WHISTLEBLOWING POLICY AND PROCEDURE

Date Reviewed	April 2026	**Next Review Date**	April 2029
Consultation	Executive Team	**Reviewed By**	Director of People and Culture
EIA	Complete	**Responsible Officer**	Company Secretary
DPIA	Complete	**Approval By**	Group Audit Committee

1. Purpose

This Policy is intended to help colleagues, volunteers and contractors of Black Country Housing Group who have concerns over any wrongdoing within the Group relating to unlawful conduct, financial malpractice or dangers to the public or to the environment.

The aims of the Whistleblowing Policy are to provide all colleagues with guidance for raising concerns about suspected malpractice or wrongdoing within the Group and to reassure colleagues that they are able to raise concerns without fear of reprisal. All concerns will be handled with appropriate confidentiality and where possible, anonymity.

Black Country Housing Group is committed to the highest standards of quality, probity, openness and accountability.

This Policy aims to:

- Encourage colleagues to feel confident in raising serious concerns and to question and act upon their concerns
- Provide ways for colleagues to raise their concerns and receive feedback on any action taken as a result.
- Ensure that, where appropriate, colleagues get a response to their concerns and are aware of how to follow up on these if they remain unsatisfied
- Reassure colleagues that if they raise any concerns in the public interest, and reasonably believe them to be true, they will be protected from possible reprisals, victimisation or retribution from any colleague

2. Scope

All colleagues may use this Policy. This includes permanent, temporary and casual employees and volunteers as well as agency workers and colleagues seconded to a third party. Any concerns relating to the third party, if relevant to the colleague's secondment, can also be raised under this Policy. Recent leavers or colleagues exiting the business are also covered by this policy.

Some individuals (e.g. volunteers or self-employed contractors) may not be covered by statutory whistleblowing protections, but BCHG extends the ability to raise concerns under this policy.

Contractors working for the Group (including employees working in any partnerships or joint venture arrangements, or those participating in partner or joint venture bodies on behalf of the Group) may also use

the provisions of this Policy to make the Group aware of any concerns that the contractor's employees may have with regard to any contractual or other arrangement with the Group. The private concerns of the contractor, partner or joint venture body relating to non-BCHG business should be raised with the relevant contractor and/or other suitable agency/regulator – including the police if appropriate.

This Policy is designed to deal primarily with concerns raised in the public interest; matters affecting the individual should be addressed through the Group's Grievance Policy.

BCHG or 'The Group' is used through this Policy and refers to all areas of BCHG.

All those to whom this Policy applies, as detailed above, are referred to throughout this document as 'colleague', for ease of reference.

3. What is Whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected malpractice or wrongdoing at work. It concerns any disclosure relating to the following suspected matters within the Group:

- Harm or potential harm to one of our residents
- Sexual harassment
- Breach of any legal obligation
- Breach of our code of conduct
- Bribery
- Conduct likely to damage BCHG's reputation
- Criminal offences/activity
- Damage to the environment
- Danger to the health and safety of any individual
- Financial impropriety, fraud or mismanagement
- Miscarriage of justice
- Negligence
- Unauthorized disclosure of confidential information
- Misuse of company resources
- Deliberately concealing information relating to any of the above

This list is not exhaustive, if you are uncertain whether something is within the scope of this policy, advice should be sourced in the first instance from the HR team.

A whistleblower is the person who raises a genuine concern relating to a suspected wrongdoing or malpractice within the Group. Anyone raising a concern will not be expected to produce unquestionable evidence to support their concern. All that is required is that there is a genuine concern and that you have reason to suspect that there has been wrongdoing or malpractice. It is in BCHG's best interests to hear any suspicions at the earliest possible opportunity.

The Public Interest Disclosure Act 2013 as amended by the Enterprise and Regulatory Reform Act 2013, gives legal protection to BCHG employees who disclose information or 'whistleblow' to the Regulator for

Social Housing (RSH), Care Quality Commission (CQC) or any other regulatory body of any wrongdoing or failure by their employer.

4. How to raise a Whistleblowing concern

If you wish to raise a concern, you should first speak to or put your concern in writing to your line manager on a confidential basis. Where your concern is regarding your line manager, or you do not feel comfortable speaking to your line manager, the concern should be addressed confidentially to one of the following:

- The Director of People and Culture
- The Head of People
- A member of the Executive Team (Director of Resources / Director of Customer Services)
- The Chief Executive

A list of suggested persons who may be contacted when raising a whistleblowing concern is provided at the end of this policy.

In exceptional circumstances where the concern relates to the CEO or where the colleague feels unable to raise the concern through the mechanisms above, the matter should be reported to the Chair of the Group Audit Committee (details at the end of this policy).

If you raise a concern under this policy and you have a personal interest in the matter, it is essential that you make this known at the outset. You should also indicate whether the concern is to be treated in confidence. The limit of that confidence will be confirmed by the person receiving the information. If the situation arises where the concern cannot be resolved without revealing the colleague's identity, we will discuss with the individual whether and how we may proceed. If a colleague chooses to raise a complaint or concern anonymously, whilst it will be considered, it is much more difficult for the Group to investigate and provide feedback.

If you are unsure as to whether this is the appropriate policy for your concern, please seek advice from the Head of People in the first instance.

5. Action to be taken

If the concern is raised verbally, the person receiving the information should put it in writing as soon as practicable to ensure that it properly reflects the concerns that have been raised.

Once the concern has been expressed and documented, it should be forwarded to the Director of People and Culture and an initial assessment will be carried out to decide what action should be taken. This may involve an investigation. The colleague raising the concern will be advised:

- who may be handling the matter
- how they can contact him/her
- whether further assistance may be needed

If requested the colleague will receive a summary of their concerns together with any proposed action. Should their concern fall within another policy (for example, the Grievance Policy), the individual will be advised.

While the purpose of this Policy is to enable investigation of possible malpractice and take appropriate steps to deal with it, feedback may be given and if requested, a response in writing. Please note however

that the precise action being taken may be withheld where this would infringe a duty of confidence owed by us to another party.

Concerns or allegations which fall within the scope of specific policies (for example Safeguarding) will normally be referred for consideration under that relevant policy. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

Where appropriate, the matters raised may be:

- Investigated by management, Board of Management or through the disciplinary process - referred to the police or relevant authority
- Referred to the prescribed body - https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies

Subject to any legal constraints, the relevant colleague will normally be informed of the final outcome of any investigation.

6. What safeguards are in place for those reporting a concern?

If concerns are voiced under this Policy, colleagues will not be at risk of losing their job or suffering any form of retribution as a result, provided that:

- The disclosure is made in the public interest
- It is reasonably believed that information, and any allegations contained in it, are substantially true
- The colleague is acting not for personal gain

The Group will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect those who raise a concern.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy processes already taking place concerning the colleague.

No action will be taken against anyone who makes an allegation in the public interest, reasonably believing it to be true, even if the obligation is not subsequently confirmed by the investigation.

Every effort will be made to ensure confidentiality as far as this is reasonably practical.

If any colleague tries to discourage or restrict any colleague from coming forward to express a concern, irrespective of whether or not the concern was raised in confidence, the Group may treat this as a potential

disciplinary matter. In addition, the Group will deal severely with anyone who criticises or victimises anyone who raises a concern.

7. How can I take the concern further?

This Policy is designed to ensure that people have a way to raise concerns in the public interest without fear of reprisals; therefore, all colleagues are encouraged to raise their concerns under this Policy within the Group.

If however they feel unable to raise their concerns internally or if a colleague is unsatisfied by the actions taken by the Group then they may consider raising their concerns externally through a prescribed body, full details can be found on the Protect website: **https://protect-advice.org.uk** (previously public concern at work - PCAW) the leading authority on public interest disclosure.

Colleagues who raise concerns externally should be aware that the Group's Policy and the Public Disclosure Act do not provide blanket cover. Colleagues who disclose information to a third party should ensure that no disclosure of confidential information takes place. Colleagues who disclose confidential information not covered under the Act may be subject to disciplinary or other action. If a colleague is unaware of whether the information, they wish to disclose is confidential they should seek advice from the Human Resources Team or independently through ACAS.

8. Compliance, Monitoring and Reporting

The Human Resources Team will maintain a register of all concerns raised through this Policy. This register will be open to internal and external audit. The register will be reviewed by the Executive team on a quarterly basis to ensure that matters raised are given the appropriate attention. An annual report is produced for the scrutiny of the Group Audit Committee. The report will disclose the concerns raised, the number of such concerns, which team they relate to, and actions being taken to address issues. The purpose of such reports will be to mitigate further concerns and ensure consistency of treatment across departments.

9. Related or relevant policy/procedures or other documents

- Colleague Code of Conduct
- Dignity and Respect at Work Policy
- Probity Policy
- Equal Opportunities Policy
- Grievance Policy and Procedure
- Disciplinary Policy & Procedure
- Safeguarding Vulnerable Adults Policy & Procedure
- Anti-fraud Policy
- Anti-bribery Policy
- Anti-money Laundering Policy
- Speak out Guidance
- Safeguarding Children and Young Persons Policy
- NED Whistleblowing Policy

10. Definitions

The Policy specifically relates to **The Public Interest Disclosure Act 1998** (otherwise known as PIDA OR 'the Whistleblower Act'), amended by the Enterprise and Regulatory Reform Act 2013. The Act protects all colleagues against detrimental treatment (such as harassment, bullying, disciplinary action, negative changes to work, missed promotions, loss of opportunities), or dismissal as a result of any disclosure of normally confidential information in the interests of the public. The Act only covers protected disclosures under six categories, namely:

- a criminal offence
- the breach of a legal obligation
- a miscarriage of justice
- a danger to the health and safety of any individual
- damage to the environment
- deliberate concealment of information about any of the above.

Specific examples could include.

- A criminal offence (e.g., fraud, corruption or theft) has been/is likely to be committed
- A miscarriage of justice has occurred/is likely to occur
- The health or safety of any individual has been/is likely to be endangered
- The environment has been/is likely to be damaged
- Public funds are being used without authorisation
- Sexual or physical abuse of any colleague or service recipient is taking place
- Sexual harassment
- Discrimination is occurring to any colleague or service recipient
- Any other form of improper action or conduct is taking place
- Information relating to any of the above is being deliberately concealed or attempts are being made to conceal the same.

11. Responsibilities

Overall responsibility for the implementation of the Policy is with every individual and implementation will be by all colleagues and contractors where applicable. It is every manager's responsibility to ensure that all colleagues and contractors are aware of this Policy and its implications.

12. Equality, Diversity and Inclusion

BCHG is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out its duty with positive regard regardless of any protected characteristic.

13. Data Processing

Any information pertaining to a whistleblowing concern will be stored securely on SharePoint under HR. This can only be accessed by members of the HR team including the Chief Executive. The policy explains how we will respond to whistleblowing complaints, what information and data may be shared and how we will communicate with parties involved. Anonymised information is shared with the Group Audit Committee on an annual basis. Data will be stored in line with BCHG's retention policy.

14. Key Contacts

Chief Executive	**Adrian Eggington** **Adrian.eggington@bchg.co.uk**
Director of People and Culture	**Sarah Farnell** **Sarah.farnell@bchg.co.uk**
Director of Resources	**Kaye Coulthard** **Kaye.coulthard@bchg.co.uk**
Director of Customer Services	**Sarah Woolley** **Sarah.woolley@bchg.co.uk**
Company Secretary and Head of Corporate Services	**Sharon Woods** **Sharon.woods@bchg.co.uk**
Head of People	**Kirsty Morris** **Kirsty.morris@bchg.co.uk**
Chair of Group Audit Committee	**Nick Simkins** **Nick.simkins@bchg.co.uk**