



POLICY DOCUMENT

Whistleblowing Policy

POLICY TITLE:	Whistleblowing Policy
LEAD OFFICER:	Governance Service Manager
DATE APPROVED:	24 April 2023
APPROVED BY:	Board
IMPLEMENTATION DATE:	1 May 2023
DATE FOR NEXT REVIEW:	April 2026
ADDITIONAL GUIDANCE:	Anti-Fraud, Corruption and Bribery Policy Disciplinary Policy Grievance Policy Dignity at Work Policy Employee Code of Conduct Grievance Policy Risk Management Framework Behaviours Framework
ASSOCIATED CUSTOMER PUBLICATIONS:	None
TEAMS AFFECTED:	All SLHD Staff, Tenants and Board Members
THIS POLICY REPLACES WITH IMMEDIATE EFFECT:	Whistleblowing Policy 2019.

DOCUMENT CONTROL

Revision History

Date of this revision:	April 2023
Date of next review:	April 2026
Responsible Officer:	Head of Finance and Business Assurance

Version Number	Version Date	Author/Group commenting	Summary of Changes
0.1	November 2005	Alan Crowder - Pinnacle	Adopted from DMBC
1.0	June 2006	Board	Approved by SLHD Board
1.1	March 2011	Consultation with Managers following fraud training	Comments taken account of
1.1	April 2011	Audit Committee	Approved by Audit Committee
2.0	June 2011	Board	Approved by Board
2.1	March 2015	Linda Aldridge Business Assurance Officer	Reformatted document; researched and amended relevant legislation changes.
2.2	August 2015	HR Service Manager	Amendment of job titles in the document due to organisational changes during July 2015
3.0	November 2015	Board	Approved subject to consideration of change of title
3.1	September/October 2018	Head of Human Resources and H&S/HR Business Partner	3 year policy review – reformatting and rewording Inclusion of reference to behaviours
3.2	November/December 2018	Director of Corporate Services/ Senior Business Assurance Officer	Page 5 - Inclusion of reference to definitions in Anti-Fraud, Corruption and Bribery Policy and inclusion of reference to inaccurate completion of timesheets
4.0	19 February 2019	EMT	Approved by EMT
5.0	March 2023	Governance Service Manager	Three Year policy review - re draft to shorten the document to make more concise, removing some duplication.
5.1	April 2023	EMT	Approved with addition of First Contact officers to section 6.

Page	Version	Date	Author
Page 2 of 11	5.0	April 2023	Governance Service Manager

Policy Creation and Review Checklist

ACTION	RESPONSIBLE OFFICER	DATE COMPLETED
Best practice researched (HouseMark, HQN, Audit Commission, general websites)	Governance Service Manager	February / March 23
Review current practices from similar organisations	Governance Service Manager	February / March 23
Review customer satisfaction data from the area the policy relates to	N/A	N/A
Undertake customer consultation if applicable	N/A	N/A
Staff consultation through Trade Unions if applicable	Via manager Teams channel	April 23
Trade Union consultation if applicable	Via Teams channel	April 23
Stakeholder consultation if applicable	N/A	N/A
Equality analysis carried out through the intranet for all new policies or fundamental changes	N/A no fundamental changes	N/A

NB. The above table must be completed on all occasions. The policy will not be accepted or approved by EMT without this information completed.

Page	Version	Date	Author
Page 3 of 11	5.0	April 2023	Governance Service Manager

WHISTLEBLOWING POLICY

1. Introduction

St Leger Homes of Doncaster is committed to the highest possible standards of openness, honesty and accountability. As part of that commitment, we encourage employees or others with serious concerns about any aspect of our work to come forward and express those concerns under our Whistleblowing Policy. We ensure and expect that all employees and workers will protect St Leger Homes and its resources and lead by example, ensuring high standards of personal conduct and adherence to St Leger Homes Employee Code of Conduct, behaviours framework, values, policies, procedures and rules.

In line with this commitment, we encourage employees, workers, partners' tenants and any other service users with any concerns about any aspect of St Leger Homes work to come forward and voice those concerns.

2. What is Whistleblowing

Whistleblowing is the act of drawing attention and reporting perceived or concerns of wrongdoing, which is in the public interest, so that it may be investigated. It can be from or about someone who works for St Leger Homes, a Board Member, customer, tenant, stakeholder, or member of the public.

3. Our Aims

This Whistleblowing Policy is intended to encourage and enable the raising of any concerns without fear of reprisals. This links into our behaviours framework and values, specifically Fairness. Blowing the whistle will make sure that you do the right thing for the right reasons, and maintain professional boundaries and confidentiality.

This policy aims to:

- support the culture of zero tolerance toward fraud and corruption and deter wrongdoing;
- encourage employees and others with serious concerns about any aspect of the company's work to feel confident to come forward and voice those concerns;
- raise concerns at an early stage and in the right way ensuring that critical information gets to the people who need to know and who are able to take action;
- provide safeguards to reassure those who raise concerns in the public interest and not maliciously or for personal gain, that they can do so without fear of reprisals or victimisation or disciplinary action, regardless of whether these are subsequently proven;
- set out how the company will respond to allegations made and enable them to get feedback on any action taken;
- ensure that employees know what to do if they are not satisfied with actions taken.

Page	Version	Date	Author
Page 4 of 11	5.0	April 2023	Governance Service Manager

4. Whistle-Blower or Complainant?

This policy is intended to cover employees, workers, partners, tenants or any other services users or customers. Blowing the whistle however, is not the same as a complaint or an employee grievance.

A way to establish whether an individual raising a concern is a 'whistle-blower' or a 'complainant' is to consider the nature of the concern:

- if the concern is about wrong doing and affects others, e.g. the general public and not just one individual, family or household, then you should follow this whistleblowing policy
- if the concern affects only yourself, your family or household and is not about wrong doing, then you can raise your concerns through the grievance policy (employees) or the complaints procedure (service users/other stakeholders).

Examples of potential whistleblowing (reference Gov.UK) can include:

- a criminal offence, for example fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, for example does not have the right insurance
- you believe someone is covering up wrongdoing

Whilst the above examples are not exhaustive, it is clearly in the interest of all parties to identify any instances of these acts, deal with those responsible and take appropriate steps to prevent (where possible), such things from happening again. Whistleblowing concerns are always serious issues and will be treated as such.

Examples of complaints and issues that fall outside of the whistleblowing policy are:

- employee grievances such as bullying or harassment;
- disputes over pay, bills, tenancies, leases etc. (except where there are suspicions of wrong-doing);
- dissatisfaction with a St Leger Homes policy;
- dissatisfaction with the quality or level of service received from the St Leger Homes (except where it there are suspicions of wrong-doing);
- dissatisfaction with a St Leger Homes decision (except where there are suspicions of wrong-doing).

There are existing policies and procedures in place to enable employees, workers, partners and service users to complain via the website and internal intranet sites.

Page	Version	Date	Author
Page 5 of 11	5.0	April 2023	Governance Service Manager

5. How to Raise a Concern

Concerns should be raised as early as possible. The earlier you raise a concern, the easier it is to investigate and take action on. Early whistleblowing minimises the impact on St Leger Homes and its stakeholders.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern. We request that you do not investigate the concern yourself in any way as this can sometimes compromise any evidence that we need to examine in order to investigate and take appropriate action on any concerns.

If you are an employee, in the first instance please report your suspicions in line with this policy to your line manager, the relevant Head of Service/Service Manager, or to Director of Corporate Services using the contact details provided in this policy. The decision on who to report your suspicions to will depend on the seriousness and sensitivity of the issues concerned, and who is thought to be involved in the wrongdoing. For example, if you believe that all of your departmental management is involved then the Director of Corporate Services can give advice and guidance on how the matter can be pursued.

Make an immediate note of your concerns and deal with the matter promptly. The earlier you express the concern, the easier it is to take action. Over time, these details can be forgotten or remembered incorrectly, which can make a concern more difficult to investigate and so it would help us if you make a note of your concerns at the time and let us know about them as soon as possible. You will need to demonstrate that there are sufficient grounds for your concern. It would be useful to provide relevant information including, where possible, but not limited to;

- the background and history to the case;
- the reason why you are particularly concerned;
- any specific details available including names, dates, times and places;
- details of any particular conversations that support the concerns;
- details of any personal interest that you may have in the matter; and
- how you think that things may be put right, if possible.

Please do not approach or accuse any individuals directly or tell anyone about your suspicions other than those with the proper authority. Concerns should not be discussed with others who are not involved in an appropriately structured investigation. Doing so may leave you open to accusations of making slanderous or libellous comments should your concerns be unfounded, as these could damage the reputation of individuals and St Leger Homes even if there is no evidence of any wrongdoing.

Please do not try to investigate the matter yourself. There are special rules surrounding the gathering of evidence. Any attempt to gather evidence by people who are unfamiliar with these rules may adversely affect the outcome of the investigation, as evidence has to be collected in accordance with current legislation. This is of particular importance in regards to surveillance. If you are at all unsure about the gathering of evidence, you should contact the Director of Corporate Services for advice. All referrals made will be treated in the strictest of confidence and you may invite your trade union or professional association to raise a matter on your behalf.

Page	Version	Date	Author
Page 6 of 11	5.0	April 2023	Governance Service Manager

6. Who to Contact

If the concern relates to an immediate endangerment to life or to suspected terrorism, or the risk of serious injury, danger to property, serious risk to a vulnerable person, you should contact the police by telephone on 999 immediately.

If you are an employee, to report whistleblowing concerns please write down your concerns and contact your line manager to discuss. Arrangements will be made to take an anonymous statement.

Where the matter is serious or of a highly sensitive nature, or you have reason to believe your line manager may be involved please contact your Head of Service, Director, Director of Corporate Services or the Chief Executive.

Partners, suppliers, tenants, members of the public and others who wish to raise concerns should write to or email one of the below:

Dave Richmond Chief Executive St Leger Homes of Doncaster Ltd Civic Office Waterdale Doncaster DN1 3BU Email: dave.richmond@stlegerhomes.co.uk Tel: 01302 862700	Julie Crook Director of Corporate Services St Leger Homes of Doncaster Ltd Civic Office Waterdale Doncaster DN1 3BU Email: julie.crook@stlegerhomes.co.uk Tel: 01302 862710
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If the concern relates to suspected wrongdoing or malpractice throughout the management of St Leger Homes or to report a whistleblowing concern about the Chief Executive or the whole of the Executive Management Team, please contact one of the following:

Internal Auditors Doncaster Council Peter Jackson Internal Audit Manager Civic Office Waterdale Doncaster DN1 3BU Email: peter.jackson@doncaster.gov.uk Tel: 01302 862938	External Auditors Beevers and Struthers Lee Cartwright Partner One Express 1 George Leigh Street Manchester M4 5DL Email: lee.cartwright@beeverstruthers.co.uk Tel: 0161 832 4901
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In exceptional circumstances where it is not appropriate to report the whistleblowing concern to any of the above, concerns may be raised outside of the organisation by whistleblowing to a prescribed person or prescribed body. Further information on

Page	Version	Date	Author
Page 7 of 11	5.0	April 2023	Governance Service Manager

prescribed person or prescribed body can be found on the Government Website – link below.

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

If you would like to talk to someone in confidence before reporting a whistleblowing concern please contact either;

- A member of the Human Resources department via email at SLHDHRAdmin@stlegerhomes.co.uk,
- The Governance Service Manager via email on louise.robson@stlegerhomes.co.uk,
- A First Contact Officer
- A trade union representative using the contact details on our intranet page here: [Trade Unions \(stlegerhomes.co.uk\)](#)
- Or Public Concern at Work on– 0207 404 6609.

7. Safeguards – Harassment and Victimisation

St Leger Homes recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the alleged malpractice. St Leger Homes will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith.

8. Anonymous Allegations and Confidentiality

Any concerns raised will be treated seriously and confidentially and investigated as appropriate. During our investigations, we will treat any information you give us confidentially. However, whilst we endeavour to protect you, we also need to ensure that we fairly investigate the concern. This may mean that some of the details passed to us need to be passed on to the person being investigated in the interests of a fair investigation / hearing. In these instances, we may not be able to investigate your concerns without revealing some of the details you give us.

We will take all steps possible to protect your identity and confidentiality, where it is not possible to investigate the concerns without compromising this; we will discuss this with you first. If you request to remain anonymous, all efforts will be made to ensure this is respected and if at all possible, St Leger Homes, if requested, will not reveal its source.

We recognise that, despite any protections in place, you may want to raise your concerns anonymously. We strongly recommend that you include your name and contact details in any concerns raised. Concerns raised anonymously can be harder to investigate and without your details, it is impossible to ask you for further clarity or information and if you raise your concerns anonymously then we will be unable to notify you of any outcome.

Any concerns raised anonymously will still be considered, but it may not be possible in all cases to investigate them.

Page	Version	Date	Author
Page 8 of 11	5.0	April 2023	Governance Service Manager

The factors to be taken into account in determining whether to proceed with an anonymous allegation would include:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources without your information / statements.

9. Untrue Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you.

If, however, you make malicious or vexatious allegations, legal or disciplinary action may be taken against you.

10. How St Leger Homes will respond

The action taken by St Leger Homes will depend on the nature of the concern. If the concerns raised fall within the scope of the Whistleblowing Policy then, depending on the strength of the information presented, the recommended course of action may include:

- being investigated internally (you will be advised if it is considered that the matter falls within the grievance, complaints or another procedure - the decision whether it falls outside of the whistleblowing procedure will be done in consultation with the Director of Corporate Services and the Head of Human Resources and Organisational Development);
- writing to staff involved reminding them of the relevant policies, procedures, standards and working practices;
- reviewing relevant policies, procedures, standards and working practices
- arranging further training;
- initiating further investigation in accordance with St Leger Homes disciplinary procedure;
- referring the matter to the Police, external audit, the relevant Council department or other agencies where there is a duty to do so;
- taking no further action.

Where a concern is about fraud, theft, bribery or corruption, the Director of Corporate Services will be notified and involved / consulted in any subsequent investigation. The Director of Corporate Services will then ensure that all suspected incidences of fraud are reported to Doncaster Council's Internal Audit. Details must be entered on the Company's Fraud Register.

The Chair of the Board and Chair of the Audit and Risk Committee, will be informed as soon as possible of any serious incidences of fraud or other serious whistleblowing concerns, including those involving the Chief Executive or any of the Directors. They

Page	Version	Date	Author
Page 9 of 11	5.0	April 2023	Governance Service Manager

will also be advised of the action to be taken. The identity of the person raising the concern will not be disclosed.

In order to protect individuals and St Leger Homes, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take and who should undertake it. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

Providing that you have given us contact details, we will write to you within 10 working days:

- acknowledging that the concern has been received
- indicating how we proposes to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling you whether any initial enquiries have been made, and
- telling you whether further investigations will take place, and if not, why not

The amount of contact between those considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information originally provided. If necessary, further information / clarification will be sought from you.

When any meeting is arranged, you have the right, if you so wish, to be accompanied by your trade union representative, a workplace colleague, friend or family member or anyone who is not involved in the area of work to which the concern relates.

It is important for you, the whistle-blower, that concerns are properly reviewed and addressed. Whilst we must comply with relevant legislation including the General Data Protection Regulations (GDPR), we will keep you informed as to the outcome of any investigation. Please be aware that specific personal information relating to individuals cannot be released. This will include details of any action taken against individuals.

11. How the matter can be taken further

This policy and procedure is intended to provide you with an avenue to raise concerns within St Leger Homes. St Leger Homes hopes you will be satisfied with any action taken, however if you are not, and if you feel it is right to take the matter further outside St Leger Homes, the following are possible contact points:

- St Leger Homes internal/ external auditor
- Relevant professional bodies or regulatory organisations
- Your solicitor
- The Police
- Public Concern at Work
- Trade Union/Professional Association

If you do take the matter outside St Leger Homes, you need to ensure that you do not disclose information that is privileged or confidential to St Leger Homes and if you are an employee, you do not breach your obligations under St Leger Homes Employee Code of Conduct.

Page	Version	Date	Author
Page 10 of 11	5.0	April 2023	Governance Service Manager

12. Responsible Officer

The Responsible Officer, who is the Director of Corporate Services, has overall responsibility for the maintenance and operation of this policy.

If a whistleblowing complaint is made to anyone e.g. Director, Head of Service, etc. other than the Director of Corporate Services, they must provide the detail to the Director of Corporate Services as soon as possible after the complaint has been made.

Once the issues / concerns have been dealt with they must inform the Director of Corporate Services of the outcome.

If they think a whistleblowing complaint falls outside of the whistleblowing procedure this decision must be taken in consultation with the Director of Corporate Services and the Head of Human Resources and Organisational Development.

The individual investigating the whistleblowing concern may contact the Director of Corporate Services who in conjunction with the Head of Human Resources and Organisational Development will allocate a member of the Human Resources Team to provide support and guidance on the process.

The Director of Corporate Services will maintain a register of all concerns raised under this policy, action and the outcome for monitoring purposes only.

13. Evaluation and Monitoring

The success of this policy may be assessed by:

- the number of reported incidents of malpractice;
- monitoring whether individuals feel able to report occurrences without fear or favour.

The Director of Corporate Services will report to the Audit and Risk Committee and as necessary to the Board. The report will include the nature of the whistleblowing concern, the date reported, the action taken and the outcome. The identity of the individual who reported the concern will not be disclosed.

Page	Version	Date	Author
Page 11 of 11	5.0	April 2023	Governance Service Manager