviour; or
 - concealment of any of the above.
- 2.3. Workers refers to employees, agency workers and contractors.



3. AIMS AND OBJECTIVES

- 3.1. The aim of this policy is to encourage workers who have serious concerns about any aspect at Hill Homes to come forward and voice those concerns.
- 3.2. The policy is designed to ensure that workers can raise their concerns about wrongdoing or malpractice within Hill Homes without fear of victimisation, subsequent discrimination, disadvantage or dismissal.
- 3.3. It is intended to encourage, and enable, workers to raise serious concerns within Hill Homes in the first instance rather than ignoring the problem or blowing the whistle externally.
- 3.4. The policy aims to:
 - encourage workers to raise serious concerns at the earliest opportunity
 - ensure that everyone receives a response to their concerns and that they are aware of how to pursue them if they are not satisfied with the response
 - reassure workers that they will be protected from possible reprisals or victimisation if they have made a disclosure in good faith
- 3.5. This policy is intended to enable those who become aware of wrongdoing at Hill Homes to report their concerns at the earliest opportunity so they can be properly investigated.
- 3.6. This policy is designed to deal with disclosures made in the public interest. It is not designed to deal with private grievances. These will be dealt with using the harassment, complaint or disciplinary policies.
- 3.7. This policy is not designed to question financial or business decisions taken by Hill Homes nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures.
- 3.8. Once the whistleblowing procedures are in place, it is reasonable to expect workers to use them rather than air their complaints outside the organisation.

4. POLICY STATEMENT

- 4.1. Hill Homes is committed to good practice and high standards and to supporting all workers who make a qualifying disclosure.
- 4.2. Hill Homes provides whistleblowing training for all employees.
- 4.3. Hill Homes recognises that the decision to report a concern can be a difficult one to make. Any worker that honestly and reasonably believes what they are saying is true should have nothing to fear because they are doing their duty to the organisation, their colleagues and all Hill Homes' tenants and clients.



- 4.4. Hill Homes will not tolerate any harassment or victimisation of a whistleblower and will take appropriate action to protect anyone who raises a concern in good faith.
- 4.5. Any harassment or victimisation of a whistleblower will be treated as a serious disciplinary offence which will be dealt with under the disciplinary rules and procedures.

5. **LEGISLATION, REGULATION AND GUIDANCE**

- 5.1. The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for individuals who raise legitimate concerns about specified matters
- 5.2. The Enterprise and Regulatory Reform Act 2013 amends the Public Interest Disclosure Act 1998 and the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters which are deemed to be in the public interest

6. **CONFIDENTIALITY**

- 6.1. All concerns will be treated in confidence and every effort will be made not to reveal the identity of any worker if that is their wish.
- 6.2. If a worker does not feel safe in making a disclosure via their line management structure, they may make it via the HR team.
- 6.3. If disciplinary, or other proceedings, follow the investigation, it may not be possible to take action as a result of a disclosure without the help of the worker so they may be asked to come forward as a witness. If the worker agrees to this, they will be offered advice and support.

7. **MONITORING AND REPORTING**

- 7.1. Hill Homes will maintain a central record of disclosures made under the whistleblowing policy. This will include:
 - the nature of the disclosure
 - the action taken
- 7.2. The Finance, Risk and Audit Committee will be advised of any whistleblowing disclosures as a standing item on the agenda for each of their meetings.
- 7.3. A summary of whistleblowing disclosures made during the year will be provided to the board annually.



WHISTLEBLOWING PROCEDURES

Throughout this process, Hill Homes commits to:

- provide you with full support from a senior manager;
- take your concerns seriously; and,
- do all it can to help you through any investigation.

WHAT SHOULD BE REPORTED?

You should report any serious concerns you have, such as:

- neglect or abuse of tenants or clients;
- conduct which is an offence or breach of the law (this can be a criminal offence that has been committed or a failure to comply with any other legal obligation);
- disclosures relating to miscarriages of justice;
- racial, sexual, disability or any other discrimination;
- health and safety of employees or any other person that comes into Hill Homes' buildings;
- damage to the environment;
- unauthorised use of our assets e.g. company credit card;
- possible fraud or corruption; or,
- any other unethical conduct.

MAKING A DISCLOSURE

You should normally raise concerns with your line manager or the CEO.

You may make your disclosure in person, by telephone or in writing. The earlier you express your concern, the easier it is to take action.

You will need to provide the following information:

- the nature of your concern and why you believe it to be true;
- the background and history of the concern, including relevant dates; and,
- any evidence you may have.



You are not expected to prove the truth of your suspicion but you will need to show to the person you raise your concern with that you have a genuine concern related to suspected wrongdoing or malpractice and that there are reasonable grounds for your concern.

If you do not feel safe in making your disclosure via your line manager or the CEO, you may contact the HR team at Gateway. You can do this either by email on gatewayhr@hillhomes.co.uk or, if you wish to remain anonymous, by calling the Gateway team on 01536 215240.

WHAT HILL HOMES WILL DO

Hill Homes will respond to your concerns as quickly as possible.

In order to be fair to all workers, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

The investigation may need to be carried out under terms of strict confidentiality. This can mean not informing the subject of a complaint until, or if, it becomes necessary to do so. In certain cases, however, for example allegations involving the mistreatment of others, suspension from work may have to be considered immediately.

Protection of others is paramount in all cases.

The person investigating your disclosure will write to you within 10 days:

- acknowledging that the concern has been received;
- indicating how Hill Homes proposes to deal with the matter;
- explaining what advice and support is available to you; and,
- telling you whether further investigations will take place and, if not, why not.

YOUR LEGAL RIGHTS

This Policy has been written to take account of the Enterprise and Regulatory Reform Act 2013 which protects employees making qualifying disclosures.

The Act makes it unlawful for Hill Homes to dismiss anyone or allow them to be victimised as a result of making an appropriate lawful disclosure in accordance with the Act.



ANONYMOUS DISCLOSURES

This policy encourages you to put your name to your disclosure whenever possible. If you do not tell us who you are it will be much more difficult for us to protect your position or give you feedback.

Concerns made anonymously may be considered at the discretion of Hill Homes, considering:

- the seriousness of the issue raised;
- the credibility of the concern; and,
- the likelihood of confirming the disclosure from other sources.

UNTRUE DISCLOSURES

If you make a disclosure in good faith and honestly and reasonably believe it to be true, but it is not confirmed by an investigation, Hill Homes will recognise your concern and you have nothing to fear.

If, however, you make an allegation frivolously, maliciously or for personal gain, appropriate action may be taken. This could include disciplinary action.

RAISING CONCERNS EXTERNALLY

In exceptional circumstances it may be necessary for individuals to raise concerns externally. This should only be done in cases where it is not possible for the individual to raise concerns internally, or where this has been done but the concerns have been dismissed.

An individual should only raise concerns with an external regulator or authority where they honestly and sincerely believe that the allegations are true and genuine.

A list of external regulators can be found in the schedule to the *Public Interest Disclosure Act 1998* which can be viewed online at www.legislation.gov.uk

CONTACTING THE MEDIA

The media is not a relevant external body. Workers should not contact the media with allegations about Hill Homes.