

'Providing you with the home that you need.'	Public Interest Disclosure Act 1998 'Whistleblowing'	Control ID	TPP ID P 100034
		Effective Date	12 th March 2010
		Revision Date	Annually
		Revision Number	1
		Approved By	<i>P. Woodcock</i>

The Company is committed to ensuring that employees have the statutory protection to which they are entitled under the 'Public Interest Disclosure Act' 1998 when they disclose information reasonably and responsibly in the public interest.

DEFINITIONS

- Fraud:** The intentional distortion of financial statements or other records by persons internal or external to the organisation which is carried out to conceal the misappropriation of assets or otherwise for gain.
- Corruption:** The offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person.
- Harassment:** The unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, race, disability, religion, sexual orientation, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.
- Bullying:** May be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
- Criminal Offence:** Criminal offences relate to matters occurring during an individual's employment which could be subject to criminal enquiries or prosecution. It will also include where proceedings or offences outside the workplace could affect the duties and tasks the employee is required to perform and act in the best interest of the public, e.g. violent behaviour.
- Disciplinary:** The ACAS Code of Practice on disciplinary procedures recommends that employees are made aware of the likely consequences of breaking rules, particularly those that might result in instant dismissal. A list of disciplinary rules is presented in the 'Disciplinary' policy.

GENERAL

Individuals will, at some time, have concerns about something which is happening at work. Usually these concerns are easily resolved using the relevant procedures. However, when they are about unlawful conduct, financial malpractice or dangers to the public or the environment it can be difficult for staff to know how to proceed. This policy applies to all staff.

Raising such issues may cause worry or force an individual to keep concerns to themselves, because they feel it is not their concern or because they have a suspicion without enough information to be able to prove something. Employees may feel that raising the matter would be disloyal to colleagues, managers or to the Company. A person may decide to say something but find that they have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

The Company has introduced this policy to enable staff to raise concerns at an early stage and in the right way. The Company would rather that an individual raised the matter when it is just a concern rather than wait for proof.

If something is troubling a staff member which they think the Company should know about or investigate, they should use this policy and procedure. If, however they are aggrieved about their personal position, they are to use other more relevant policies, as appropriate. The 'Whistleblowing' policy is primarily for concerns where the interests of others or of the organisation itself are at risk.

When a concern is raised the following information should, if possible, be provided to enable a full investigation to be initiated:

1. Name(s) of those involved;
2. Date(s) of event(s) described;
3. Reasons for concern;
4. Any other relevant information.

The Managing Director and senior management team are committed to this policy. If employees raise a genuine concern under

this policy, they will not be at risk of losing their job or suffering any form of retribution as a result. Provided employees are acting in good faith, it does not matter if they are mistaken. Of course this assurance does not extend to someone who maliciously raises a matter knowing it to be untrue and this may result in action being taken under the 'Disciplinary' policy.

The Company will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, it recognises that employees may nonetheless want to raise a concern in confidence under this policy. If an employee asks the Company to protect their identity by keeping their confidence, it will not be disclosed without consent, though appropriate personnel within the organisation will be informed as required. If the situation arises where the concern cannot be resolved without revealing the individual's identity (for instance because evidence is needed in court), staff will be fully consulted about whether and how the matter can be progressed.

If an employee does not tell the Company who they are they are to recognise that it will be much more difficult for the Company to look into the matter or to protect their position or to give them feedback. Accordingly, while the Company will consider anonymous reports, this policy is not appropriate for concerns raised anonymously.

HANDLING PROCESS

Once an individual has raised a concern, the Company will look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation. It will, if appropriate, involve an investigation to prove the innocence or guilt of the person who is the cause of concern. It is important to recognise that the commencement of an investigation does not imply guilt.

The Company will tell the disclosing employee who is handling the matter, how they can be contacted and whether further assistance may be needed. If staff request, they will be written to summarising the concern and setting out how the Company proposes to handle it. The Company will normally identify within five days how a concern raised will be dealt with and will inform the person raising the concern orally or in writing if requested.

When the employee raises the concern they may be asked how they think the matter might best be resolved. If they do have any personal interest in the matter, they will be asked to declare it at the outset.

If two people share the same concern they should raise these separately and should not discuss the matter further with each other, in order to prevent any suggestion that the allegation was manufactured.

While the purpose of this policy is to enable the investigation of concerns and the taking of appropriate steps to deal with them, staff will be given as much feedback as can be properly given. The Company will confirm its response to an individual in writing. Please note, however, that it may not be possible to indicate the precise action taken where this would infringe a duty of confidence owed by the Company to someone else.

The Police will be informed of the concern when it is considered that criminal activities may have taken place.

HOW TO RAISE A CONCERN INTERNALLY

1. Option One
If a person has a concern it is hoped they will feel able to raise it first with their line manager. This may be done orally or in writing.
2. Option Two
It may not be appropriate to raise a concern with a manager if informing them may put the investigation of the concern at risk or the employee may not feel confident to raise the matter with them for personal reasons. In these circumstances concerns should be raised with the Managing Director or another Manager.

RAISING A CONCERN EXTERNALLY

While the Company hopes this policy gives employees the reassurance needed to raise such matters internally, it is recognised that there may be circumstances where they can properly report matters to outside bodies, such as regulators or the police or one of the persons or organisations listed as 'Prescribed Persons' below (there is an extensive list to be found <http://www.berr.gov.uk/employment/employment-legislation/employment-guidance/page16186.html>):

1. Health and Safety: Health and Safety Executive, Local Authorities, Food Standards Agency.
2. Environmental issues: The Environment Agency.
3. Utilities: Director General of Water Services, Gas and Electricity Markets Authority, Office of Rail Regulation, Office of Communications
4. Financial Services: Financial Services Authority.
5. Fraud and fiscal irregularities: Serious Fraud Office, The Commissioners for Her Majesty's Revenue and Customs.
6. Public sector: National Audit Office, Audit Commission, Standards Board for England.

7. Company law: Department for Business, Enterprise and Regulatory Reform.
8. Competition and consumer law: Office of Fair Trading, Local Authorities.
9. Others: Certification Officer (Trade Unions), Civil Aviation Authority, Charity Commissioners for England and Wales, Chief Executive of the Criminal Cases Review Commission, Information Commissioner, The Pensions Regulator.

INDEPENDENT SUPPORT

If employees are unsure whether to use this procedure or they want independent advice at any stage, they may contact:

1. Their union or professional organisation;
2. The independent charity 'Public Concern at Work';
3. Their Member of Parliament.

They will be able to advise on the circumstances in which a person may be able to contact an outside body safely.

IF A PERSON IS DISSATISFIED

If an employee is unhappy with the response received, they can go to the other levels and bodies detailed in this policy. While it cannot be guaranteed that the Company will respond to all matters in the way that a staff member might wish, it will try to handle the matter fairly and properly. By using this policy, individuals will help the Company to achieve this.