



Whistleblowing (Confidential Reporting) Policy

Version:	24 October 2023
Lead Directorate:	Corporate Services
Approved by:	ARC
Date:	10 May 2022

1. Introduction

- 1.1 PCH values are care, respect, listen and do the right thing; this policy sets out how we can live these values by ensuring genuine matters of concern are raised and effectively investigated.
- 1.2 We are committed to tackle any fraud, abuse or malpractice whether the perpetrators are from outside or inside the organisation. We will do this by:
- encouraging employees, contractors, volunteers or Board members to raise concerns
 - not tolerating reckless, inappropriate or illegal acts
 - taking seriously any genuine concerns raised in good faith and investigating them in accordance with this policy
 - treating people fairly and respecting confidentiality
 - supporting and protecting the person who has raised a genuine concern from reprisals or victimisation
 - not tolerating malicious allegations
 - learning lessons

2. Policy

- 2.1 Whistleblowing is the raising of a concern about a danger, risk, malpractice or wrongdoing; examples include:
- criminal offences
 - failure to comply with legal obligations
 - miscarriages of justice
 - dangers to health or safety
 - dangers to the environment
 - deliberate concealment of any of the above

This list is not exhaustive, if you are uncertain whether something is within the scope of this policy, contact the Head of Governance for advice.

- 2.2 Whistleblowing relates to matters of wider public concern and not personal matters; it does not cover:
- where an employee feels bullied, aggrieved, harassed, victimised or subjected to discrimination; this should be raised in line with the Dignity at Work Policy

- where a Board member feels bullied, aggrieved, harassed, victimised or subjected to discrimination; this should be raised in line with the Board Conduct Policy.
- expressions of dissatisfaction about the standard of service, actions, or lack of actions by PCH, its own staff or those acting on its behalf; these should be raised using the Customer Complaints and Comments Policy
- safeguarding, money laundering, modern slavery, fraud, bribery and corruption (unless the concern is that issues are being covered up) – see separate policies

2.3 We want to encourage and enable concerns to be raised within PCH rather than ignoring a problem or 'blowing the whistle' outside. This policy will be publicised to staff including with the whistleblowing contacts (Appendix A).

2.4 A concern can be raised by someone who works for PCH, either as an employee, contractor or volunteer or a Board member. Concerns raised by other persons will be directed to the Head of Governance in the first instance; they must be related to wider public concerns and not personal matters.

2.5 Information about whistleblowing is provided on our intranet and website.

3. Protecting the whistleblower

3.1 The Public Interest Disclosure Act 1998 protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in the public interest. The Act makes it unlawful for PCH to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

3.2 The whistleblower will need to ensure they make the report in good faith, and they reasonably believe the information disclosed and any allegation contained in it are substantially true.

3.3 We want to ensure that concerns can be raised without fear of victimisation, subsequent discrimination, disadvantage or dismissal, so have put these safeguards in place to protect the whistleblower:

- harassment or victimisation of a whistleblower (including informal pressure) will not be tolerated when they raise a concern in good faith
- any person found to be unfairly treating a whistleblower will be subject to disciplinary action
- if there are concerns in relation to repercussions as result of a malpractice being reported, this should be reported to the Head of Governance or an Executive Management Team and the Disciplinary Policy may be followed
- for those who are not PCH employees, we will endeavour to provide appropriate advice and support, wherever possible
- they will not suffer detriment for having raised a concern, unless it is later proved that the information provided was false to his or her knowledge

3.4 Rarely, a case might arise where the whistleblower has participated in the action causing concern. In such a case it is in the whistleblower's interest to raise a concern as soon as possible. PCH cannot promise not to act against the whistleblower, but the fact that they came forward will be taken into account.

3.5 Whistleblowers can obtain their own advice from CAB, Protect (see Appendix A for contact details), ACAS or lawyers.

Confidentiality

3.6 PCH will carry out whistleblowing investigations confidentially, wherever possible.

3.7 The best way to raise a concern is to do so openly, as this makes it easier to assess the issue, work out how to investigate the matter and obtain more information. A whistleblower may ask for their name not to be revealed without their consent. Although we will explain that disclosure may be required by law and, if disciplinary or other proceedings take place, it may not be possible to take action without the assistance of the whistleblower as a witness.

3.8 The whistleblower may request to be informed of the outcome. However, PCH will not be able to inform the whistleblower of any matters which will infringe our duty of confidentiality.

3.9 A whistleblower should not disclose confidential information, such as a tenant or contractor, except to those included in the list of prescribed contacts (see Appendix A).

Anonymous allegations

3.10 PCH encourages whistleblowers to put their name to the report whenever possible as anonymous concerns are more difficult to investigate. We are also unable to support or protect anonymous whistleblowers.

3.11 We will carry out an initial investigation of anonymous concerns. Whether we can make a full investigation will depend on:

- the seriousness of the concern raised
- the credibility of the concern
- the likelihood of confirming the allegation from other sources

Malicious allegations

3.12 Employees or Board members who are found to have reported a concern maliciously and not in good faith could face a disciplinary process.

4. Reporting and investigating a whistleblowing concern

4.1 A whistleblowing concern can be raised using the contacts in Appendix A.

4.2 The whistleblower will need to provide:

- the nature of the concern and why they believe it to be true (they are not expected to prove beyond doubt the truth of their suspicion; they will need to demonstrate that they have a genuine concern and that there are reasonable grounds)
- the background and history of the concern (giving relevant dates and facts)

4.3 The whistleblower will be thanked for coming forward with their concerns.

- 4.4 The Head of Governance, in consultation with Executive Management Team and Head of Human Resources will decide how to investigate. If the concern relates to any of those roles, that role will not be consulted, and an alternative will be consulted:
- if the whistleblowing relates to the Chief Executive, the Chair of the Board will be consulted
 - if the whistleblowing relates to the Chair, another Board member and the Chair of Audit and Risk Committee will be consulted
- 4.5 In order to be fair to all involved, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The whistleblower will be contacted to discuss their concerns in the first instance.
- 4.6 The investigation may need to be carried out under terms of strict confidentiality, i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. In certain cases, however, such as allegations of ill treatment of others, suspension from work may have to be considered immediately.
- 4.7 Where appropriate, we may raise the matter via:
- a management investigation, or through the disciplinary/grievance/dignity at work process
 - the police, National Crime Agency or Fraud Action
 - the internal or external auditor
- 4.8 The Head of Governance will provide advice to the Executive Management Team and Board whether the whistleblowing is reportable to the Regulators.
- 4.9 The amount of contact with the whistleblower will depend on the nature of the concerns raised, the potential difficulties involved and the clarity of your information.
- 4.10 PCH will do what it can to minimise any difficulties that the whistleblower may experience as a result of raising a concern, i.e. if they are asked to give evidence in criminal or disciplinary proceedings, PCH may arrange for appropriate advice and support, if required.
- 4.11 We aim to carry out any investigations within a reasonable timescale, depending on the nature and seriousness of the concerns raised. A report will be provided to the Executive Management Team and Head of HR (unless the matters concerns one of these roles) who will decide on any action to be taken.

5. How the matter can be taken further

- 5.1 This policy is intended to provide the whistleblower with an avenue within PCH to raise concerns and hopes they will be satisfied with any action taken. If they are not, and they feel it is right to take the matter outside of PCH using our prescribed external contacts (listed in Appendix A). A public disclosure to anyone else could take them outside the protection of the Public Interest Disclosure Act 1998 and this policy. Raising concerns with the media, or through social media, is considered a disciplinary matter.

6. Recording and Monitoring

- 6.1 The Whistleblowing Register will be reviewed by the Audit and Risk Committee annually; cases will be anonymised and lessons learnt provided.
- 6.2 This policy is the responsibility of the Head of Governance and is reviewed every 3 years or sooner if good practice, legislation or regulation changes.

Version Control and Approval Dates

Approval stage	Review 2022	Review 2025
Unions	March	
EMT	April	
Cmte	ARC May	
Board	Jun (with ARC minutes)	
Review date	June 2025	
Updated	October 2023 with revised contact details	

Policy Appendix A Whistleblowing Contacts

Internal contacts (these should be used in the first instance):

Chief Executive	Jonathan Cowie jonathan.cowie@plymouthcommunityhomes.co.uk 01752 388301 or 07774 102927 PCH, Plumer House, Tailyour Rd, Crownhill, Plymouth, PL6 5DH
Director of Business Services and Development	Nick Jackson nick.jackson@plymouthcommunityhomes.co.uk 01752 388302 or 07766 367212
Director of Corporate Services	Gill Martin gill.martin@plymouthcommunityhomes.co.uk 01752 388389 or 07876 397380
Director of Homes and Neighbourhoods	TBC
Head of Governance	Lucy Rickson lucy.rickson@plymouthcommunityhomes.co.uk 01752 388360 or 07926 071140
Chair of PCH Board	Valerie Lee valerie.lee@plymouthcommunityhomes.co.uk
Chair of the Audit and Risk Committee	Liz Nicolls Liz.nicolls@plymouthcommunityhomes.co.uk

External contacts:

External auditors	KPMG 0808 101 5341
Internal auditors	Mazars Rob Hanley, Director – PCH IA Engagement Lead Email Rob.Hanley@mazars.co.uk Mobile +44 (0)7794 031 303 Switchboard 0121 232 9500
Protect (formerly Public Concern at Work), an independent organisation dealing with probity and integrity in the workplace	020 3117 2520 Advice Line Protect - Speak up stop harm (protect-advice.org.uk)
Police	101 Home Devon and Cornwall Police (devon-cornwall.police.uk)