Whistleblowing Policy

1. Purpose

Metropolitan Thames Valley Housing (MTVH) Whistleblowing Statement

MTVH is one of the UK's leading providers of affordable housing and care and support services. We support customers with a wide range of housing needs, in a variety of tenures. We are above all a people business. We exist to give people the chance to thrive, and to deliver valued services that people trust. We believe that the best results come from working together and we will be powered by collaboration among colleagues, customers and communities. We will be part of the solution to big societal questions about where and how people are living. We believe that People Powered Living will be the thread that will drive us forward.

Whistleblowing (Confidential Reporting) facilitates the highest possible ethical standards in all MTVH's business activities:

- Our policies will set out the approach to speaking out on issues of concern to enable and encourage staff and others to come forward and express any serious concerns regarding suspected misconduct or malpractice by colleagues, ex-colleagues, suppliers or contractors or anyone else whom we work with
- Our policies reflect our commitment to the highest standards of quality, openness and confidentiality and meet all legal and compliance requirements
- No-one who comes forward in good faith has anything to fear and will be supported
- Colleagues and others with serious concerns about any aspect of MTVH's work are encouraged to come forward and express those concerns

2. Scope

This policy and accompanying procedures sets out our approach to:

- How colleagues, customers and others can speak out about any concern they may have about suspected wrongdoing
- Working with and supporting anyone who raises a concern
- Managing concerns from customers, colleagues and other parties
- The measures taken to protect confidentiality

The policy and accompanying procedures applies to:

- Customers who live in accommodation owned or managed by us
- Customers we deliver community-based services to
- All colleagues, including agency staff, bank workers, students, peer mentors and volunteers
- Consultants, contractors and suppliers
- All stakeholders/partners commissioned by us

Our Commitment

MTVH will:

- Commit to achieving the highest possible ethical standards, and accountability in all our business activities
- Encourage and support colleagues, customers and others, with serious concerns about any aspect of MTVH's work to come forward and express those concerns
- Create a culture of openness
- Have clear policies and procedures relating to safeguarding, whistleblowing, conduct and openness in place
- Ensure colleagues are aware of relevant legislation and MTVH's code of conduct and MTVH's expectations
- Put in place appropriate training and support. Training on this policy and any associated procedures will form part of the induction process for colleagues
- Ensure that all colleagues understand that reporting concerns is everyone's responsibility
- Adhere to the principles, legislation and regulations associated with Whistleblowing

We are aware that colleagues may be worried about coming forward with their concerns. Reasons may include:

- Fear of being victimised
- Fear of being wrong if they cannot prove their concerns
- Fear about jeopardising their employment

MTVH reassures anyone raising genuine concerns, even if they turn out to be mistaken that:

- Their career, housing, support or relationship with MTVH will not be affected in any way
- We will protect confidentiality where possible and do everything we can to ensure Whistleblowers that have requested to remain anonymous remain so
- Anyone who criticises or victimises a Whistleblower for raising a concern will be dealt with severely

3. Our Approach

3.1 Definitions

A Whistleblower is a person who exposes any kind of information or activity that is deemed illegal, unethical or not correct within an organisation that is either private or public.

In order for a disclosure of a wrongdoing to be considered within the legislation, it should be in the public interest (this means it must affect others, for example the general public). As a Whistleblower you're protected by law - you should not be treated unfairly or lose your job because you 'blow the whistle'. You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.

3.2 Whistleblower Rights

The Rights of a Whistleblower are set out within the legislation (referred to at paragraph 4 below) and this states that a Whistleblower must not suffer any detriment or be dismissed because they have raised a whistleblowing concern in the workplace. Protect - Speak up stop harm | The Whistleblowing Charity can provide additional advice to individuals around whistleblowing.

3.3 Anonymity

Although anonymous reports can be considered, in some circumstances it may make the investigation difficult as obtaining further information to establish whether allegations are credible could be difficult. We therefore reserve the right to stop the investigation if we don't feel that we can complete the investigation fairly whilst maintaining the whistleblower's anonymity.

3.4 Confidentiality and Information Sharing

Whilst dealing with any concern, information gathered will be restricted to sharing with those who need to know. All information will be securely stored and in line with the retention schedule. There may be occasions where appropriate information may be shared with the relevant authority, with or without the consent of the individual. See separate Guidance Note on Consent and Information-Sharing for further information.

3.5 Third Party Organisations

We have many third party contract arrangements with landlords, support providers, contractors and suppliers. Our contract specifications require our partners to comply with this policy and accompanying procedures and for this to be reflected in their own policies and procedures. To ensure that this is the case, we request copies of whistleblowing policies and procedures during the procurement process to select our partners.

3.6 Quality Assurance and Monitoring

As part of our quality assurance and monitoring approach, a cross directorate working group will analyse data, agree on appropriate actions and look at lessons learnt. Our approach will be integrated across the organisation, with individual and collective responsibilities being understood at all levels.

3.7 Record Management

Colleagues responsible for conducting Whistleblowing investigations must maintain records. In all cases, the evidence should be retained in accordance with the retentions schedule.

3.8 Reporting

All whistleblowing reports are reported to the Head of Governance & Compliance who logs them onto the Whistleblowing Register. The reports and the register will be presented to the Audit & Risk Committee (ARC) on a quarterly basis by the Governance Team. They will be anonymised to protect identities and abbreviated providing a summary of the case and the outcome. The outcome of individual whistleblowing investigations will be reported to the ARC and to the Board.

4. Background Legislation

Our Whistleblowing Policy and the associated Procedure both encompass Whistleblowing legislation. The relevant laws are:

- The Public Interest Disclosure Act 1998. The specific legislation can be found here: Public Interest Disclosure Act 1998
- The Enterprise and Regulatory Reform Act 2013, which can be found here: Enterprise and Regulatory Reform Act 2013

'Protect' provides further information about whistle blowers' rights and protections: Protect - Speak up stop harm | The Whistleblowing Charity

5. Our commitment to Equality, Diversity and Inclusion

In implementing this policy MTVH will not discriminate against any colleague, customer or stakeholder on the grounds of their sex, sexual orientation, gender reassignment status, ethnic origin, age, religious belief, disability, marital status and pregnancy/maternity.

6. Key Policy Review Information

Policy Owner	Tish Etter
Author	Governance
Approved by	MTVH Board
Effective from	April 2020
Approach to review	This Policy & associated Procedures will be reviewed if legislation, regulatory changes, or operational need requires. Any amendments will be appropriately consulted on and signed off before being clearly communicated to customers and colleagues.
This is a controlled document maintained and accessible via an electronic catalogue managed by MTVH. When viewed outside of the catalogue this should be checked against the master copy held by MTVH to verify that it is the current version, or it shall be considered uncontrolled.	

Whistleblowing Procedure

This document provides guidance on how anyone with a concern can speak out about a suspected wrongdoing, in the knowledge that their concerns will be taken seriously and investigated.

Raising a concern

If you come forward with a concern, you can be confident that this will not affect your career, housing tenure, support or relationship with MTVH in any way. Equally the same applies, if you come forward with a concern which turns out later not to have been justified, unless the allegation was malicious.

The concern that you wish to disclose should be about a wrongdoing which is in the public interest (this means it must affect others, for example the general public). This might include:

A criminal offence which has been, or is being, or is likely to be committed	Showing undue favour over a contract or a job applicant
Suspected fraud, bribery or theft	Bullying or harassment
Damage to property	Breach of financial controls
Disregard for legislation particularly in relation to health and safety at work	Ill treatment of clients/customers including any safeguarding incidents (also refer to the Safeguarding policies)
Breaches of the organisation's policies and procedures including the code of conduct	Negligence
Failure to comply with any legal obligation or regulatory requirement	Covering up any of these

In many cases concerns or complaints will be dealt with through normal procedures, such as the mechanisms for resolving grievances, complaints, disciplinary matters, concerns relating to equal opportunities, fraud, bribery or money laundering, and we will act in accordance will those relevant policies.

Concerns can be raised with the following team/person:

Anyone employed/contracted by MTVH	Non employees
Line Manager in the first instance	Designated officer with whom anonymous concerns can be raised on a dedicated telephone line 020 3535 4687
HR	Through the colleague supporting you (Support worker, Housing Officer)
Senior Manager or Director (if not appropriate to raise with line manager)	Through the manager of the colleague supporting you
Head of Governance & Compliance	Head of Governance & Compliance

Designated officer with whom anonymous concerns can be raised on a dedicated telephone line 020 3535 4687	Through Protect's (formally Public Concern at Work) free confidential helpline who can advise on how to effectively raise a concern. The number is 020 3117 2520 or email on whistle@protect-advice.org.uk
Anyone employed/contracted by MTVH	**Non employees**
If you are a member of our recognised trade union, you have the option to raise your concern with them, and they will contact MTVH on your behalf.	
If you have serious concerns that you feel cannot appropriately be raised through the usual channels, you can report your concern directly to the Chair of the MTVH Audit & Risk Committee by email, and your concerns will be dealt with through proportionate and independent investigation as necessary. The current Chair's email address is dennis.hone@mtvh.co.uk	
If you feel however that you cannot, at the first stage speak to anyone within the organisation, you can contact Protect's (formally Public Concern at Work) free confidential helpline who can advise on how to effectively raise a concern. The number is 020 3117 2520 or email on whistle@protect-advice.org.uk	
If preferred, you may come forward with another colleague, a friend, or a recognised colleague representative to report a concern.	

Where possible you should make a note of any events, conversations, telephone calls or other matters which brought the matter to your attention. If possible you should try to do this at the time that the events occur or as soon as possible thereafter. Once you have told us your concern, we will look into it to assess the action to be taken.

MTVH will do everything it can to respect confidentiality. If you have requested to remain anonymous we will do everything to ensure you remain anonymous.

If you have asked for your identity to be kept confidential, we will make every effort to keep your identity secret. If the situation arises where the concern cannot be resolved without disclosing your identity (for instance because evidence is required in court), we will discuss with you whether or how we can proceed.

If anyone tries to discourage you from coming forward to express a concern, this will be treated as a disciplinary offence. Equally, MTVH will not tolerate any acts of criticism or victimisation towards anyone raising a concern, any person found doing so will be dealt with severely.

Dealing with Concerns

Concerns will be looked into carefully, thoroughly and with the strictest confidence. The person receiving the concern should initiate the whistleblowing procedure, following the process below;

- Acknowledge the concern has been received, unless the person speaking out has chosen to remain anonymous
- Collect all relevant information and evidence pertaining to the concern. The person who raised the issue may be required to provide further information so that a clear picture can be established of the nature of the concern
- Decide what action to take, if you believe there is a legitimate concern, arrange a formal investigation
- Agree with the Head of Governance and Compliance how the concern is to be investigated (where appropriate, an external investigator may be appointed) and initiate investigation procedure
- It is essential to be fair, to all involved parties. If someone is potentially being accused of misconduct, both sides of the story will be looked into
- During any investigation, any concerns colleagues have expressed about their own safety or career will be acknowledged and noted
- All relevant documentation must be sent to the Head of Governance and Compliance, who will keep a confidential record of the investigation
- The Chief Executive will be kept informed of concerns and be available to hear any concerns, but will not be involved in any investigations, however depending on the circumstances the Chief Executive may decide what action to take. If the concern is about the Chief Executive they will be informed
- If the whistleblower has so requested, the designated officer will keep them informed about progress of the investigation. There may be instances where we are unable to tell them how the matter will be investigated, or precisely the action that will be taken, because to do so would be a breach of our duty of confidentiality to another person. The investigation may need to be carried out under terms of strict confidentiality, if so, the subject of the complaint would not be informed until/if it becomes necessary to do so. This may be appropriate in cases of suspected fraud.

Outcome

The outcome of the investigation will be final, there is no right of appeal. MTVH colleagues will not be permitted to raise their concerns as a grievance once it has been considered as a Whistleblowing concern.

The findings will be communicated to the person(s) who raised the concern, the individual(s) under investigation and if appropriate the Executive Team who may need to consider what action should be taken on the basis of the findings. However, in doing this, the confidentiality of other parties will need to be respected as well.

MTVH is committed to sharing any learning from Whistleblowing incidents and will keep colleagues informed, via management updates and through other communications channels.

If after the investigation we conclude that the person speaking out has knowingly made false allegations maliciously, in bad faith or with a view of personal gain, the individual will be subject to disciplinary action.

All whistleblowing reports are reported to the Head of Governance & Compliance who logs them onto the Whistleblowing Register. The reports and the register will be presented to the Audit & Risk Committee (ARC) on a quarterly basis by the Governance Team. They will be anonymised to protect identities and abbreviated

providing a summary of the case and the outcome. The outcome of specific whistleblowing investigations may also be reported to the Board.

External Assistance

The aim of this guidance is to provide an internal mechanism for reporting, investigating, and remedying any wrongdoing in the workplace. In most cases it should not be necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body, such as a regulatory body. We strongly advise that you seek advice from organisations such as Protect before reporting a concern to anyone external.
In some circumstances it may be necessary to contact an external body

- If the problem involves a very senior employee of the organisation, up to and including the Chief Executive, the Chair of the Board or another Board Member
- In the case of a criminal offence - the police
- In the case of abuse of public funds - the Regulator of Social Housing (RSH), which is responsible for regulating all registered providers
- In the case of any fraud - the Group's internal or external auditors and/or the RSH