

# Whistleblowing Policy



Directorate: Resources  
Date of Issue: March 2022  
Date of Revision: March 2025  
Version: V6

## Document Information

### Scope:

The purpose of this policy and the accompanying procedure is to:

- Encourage the reporting of suspected wrongdoing as soon as possible, in the knowledge that concerns will be taken seriously, investigated appropriately and robustly and confidentiality respected.
- Provide guidance to inform and support the raising of concerns.
- Provide reassurance genuine concerns may be raised without fear of reprisals, even if ultimately found to be raised in error.
- Ensure compliance with Public Disclosure Act 1998.

### Service Standards / Performance Measures / Corporate Strategy:

The successful implementation of this policy will contribute to:

- The retention of Salix Homes' G1 rating from the Regulator of Social Housing (RSH).
- Full compliance with the Governance and Financial Viability Standard.
- A clean biennial, legal compliance certification.

Salix Homes will monitor the successful implementation of this policy via:

- The Audit Committee reviewing the effectiveness of actions taken in response to reports of whistleblowing, for example:
  - Number of incidents.
  - Actions taken.
  - Appropriateness of actions.
  - If resolution led to change in practice/process/policy.
- 100% completion of mandatory whistleblowing training.

### Risks:

**Document Information**

The strategic level risks associated with the ineffective implementation of this policy include:

**Failure to comply with miscellaneous legislation**

This risk will be mitigated by:

- Setting out Salix Homes’ zero tolerance approach to wrongdoing and support for those seeking to expose it.
- Acting swiftly and decisively to any suggestions of impropriety or wrongdoing.

**Failure to achieve/maintain a positive regulatory judgement from the Housing Regulator**

This risk will be mitigated by:

- The collation of data upon which an informed assessment of “adherence to all relevant law” can be made (RSH – Governance and Financial Viability Standard).
- Evidence that Salix Homes “are accountable to tenants, the regulator and relevant stakeholders...safeguard taxpayers’ interests and the reputation of the sector” and “appropriate probity arrangements are in place” (RSH – Governance and Financial Viability Standard).
- Seeking to provide the necessary assurance to Board “that its desired culture and behaviours are being enacted in practice in alignment with its mission and values” (2020 NHF Code of Governance).

**Significant damage to reputation**

This risk will be mitigated by:

- Stakeholders being reassured that controls are in place which enable the identification, effective and timely resolution and prevention of wrongdoing.

**Related Policy/Procedure & Documents:**

The following procedures are related to this document:

- Anti-Fraud Policy
- Anti-Money Laundering Policy
- Code of Conduct
- Complaints Policy
- Disciplinary Policy and Procedure
- Governance Framework

**Document Information**

- Employee Grievance Policy and Procedure
- Board Member Grievance Policy
- Harassment and Bullying Policy
- Modern Slavery Statement
- Probity Policy
- Safeguarding Policy

**Related Legislation:**

The following legislation is related to this document:

- Bribery Act 2010
- Enterprise and Regulatory Reform Act 2013
- Public Interest Disclosure Act 1998
- Employment Rights Act 1996

**Relevant Regulation:**

- Governance and Financial Viability Standard
- 2020 NHF Code of Governance

**Retention & Legal Basis for Storage:**

Any data collated and/or shared in relation to the Whistleblowing Policy will be processed for following purposes:

- Legal Obligation: Processing is necessary for compliance with a legal obligation.
- Official Authority / Public Interest: Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Salix Homes will keep any records for 6 years after the date of any reported incidence of whistleblowing in line with the limitation period for legal proceedings.

**Stakeholders:**

Upon review, consideration has been given to the requirements of the 2020 NHF Code of Governance and the actions required to enable a declaration of full compliance against the Code within Salix Homes’ annual accounts. In adopting and ensuring full compliance with an appropriate Code of Governance, Salix Homes is able to meet the expectations of the Regulator of Social Housing’s Governance and Financial Viability Standard.

**Data Protection Impact Assessment (DPIA)**

## Document Information

DPIA completed by the Governance Manager.

### Equality Impact Assessment (EIA)

EIA completed by the Governance Manager.

## Introduction

1. Salix Homes is committed to ensuring that probity, transparency and accountability are embedded throughout the organisation and in the delivery of its services.
2. Salix Homes aims to uphold responsible and fair business practices, whilst seeking to protect both its assets and reputation.
3. Key to this commitment is our encouragement of employees, temporary agency workers, contractors, consultants, Board/Committee Members and others with any misgivings about any aspect of our work to come forward and express their concerns.
4. In some cases, concerns or complaints may be dealt with via our normal day to day processes e.g. grievance, disciplinary or complaints.
5. However, in some instances, Salix Homes recognise that there may be a need to report concerns confidentially. This policy makes it clear that such concerns may be raised without fear of reprisal or victimisation and is intended to underline Salix Homes' commitment and support for those who come forward to voice disquiet.

## Who can raise a concern under this policy?

6. This Policy applies to all:
  - Employees, including temporary employees of Salix Homes.
  - Board and Committee Members.
  - Contractors and employees of contractors working for Salix Homes.
  - Suppliers and employees of suppliers to Salix Homes.
  - Consultants.
7. Whilst the spirit of this policy applies to both Board and Committee members, as they are not employees, they cannot enjoy the legal protection afforded to workers by the Public Interest Disclosure Act (PIDA) 1998.
8. Involved customers, who are not Board or Committee members, are expected to follow Salix Homes' Complaints Policy and Procedure, in the first instance, if they wish to raise matters of concern.

9. This policy should not be used for complaints relating to an employee's own personal circumstances, such as poor treatment at work. The Grievance or Anti-Harassment and Bullying Policy should be invoked in such instances.

### What should be reported?

10. To be protected by 'whistleblowing law' (Public Interest Disclosure Act (PIDA) 1998), someone who makes a disclosure (a whistleblower) must reasonably believe two things:
- i. that the wrongdoing disclosed is in the public interest - this means it must affect others;
  - ii. that a disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:
    - Criminal activity.
    - Failure to comply with any legal obligation or regulatory requirements.
    - Miscarriages of justice.
    - Danger to health and safety.
    - Damage to the environment.
    - Bribery, corruption or the improper use of position within Salix Homes for personal gain.
    - Any dishonesty or other irregularities in dealing with residents, customers or suppliers.
    - Financial fraud or mismanagement.
    - Negligence.
    - Breach of our internal policies and procedures including our Code of Conduct.
    - Conduct likely to damage our reputation.
    - Unauthorised disclosure of confidential information.
    - Abuse or neglect of vulnerable service users/residents.
    - The deliberate concealment of any of the above matters.
- \*This list is not exhaustive.

### Protecting the whistleblower

#### Your legal rights

11. This policy considers the Public Interest Disclosure Act 1998 and the Enterprise and Regulatory Reform Act 2013, which protect those making disclosures (the whistleblower) about certain matters of concern, when the disclosures made are in line with the provisions of the Acts and in good faith.
12. These Acts make it unlawful for Salix Homes to dismiss anyone, or allow them to be victimised, as a consequence of them having made an appropriate lawful disclosure.

13. Rarely, a case might arise where it is the whistleblower that has participated in the action causing the concern. In such a case, it is in that person's best interest to disclose this and to come into the open as soon as possible. Salix Homes cannot promise not to take action against the whistleblower in this instance, but the fact they came forward may be taken into consideration.

### Harassment or victimization

14. If a genuine concern is raised in good faith, under the terms of this policy, the whistleblower will not be at risk of losing their job or suffering any detriment (such as reprisal or victimisation).
15. Salix Homes will not tolerate the harassment or victimisation of anyone raising a concern. Nor will we tolerate any attempt to bully someone into not raising concerns.
16. Any such behaviour will be viewed as a breach of our values and, if upheld following investigation, could result in disciplinary action.
17. In addition, in some instances, the whistleblower may have the right to sue those who have victimised them personally for compensation in an employment tribunal.
18. Providing a whistleblower is acting honestly, it does not matter if they are mistaken or if there is an innocent explanation for their concerns.
19. If a whistleblower believes they have suffered as a consequence of raising a concern, they should inform the Governance Manager immediately. If the matter is not remedied, the whistleblower may raise the issue formally using Salix Homes' Grievance Procedure.

### Support to the Whistleblower

20. Throughout this process:
  - Those raising a concern will be given full support from Senior Management.
  - All concerns will be taken seriously.
  - Salix Homes will do all it can to help the whistleblower throughout the duration of the investigation process.
21. For those who are not Salix Homes employees, Salix Homes will endeavor to provide appropriate advice and support wherever possible.

### Confidentiality

22. Salix Homes hopes employees will feel comfortable raising concerns openly, however, we also appreciate that some may wish to raise a concern confidentially.

23. 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 and this consent must not be unreasonably withheld.

### Anonymous Allegations

24. This Policy encourages whistleblowers to put their name to their allegation whenever possible. If whistleblowers do not disclose their identity it will be much more difficult for Salix Home to protect their position or give feedback.
25. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of Salix Homes. In exercising this discretion, the factors to be taken into consideration will include:
- The seriousness of the issue raised.
  - The credibility of the concern.
  - The likelihood of confirming the allegation from other sources.

### Malicious allegations

26. If an allegation is made in good faith but a resulting investigation is unable to substantiate the claims made, Salix Homes will recognise the concern as genuine and the whistleblower will have nothing to fear. If, however, an allegation has been frivolously or maliciously made, possibly for personal gain, appropriate action, that could include disciplinary action, may be taken.