



Vico Homes

Whistleblowing Code of Practice

Contents

Introduction.....	3
What is whistleblowing?	3
Why we need a Whistleblowing Code of Practice?	4
Who can use the Whistleblowing Code of Practice?	4
Issues covered by the Whistleblowing Code of Practice.	4
What sort of issues should not be raised?.....	5
What sort of support should be given?	5
Internal disclosure.....	5
Disclosure to the regulator	5
Disclosure to others	5
Anonymity and confidentiality.....	6
Legal support.....	6
Confidential reporting procedure	6
Raising a concern	6
Raising a concern through the Speak Up System	7
Externally	7
Responsibility for implementing the Whistleblowing Code of Practice	9
Recording and monitoring	9
Data protection	9
Responsibility of service areas	9
Responsibility of the Executive Director of People and Culture	9



Introduction

At Vico Homes, we believe all colleagues, Board Members and contractors play a vital role in upholding our values of being caring, confident, united and ambitious. We recognise that raising concerns about wrongdoing can be difficult, especially when there is fear of reprisal or a sense of loyalty to colleagues.

This Whistleblowing Code of Practice is designed to:

- Encourage everyone to report concerns about malpractice or wrongdoing, without fear of retaliation.
- Provide clear procedures for raising concerns, internally and externally.
- Reassure all who raise genuine concerns that they will be protected from victimisation, discrimination or any form of reprisal, even if their concern is ultimately unfounded.

Our Board Members, Chief Executive, Directors and Trade Unions fully support this Code.

What is whistleblowing?

Whistleblowing is the term used when a worker passes on information concerning wrongdoing. In this document, we call that “making a disclosure” or “blowing the whistle”. The wrongdoing will typically, but not necessarily, be something witnessed at work.

To be covered by whistleblowing law, a worker who makes a disclosure must reasonably believe they are:

1. **Acting in the interest of the public** - this means personal grievances and complaints are not usually covered by whistleblowing law; by reporting.
2. **Wrongdoing or failure** – this means the worker must reasonably believe the disclosure shows past, present or likely future wrongdoing falling into one or more of the following categories:
 - criminal offences (may include, for example, types of financial impropriety such as fraud and corruption);
 - failure to comply with an obligation set out in law;
 - miscarriages of justice;
 - endangering of someone’s health and safety;
 - damage to the environment; and
 - covering up wrongdoing in the above categories.

Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or lost their job because they have ‘blown the whistle’.



This Whistleblowing Code of Practice is not intended for personal grievances or complaints about colleague's employment situations. Issues such as bullying, harassment or disputes with colleagues should be raised through the Grievance Policy.

Why we need a Whistleblowing Code of Practice?

Our Code of Conduct and Ethics states:

It's essential for the reputation of social housing that everyone who works for or represents a housing association is held to the highest standards of conduct.

Our Board has responsibility for the actions, policies and work of the organisation. It's their responsibility to make sure that everyone who needs to can comply with this Code. In doing this, we'll promote a culture which enables and supports people to meet their responsibilities and deliver the best possible service for customers.

The reason we have a Whistleblowing Code of Practice is so that concerns about malpractice can be properly raised and addressed. It should encourage people, who otherwise would stay silent, to report wrongdoing and feel that it is a proper, safe and acceptable thing to do.

Having a Whistleblowing Code of Practice will assist in delivering good management, help to maintain public confidence and to promote organisational accountability.

The Whistleblowing Code of Practice may be supplemented by the individual requirements of particular operational areas.

Who can use the Whistleblowing Code of Practice?

All colleagues, both permanent and temporary, Board Members, trainees and agency workers can use the Whistleblowing Code of Practice. Contractors and their colleagues are also covered by, and can use, separate procedures. It applies to complaints by Board Members against the actions of other Board Members and to complaints made by members of the public.

Issues covered by the Whistleblowing Code of Practice.

Issues covered by the Whistleblowing Code of Practice include:

- criminal offences (this may include, for example, types of financial impropriety such as fraud and corruption);
- failure to comply with an obligation set out in law;
- miscarriages of justice;
- endangering of someone's health and safety;
- damage to the environment; and
- covering up wrongdoing in the above categories.



What sort of issues should not be raised?

Any issue that can be properly dealt with under another company procedure, for example, personal grievances at work should not be raised under the Whistleblowing Code of Practice.

What sort of support should be given?

Directors and managers throughout the organisation should ensure every colleague receives the necessary and appropriate support when reporting unacceptable practice and throughout the process, until the issue is resolved. The level of support will be determined on a case-by-case basis, but it's important to note that full support will be given to any colleague who uses this process.

What safeguards can people expect?

We recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those who may be guilty of malpractice or from the company. We'll not tolerate any harassment or victimisation, including informal pressures and will take appropriate action to protect a person who raises a concern in good faith.

The Public Interest Disclosure Act 1998 gives legal protection to a whistleblower, providing the following criteria are met:

Internal disclosure

An internal disclosure, made to us, is protected if the whistleblower has an honest and reasonable suspicion that malpractice has occurred, is occurring, or is likely to occur.

Disclosure to the regulator

A disclosure to the regulator (Homes England and the Regulator of Social Housing) is protected if the criteria for internal disclosure are met and the whistleblower honestly and reasonably believes that the information and / or allegations are substantially true.

Disclosure to others

Disclosure to others (listed in the next section) is protected if:

- it meets the criteria for regulatory disclosure;
- it is reasonable in all circumstances;
- it is not for personal gain; and
- the whistleblower reasonably believes that they will be victimised for raising the concern internally or with the regulator, or the concern has already been raised internally or with the regulator, but the issue has not been resolved.



Anonymity and confidentiality

Colleagues can make anonymous disclosures to us, but we may not be able progress the report if the information disclosed is insufficient.

We want colleagues to feel comfortable when raising concerns openly, but we recognise they may want their disclosure to be handled confidentially. This means the reporting colleague's identity is known to the person they report their concern to, but they don't want anyone else to know their identity. In such cases we'll keep the reporting colleague's identity confidential, unless required to disclose it by law (for example, by the police). Similarly, if a concern relates to a safeguarding issue, we are obliged to disclose the whistleblower's information. The person reporting the concern may need to make a statement to enable appropriate investigations and action, and if this is unacceptable to them, we may not be able to progress the report further.

If insufficient information is available, the following factors will be considered to determine whether to progress the matter:

- the severity of the issues raised;
- the credibility of the concern; and
- the likelihood of obtaining the necessary information.

Anonymity and confidentiality should not be used to facilitate false or malicious allegations.

A person who genuinely reports a concern, even if it proves to be unfounded following investigation, should be reassured that they won't suffer because of reporting their concern.

We'll take action to protect our colleagues and organisation from false or maliciously reported concerns. If we have good reason to believe that a false or malicious concern is deliberately made, we may determine that this is an act of misconduct and disciplinary action should be taken. We'll try to ensure that the negative impact of a malicious or unfounded allegation is minimised.

Legal support

We'll consider providing legal support in appropriate cases, each request will be considered on individual merit.

Confidential reporting procedure

Raising a concern

Concerns should be reported to an appropriate level of line management. The most appropriate person to contact will depend on who the concern is about and the nature of the issues involved. Initially, the immediate line manager may be appropriate if the issue is about a work colleague. If the colleague believes that a member of senior management is involved, it may be more appropriate to initially raise the concern to a member of the VET.

If the colleague doesn't want to raise the issue with anyone inside the service area, the matter can be reported to either:



- the Executive Director of Resources;
- the Executive Director of People and Culture;
- a Board Member, other than the Chair of the Board; or
- a Speak up Champion.

If the matter is of a financial nature, initial reports can be made to the Director of Finance.

If the matter is involving privacy and is relating to the processing of personal data, initial reports can be made to the Data Protection Officer.

Raising a concern through the Speak Up System

At Vico Homes, we're committed to listening to any concerns raised, particularly through this process. If colleagues feel unable to raise concerns about any wrongdoing or concerns in the interest of the public, we have an anonymous reporting system which can be utilised to do so. We expect any concerns raised to be in good faith and without malicious intent.

All colleagues can access the Vico Homes Speak Up System through our Colleague Hub page.

Externally

The Whistleblowing Code of Practice is intended to provide colleagues with ways to raise concerns internally. However, if a colleague is dissatisfied with our response or prefers to raise an issue with someone outside the organisation, this can be done by contacting one of the following organisations included in the guidance, Whistleblowing: list of prescribed people and bodies, who may also provide independent advice.

A confidentiality clause or 'gagging clause' in a settlement agreement is not valid for whistleblowers.

[Protect](#) is the UK's whistleblowing charity. Protect can be contacted by phone on 020 3117 2520 or [email](#). As Protect is an accredited legal advice centre, an employee won't breach the duty of confidence, which is owed to us, by contacting them.

Concerns may be raised verbally or in writing. Whistleblowers are asked to provide:

- their name;
- the specific concern;
- the reason(s) for the concern;
- the background and history to the concern, including any relevant dates;
- whether the concern has already been raised with anyone else and, if so, with whom; and
- why they remain concerned.

Although colleagues aren't expected to prove beyond doubt the truth of an allegation, it will be necessary to demonstrate to the person contacted that there are sufficient grounds for real concerns. Concerns should be reported as soon as possible, as we have better opportunity to take appropriate action the earlier a concern is made known. The action we take will depend on the nature of the concern. Where appropriate, the matters raised may:



- be investigated by the appropriate level of management;
- be referred to the police; or
- form the subject of an independent inquiry.

To protect individuals and the organisation, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Concerns or allegations, which fall within the scope of specific procedures (for example, child protection or discrimination issues), will normally be referred for consideration under those procedures.

It should be noted that some concerns might be resolved by agreed action without the need for investigation. We will write to the person raising the concern within 14 days of a concern being raised to:

- acknowledge that the concern has been received;
- indicate how we propose to deal with the matter;
- give an estimate of how long it will take to provide a final response. If it's not possible for initial enquiries to be completed within 14 days, this will be explained in the letter of acknowledgement; and
- where it is determined that no investigation will take place, the reasons for this will be provided.

We normally aim to resolve the matter within 28 days of the report being received.

The amount of contact between the officers considering the issues and the colleague raising the concern will depend on the nature of the matters raised, potential difficulties involved and the clarity of the information provided. Further information may be needed from the colleague raising the concern.

Where a meeting is arranged, colleagues will have the right, if they wish, to be accompanied by a Trade Union representative or work colleague who is not involved in the area of work the concern relates to. At the request of the colleague raising the concern, any meeting may be held away from the workplace and / or outside working hours, if appropriate.

We'll take appropriate steps to minimise any difficulties that a colleague may experience from raising a concern. For example, if a colleague were required to give evidence in disciplinary or criminal proceedings, we would need to consider if any steps were needed to protect the individual. While the colleague would have the right not to attend such proceedings, they should be made aware that successful resolution of their concern may not be possible without their attendance.

We accept that colleagues raising a concern need to be assured that the matter has been properly addressed, so, subject to legal constraints, the person raising the concern will receive as much information as possible about the outcome of any investigation.



Responsibility for implementing the Whistleblowing Code of Practice

The responsibility for ensuring that we and our colleagues comply with this Whistleblowing Code of Practice rests with our Chief Executive.

Recording and monitoring

To ensure that we monitor the use of the Whistleblowing Code of Practice, service areas and the Executive Director of People and Culture will have the following responsibilities for recording and reporting on the use of the Whistleblowing Code of Practice:

Data protection

When an individual makes a disclosure, we will process any personal data collected in accordance with our Data Protection Policy (please see the Information Governance Framework). Data collected from the point at which the individual makes the report, is held securely, accessed by and disclosed to individuals only for the purposes of dealing with the disclosure.

Responsibility of service areas

Service areas are responsible for ensuring information about each case is maintained and supplied, on a six-monthly basis, to the Executive Director of People and Culture.

Responsibility of the Executive Director of People and Culture

The Executive Director of People and Culture is responsible for reporting to the Board and Directors on the use of the Whistleblowing Code of Practice. The Board (or an appropriate committee) will regularly receive an account of matters raised under this Code of Practice and actions taken in response.

