



Whistleblowing Policy

Policy Area	Governance
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Date Next Review	June 2029
Equality Impact Assessment	Yes



This document can be made available in other formats such as large print, easy read, audio format and Braille. It can also be made available in other languages, as appropriate.

Contents

Introduction.....	3
Scope of Policy.....	3
Legal Framework.....	3
Safeguards	4
Protection	4
Confidentiality.....	4
Anonymous Allegations	4
Untrue Allegations	4
Raising a Concern.....	4
First Step.....	4
Process	5
Outcome of Investigation	5
Right of Appeal	5
Raising a Concern Externally	6
General Data Protection Regulations	6
Appendix 1	7
List of Prescribed Persons	7

Introduction

Paragon Housing Association is committed to the highest standards of openness, probity and accountability. As employees are often the first to realise that there may be something seriously wrong, Paragon Housing Association would encourage and expect employees who have serious concerns about any aspect of Paragon Housing Association's work to come forward and speak up without fear of reprisal. Therefore, Paragon Housing Association recognises that it is an important aspect of accountability and transparency to provide a mechanism to ensure that no employee of Paragon Housing Association feels at a disadvantage in raising legitimate concerns.

The Public Interest Disclosure Act, 1998, gives legal protection to employees against being dismissed or penalised by their employers as a result of making a protected disclosure (whistleblowing). Concerns which are raised through whistleblowing must be made in the 'public interest' which means that the concerns must affect others such as the public or other stakeholders.

Concerns which are not in the public interest will normally be dealt with through the grievance policy. If you are unsure which policy is appropriate to raise your concerns, please contact your line manager to discuss.

All employees and workers are covered by this policy. This policy does not form part of your contract of employment, therefore may be updated or withdrawn at any time. If this happens it will be communicated to you accordingly.

Scope of Policy

This policy is designed to enable employees to raise concerns internally at a senior level to disclose information that the individual believes shows malpractice or impropriety. This policy is intended to cover concerns that are in the public interest and may (at least initially) be investigated separately but may lead to the instigation of other procedures. These concerns might 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 involving Paragon Housing Association, its staff, governing body members or stakeholders
- Professional malpractice
- Improper conduct or unethical behaviour
- Failure to meet legal obligations
- Abuse of power or status
- Sexual Harassment
- Deliberate attempts to conceal any of the above

Legal Framework

- Public Interest Disclosure Act 1998
- Enterprise & Regulatory Act 2013

Safeguards

Protection

This policy is designed to offer protection to employees who disclose serious concerns, provided the disclosure is made:

- In the public interest.
- To an appropriate person/body.
- That the individual has reasonable belief in the validity of the concerns being raised.

Paragon Housing Association will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect the individual when they raise a concern which complies with the above points.

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, at the appropriate time the individual may need to come forward as a witness. If we need to disclose your identity to anyone, we will ensure that you are notified of this in advance.

Anonymous Allegations

This policy encourages individuals to put their names to any disclosures they make. Concerns expressed anonymously are more difficult to investigate, however may be considered at the discretion of Paragon Housing Association.

Untrue Allegations

If an individual makes an allegation that is not confirmed by the subsequent investigation, it is probable that no action will be taken against them. However, if the individual makes an allegation that is deemed to be made 'in bad faith' i.e. frivolously, maliciously or for personal gain, disciplinary action may be taken against them, and this may be up to and including dismissal.

Raising a Concern

First Step

The individual should raise concerns with their immediate line manager. This information will be passed on as soon possible to the Director.

Any complaints will be investigated by the Director unless the complaint is against the Director or is in any way related to their actions. Where the complaint is related to the Director it should be addressed to the Chairperson of the Governing Body who will in turn who will in turn notify the Vice Chair/s & Chair of the Audit Committee and appoint an independent person to investigate the allegations.

Although the individual is not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate that there are reasonable grounds for their concern.

The earlier the individual expresses their concern, the easier it is to action. The amount of contact between the persons considering the issues and the individual will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, Paragon Housing Association will seek further information from the individual concerned.

Where any meeting is arranged with the individual that raised the concerns, they can be accompanied by a trade union representative and the meeting can be held off-site if they so wish.

Process

On receipt of a disclosure the following process will be followed:

- The disclosure will be considered, and, if appropriate, a meeting will be arranged with the individual who raised the concerns to gather initial information.
- Further to this meeting, if appropriate, an independent investigator will be appointed to take forward an investigation into the concerns raised.
- The individual who raised the concerns will be provided with an update and a likely timescale on when they will receive a final response.
- Once the investigation is complete a report will be provided to the individual who instructed the investigation.
- The report will be considered, and appropriate actions will be taken.
- A final outcome will be provided to the individual who raised the concerns.

Depending on the outcome of the investigation appropriate action will be considered in accordance with Paragon Housing Association's existing policies and procedures.

Outcome of Investigation

Once the investigation has been completed and the report is received by the Chairperson, a decision on what action to take will be considered. If there are reasonable grounds to substantiate the complaint, an appropriate procedure will be initiated. This may also include referral to an external body or regulator.

Right of Appeal

Where an individual feels that their concern has not been dealt with appropriately, they can appeal the decision internally.

At the start of each committee year the Management Committee will appoint one of its members as the Whistleblowing Appeals Officer. All office bearers will be excluded from holding this position.

Where an individual feels that their concern has not been dealt with appropriately, they can appeal the decision internally to the Whistleblowing Appeals Officer. All office bearer members of the staffing panel will not take part in this process.

If, after appealing internally the individual is still not satisfied with the outcome, they can raise the issue with the appropriate external regulatory body as outlined in Appendix 1.

Raising a Concern Externally

Paragon Housing Association encourages employees to raise concerns internally to allow for appropriate investigation and action to be taken, however if an employee remains dissatisfied with the outcome they can raise this with the correct prescribed body or person.

General Data Protection Regulations

The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own [insert name of policy or procedure]. Information regarding how your data will be used and the basis for processing your data is provided in Paragon Housing Association's employee privacy notice.

Appendix 1

List of Prescribed Persons

- **Scottish Housing Regulator**
Scottish Housing Regulator
5th floor
220 High Street
Glasgow
G4 0QW
Email: shr@shr.gov.scot
Website: www.housingregulator.gov.scot
- **Environmental Health – Falkirk Council**
Falkirk Council
Municipal Buildings
West Bridge Street
Falkirk
FK1 5RS
Email: contact.centre@falkirk.gov.uk
Telephone: 01324 506 070
- **Health and Safety Executive**
Health and Safety Executive
Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS
Telephone: 0300 003 1747

Whistleblowers contact: www.hse.gov.uk/contact/whistleblowers.htm

A list of prescribed persons / bodies can be found at this link - [Whistleblowing: list of prescribed people and bodies - GOV.UK](#)

Further Sources of Information

- **ACAS**
Telephone: 0300 123 1100
Website: www.acas.org.uk/contact
- **Protect**
Telephone: 020 3117 2520
Email: whistle@protect-advice.org.uk
Website: www.protect-advice.org.uk
- **Unite**
Website: www.unitetheunion.org/contact-us
- **Citizen's Advice**
Scottish Citizens Advice Helpline: 0800 028 1456
Website: www.cas.org.uk/get-advice