



# Whistleblowing Policy

<b>Document Control</b>	
Document Title	Whistleblowing Policy
Author	Head of Business Support Services
Version	1.0
Release Date	November 2023
Next Review Date	November 2026
Document Type	Policy
Approved By	Audit & Risk Assurance Committee

## **POLICY SUMMARY**

This Policy aims to outline EPIC's process for Whistleblowing and set out a procedure by which colleagues can report any concerns they may have.

### **1. APPLICABILITY**

This Policy applies to all colleagues: full-time and part-time colleagues on a permanent or fixed-term contract, and to associated persons, agency staff, contractors and others employed under a contract of service by EPIC, including our Board of Directors. However, the latter are not covered by the Public Interest Disclosure Act 1998 (PIDA).

This Policy does not form part of any contract of employment and EPIC may amend it at any time.

### **2. INTRODUCTION**

EPIC is committed to maintaining the highest standards of honesty, openness and accountability and we recognise that colleagues have an important role to play in achieving this.

Colleagues will often be the first to know when someone inside, or connected with, EPIC is doing something illegal or improper but often, they may feel apprehensive about voicing their concerns. This may be because they feel that speaking out would be disloyal to their colleagues or EPIC itself or it may be because they do not think their concerns will be taken seriously, or they are afraid that they will be bullied or dismissed.

EPIC does not believe that it is in anyone's interest for colleagues with knowledge of wrongdoing to remain silent. EPIC takes all malpractice very seriously, whether it is committed by senior managers, colleagues, suppliers or contractors. This Policy sets out a procedure by which colleagues can report any concerns that they may have to EPIC.

### **3. WHAT IS WHISTLEBLOWING?**

Whistleblowing is the term used when someone who works within, or for an organisation, raises a concern about a possible fraud, crime, danger or other serious risk that could threaten customers, colleagues, the public or the organisation's own reputation. Whistleblowing is more formally known as 'making a disclosure in the public interest'.

### **4. SCOPE OF THE POLICY**

This Policy is intended to enable those who become aware of wrongdoing in EPIC affecting some other person or service, to report their concerns at the earliest opportunity so that they can be properly investigated.

The Whistleblowing Policy is not intended to replace existing procedures:

- If your concern relates to your own treatment as an employee, you should raise it under the existing grievance or harassment procedures.
- If a tenant has a concern about services provided to him/her, it should be raised as a complaint.

## 5. WHAT SHOULD BE REPORTED?

Any serious concerns that you have about service provision or the conduct of employees of EPIC or others acting on behalf of EPIC that:

- make you feel uncomfortable in terms of known standards;
- are not in keeping with other related and relevant policies;
- fall below established standards of practice; or
- are improper behaviour.

These might relate to:

- conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation);
- disclosures related to miscarriages of justice;
- racial, sexual, disability or other discrimination;
- health and safety of the public and/or other employees;
- damage to the environment;
- unauthorised use of funds or other assets;
- possible fraud and corruption;
- neglect or abuse of tenants; or
- other unethical conduct.

This list is not exhaustive.

## 6. PROTECTING THE WHISTLEBLOWER

### 6.1 Your legal rights

The reporting of wrongdoing under the whistleblowing procedure may be covered by the law concerning protected disclosure of information. The procedure has therefore been written with reference to the Public Interest Disclosure Act 1998 (PIDA), which offers protection to those in both the private and public sectors who 'blow the whistle' in certain circumstances. All staff, at any time, have a statutory right to express concerns under the PIDA.

The Act makes it unlawful for EPIC 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.

### 6.2 Harassment or Victimisation

EPIC is committed to good practice and high standards and to being supportive of you as an employee.

EPIC recognises that the decision to report a concern can be a difficult one to make. If you honestly and reasonably believe what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer, your colleagues and those for whom you are providing a service.

EPIC will not tolerate any harassment or victimisation of a whistleblower (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith and will treat this as a serious disciplinary offence which will be dealt with under the disciplinary procedure.

### 6.3 Support to you

Throughout this process:

- you will be given full support from senior management;
- your concerns will be taken seriously; and
- EPIC will do all it can to help you throughout the investigation.

EPIC provides an Employee Assistance Programme (EAP) through Health Assured that can be accessed for support and guidance – <https://healthassuredeap.co.uk> and 0800 316 9337.

For those who are not EPIC employees, we will endeavour to provide appropriate advice and support wherever possible.

### 6.4 Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of your disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.

### 6.5 Anonymous Allegations

This Policy encourages you to put your name to your allegation whenever possible. If you do not tell us who you are it will be much more difficult for us to protect your position or to give you feedback.

Concerns expressed anonymously are much less powerful, but they may be considered at the discretion of EPIC. In exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issue raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from other sources.

If you make an allegation in good faith and reasonably believe it to be true, but it is not confirmed by the investigation, EPIC will recognise your concern and you have nothing to fear. If, however, you make an allegation frivolously, maliciously or for personal gain, appropriate action that could include disciplinary action, may be taken.

## 7. RAISING A CONCERN

You may raise your concern by telephone, in person or in writing. The earlier you express your concern, the easier it is to take action. You will need to provide the following information:

- the nature of your concern and why you believe it to be true; and
- the background and history of the concern (giving relevant dates).

Although you are not expected to prove beyond doubt the truth of your suspicion, you will need to demonstrate to the person contacted that you have a genuine concern relating to suspected wrongdoing or malpractice within EPIC and there are reasonable grounds for your concern.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

You should raise your concern with your line manager in the first instance. However, EPIC recognises that this will depend on the circumstances of the situation and who you think is involved.

If colleagues do not feel comfortable making a report directly to their line manager, then they can instead report this to the Head of Business Support Services. Where colleagues do not feel

comfortable reporting to this role then they can report to the Chief Executive or alternatively to the Chair of the Audit & Risk Assurance Committee.

If colleagues are unsure whether to use this procedure or if they want independent advice at any stage, they can contact the independent charity Protect on 020 3117 2520.

The aim of this Policy is to provide an internal mechanism for reporting, investigating, and remedying any wrongdoing in the workplace. In most cases, colleagues should not find it necessary to alert anyone externally.

However, EPIC recognises that there may be circumstances (for example, if the wrongdoing is extremely serious) where it may be appropriate for colleagues to report their concerns to an outside body, such as the Regulator for Social Housing, Police, National Crime Agency, HMRC, or any other relevant body. A list of organisations with whom whistleblowing concerns can be raised can be found [here](#).

Before reporting a concern externally, it is recommended that colleagues seek advice from Protect.

Whistleblowing concerns usually relate to the conduct of a colleague(s) but they may sometimes relate to the actions of a third party such as a customer, supplier or service provider. In some circumstances, the law provides protection if a colleague raises a concern with a third party directly. However, EPIC encourages colleagues to report such concerns internally first.

## 8. WHAT EPIC WILL DO

EPIC will respond to concerns as quickly as possible. The overriding principle for EPIC will be the public interest. In order to be fair to all employees, 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 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. The protection of others is paramount in all cases.

Where appropriate, the matters raised may:

- be investigated by management;
- be investigated by an independent external adviser, particularly where these may be sensitive, involve a member of the Executive Team or the Board;
- be investigated through the disciplinary/grievance process; or
- be referred to the police or other relevant agency.

Within ten working days of a concern being raised, the person investigating your concern will write to you:

- acknowledging that the concern has been received;
- indicating how EPIC proposes to deal with the matter;
- supplying you with information on staff support mechanisms; and
- telling you whether further investigations will take place and if not, why not.

EPIC will do what it can to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are asked to give evidence in criminal or disciplinary proceedings, EPIC will arrange for you to receive appropriate advice and support.

You need to be assured that your disclosure has been properly addressed. Unless there are any legal reasons why this cannot be done, you will be kept informed of the progress and outcome of any investigation.

## 9. RESPONSIBILITIES

The roles and responsibilities of key stakeholders across EPIC are detailed below.

**The Head of Business Support Services** has overall responsibility for the effective implementation of the policy, and each manager across the organisation will have direct responsibility to ensure it is implemented effectively.

**The Audit & Risk Assurance Committee** have the responsibility to scrutinise reports on all cases of whistleblowing and ensure that appropriate action is taken.

## 10. TRAINING

This policy forms part of the standard induction for all new employees, including agency workers, contractors, and Board members and will be read within the induction period. Staff will be referred to this policy when required and will be notified of changes when it is reviewed.

Periodic training will be provided on this policy as part of the annual learning and development plan.

## 11. DATA VALIDATION, REVIEW AND MONITORING

EPIC is committed to ensuring the Whistleblowing Policy remains compliant with current and upcoming legislation. This policy will be reviewed and updated upon such changes prior to the next review date.

## 12. EQUALITY AND DIVERSITY IMPLICATIONS

In developing this policy, an Equality Impact Assessment has been completed and there are no additional actions to take in relation to this policy being discriminatory to any protected characteristic.

We are committed to ensuring and promoting equality of opportunity for all. We are opposed to discrimination on any grounds, including race, religion, gender, marital status, sexual orientation, disability, age, or any unjustifiable criteria. We are committed to developing a culture that values people from all sections of society and the contribution which each individual can make. We will ensure our approach to accessing properties is considerate to people's individual needs. We also adhere to the Equality Act 2010.

EPIC Housing recognises that some people experience disadvantage due to their socio-economic circumstances and will strive to ensure no person or groups of persons is treated with injustice due to their personal circumstances. EH will also ensure that all services and actions are delivered within the context of current Human Rights legislation and will make sure the central principles of the Human Rights Act (1998) will be adhered to.

## 13. MONITORING / REVIEW

This policy will be reviewed at a minimum of every 3 years. A review may be conducted earlier if there are significant changes to either legislation or EPIC's operating practices.

#### **14.ASSOCIATED DOCUMENTS**

- Grievance Procedure
- Disciplinary Procedure
- Bullying & Harassment Policy

### Version Control

Date of Review	Reviewer	Version Number	Changes	Date of Next Review	Approved By
Nov 2023	HoBSS	1.0	New Policy	Nov 2026	ARAC