

Policy Arrangement		
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**WALES & WEST HOUSING GROUP POLICY
WHISTLEBLOWING POLICY**

DOCUMENT CONTROL DETAILS	
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1.1 Introduction and Purpose

Whistleblowing is the term commonly used to describe the situation where a member of staff, member of the Board or resident, contractor or supplier raises concerns about improper conduct, wrongdoing, risk or malpractice with someone in authority, either internally or externally.

A whistleblowing claim may also be known as a protected disclosure under the Public Interest Disclosure Act 1988 (PIDA).

The purpose of this policy is:

- To encourage staff, Board Members or anyone else to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- To provide guidance as to how to raise those concerns.
- To reassure those who report that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

1.2 Policy Statement:

Whistleblowing in the context of this policy and the legislation means the disclosure of information, which in the reasonable belief of the whistleblower, relates to suspected wrongdoing or dangers at work that are in the public interest. This may include:

- Financial malpractice, impropriety or fraud;
- Failure to comply with a legal obligation or statutes;
- Dangers to health and safety or the environment;

- Criminal activity;
- A miscarriage of justice;
- Professional malpractice;
- Improper conduct or unethical behaviour;
- Unlawful or unethical employment practices;
- Significant relationship failures, including those between Board, staff and management team;
- Attempts to conceal any of the above.

The term 'whistleblower' is used to describe someone who becomes aware of (or suspicious of) serious malpractice in an organisation and raises the matter so that it may be investigated and, if necessary, corrected.

We are committed to conducting our business responsibly, maintaining the importance of WWH Group operating principles and values and we expect all staff to maintain high standards in accordance with our Code of Conduct. WWH encourage a culture of openness and accountability which is essential to prevent such situations occurring or to address them when they do occur.

Problems can arise in any organisation and the best people to identify them are often the people who work for and with an organisation. All staff and Board Members are responsible for the success of this policy and must ensure that they use it to disclose any suspected danger or wrongdoing if and when they become aware of it.

1.3 Related Legislation and Documents:

Public Interest Disclosure Act 1998 (PIDA)

Whistleblowers making a protected disclosure have a right not to suffer any detriment from the organisation that they work with. If they are treated less favourably for making a disclosure, a claim may be brought to the Employment Tribunal if they suffer loss as a consequence. It will be for the Employment Tribunal to determine if any whistleblowing claim is a protected disclosure.

Disclosures that are malicious or knowingly untrue are not protected under PIDA. To qualify for protection, a disclosure must be made in the public interest.

2.0 Main Body

2.1 Raising a whistleblowing concern

You may at some point be concerned about issues you see or hear at work or in relation to the work of WWHG. We hope that in many cases you will be able to raise any concerns and that it should be easily resolved with the support and the relevant policies and procedures in place at WWH. The decision to report a concern can be a difficult one to make, especially if it involves colleagues, managers or contract holders. If what you are saying is true however, then we want you to make the right decision and come forward.

For staff, when reporting your concern, you may tell your line manager in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases they may refer the matter to a more suitable person.

Where the matter is more serious however, or you feel that your line manager or the person you reported the matter to has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact the WWH Group Chief Executive.

If your concern relates to the Group Chief Executive of WWH then you should contact the Chair of the WWH Board.

For Board Members, you may report your concern in person or in writing to the Chair of the Board; you may also raise concerns with the Regulator. If your concerns relate to the Chair of the Board, you should contact the Company Secretary.

For contractors and members of the public, you may report your concern in person or in writing to the Group Chief Executive of WWH. If your concerns relate to the Group Chief Executive, you should contact the Chair of the Board.

You may also raise concerns with our regulator, the Welsh Government.

All contact details are set out at the end of this policy.

2.2 Investigation and outcome

If relevant we will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague, union representative or associate to any meetings under this policy and your companion must respect the confidentiality of your disclosure and any subsequent investigation.

It is likely that we will take down a written summary of your concern and a copy would be available for you after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.

In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. Sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should always treat any information about the investigation as confidential.

If we conclude that a whistleblower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistleblower will be subject to disciplinary /legal action as appropriate.

2.3 Confidentiality

We hope that individuals will feel able to voice whistleblowing concerns openly under this policy. If you want to raise your concern confidentially however, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

Whilst we take all concerns seriously, we do not encourage disclosures to be made anonymously. In determining whether or not to take an anonymous allegation forward under the policy and guidance, we will take into account the:

- Seriousness of the issue raised;
- Credibility of the concern;
- Likelihood of confirming the allegation from an attributable source and gaining information from them.

Whistleblowers who are concerned about possible reprisals if their identity is known should discuss this with the person leading the investigation or the Group Chief Executive and appropriate measures can then be taken to minimise any risk.

2.4 If you are not satisfied

While we cannot guarantee the outcome you are seeking, we will always try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you can raise it with the Group Chief Executive. If your concern relates to the Group Chief Executive, then you should contact the Chair of the WWH Board. Contact details are set out at the end of this policy.

2.5 External disclosures

As this policy aims to provide a mechanism for reporting, investigating and remedying any wrongdoing in the workplace it is hoped you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as our Regulator. We encourage you, where possible, to seek advice internally before reporting a concern to anyone external as this may form part of any investigation process. It will very rarely if ever be appropriate to alert the media.

Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a customer, supplier or service provider or member of the public. The law allows you to raise a concern with a third party directly, where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. We encourage you however to report such concerns to WWHG first so that we may support such disclosures. You should contact your line manager, if appropriate, or one of the other individuals set out above for guidance.

2.6 Protection and support for whistleblowers

It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns under this policy, even if they turn out to be mistaken.

No one using this policy must suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, loss of work, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform one of the appropriate contacts under this policy immediately. If the matter is not remedied you should raise it formally using our **Dispute Resolution Policy** or raise the concern with the Group Chief Executive or Chair of the Board.

If it is, however, concluded that the concern has been raised maliciously, in bad faith or with a view to personal gain, then you may be subject to disciplinary action or lose your contract with us.

Staff, Board Members and third parties must not threaten or retaliate against whistleblowers in any way. WWH will not tolerate the harassment or victimisation of anyone raising a genuine concern. Anyone involved in such conduct will be subject to disciplinary /legal action as appropriate.

If you feel that you may want to talk to someone outside the organisation then you can seek advice from 'Protect', the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

2.7 **Contacts**

Group Chief Executive of WWH	Anne Hinchey Email: Anne.Hinchey@wwha.co.uk
Chair of the WWH Board	Peter Harding Email: Peter.Harding@wwha.co.uk
Company Secretary	Leynie Pearn Email: Leynie.Pearn@wwha.co.uk
Protect (Independent whistleblowing charity)	Helpline: 020 3117 2520 E-mail: business@protect-advice.org.uk Website: https://protect-advice.org.uk/
Welsh Government (our regulator)	Email: housingregulation@gov.wales