

Whistleblowing Policy

Policy Statement & Purpose

Bromford is committed to ensuring that all its activities are conducted ethically, honestly and to the highest standards of openness, transparency, accountability, conduct and governance. We intend to create a culture and ways of working to uphold the highest standards of governance and conduct but we know that sometimes malpractice, illegal practices and wrongdoing may occur.

Bromford colleagues are often in the best position to know when the interests of colleagues and the public are being put at risk. The purpose of this policy is to ensure colleagues feel confident and protected to raise, at an early stage, any legitimate concerns, or suspicions of wrongdoing.

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Scope

The principles and terms within this document apply to the Whistleblowing Procedure in place in Bromford.

This Policy applies to all colleagues who should be alert to instances of wrongdoing, whether they are witness to it, or if it is raised with them as a matter of concern. This Policy covers Bromford Housing Group and its subsidiaries.

Third parties performing services for, or on behalf of Bromford Housing Group, are encouraged to use whistleblowing as a mechanism to raise concerns of wrongdoing, however the legal protection under the Public Interest Disclosure Act (the Act) does not extend to them. Whistleblowing matters which are raised external to Bromford will be considered on an individual basis and will be investigated appropriately.

The Whistleblowing Policy provides a mechanism to raise concerns of wrongdoing which may fall outside our other policies.

List of Referenced Documents
Whistleblowing Procedure
Flowchart of the Whistleblowing Process
Disciplinary Policy
Grievance Procedure
Bullying and Harassment Policy
Financial Regulations
Probity and Bribery Policy
Anti-fraud Policy
Anti-Money Laundering Policy
Safeguarding Policy
Health and Safety Policy

Principles

What is a whistleblower?

The term whistleblower is used to describe the actions of a colleague who reasonably believes they are acting in the public interest by passing on information which may indicate certain types of wrongdoing. In passing on that information, a colleague is making a disclosure. The wrongdoing will typically (although not necessarily) be something a colleague has witnessed at work.

The wrongdoing disclosed by a colleague must be in the public interest. This means it must affect others, for example the general public.

Where a colleague has reported a wrongdoing that is in the public interest, they are referred to as a whistleblower. Whistleblowers are protected by law as defined in the Public Interest Disclosure Act 1998. In summary, a whistleblower will not be treated unfairly or lose their job because they 'blow the whistle'.

A colleague can raise a concern at any time about an incident that happened in the past, is happening now, or they believe will happen in the near future.

The 'public interest'

A whistleblower is protected by law if they raise concerns for any of the following:

- A crime has been or is likely to be committed.
- A person has failed or is likely to fail to comply with any legal obligation to which they are subject.
- A miscarriage of justice has occurred or is likely to occur.
- The health and safety of any individual has been or is likely to be endangered.
- The environment has been or is likely to be damaged.
- A cover up of any of the above.

Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless the particular case is in the public interest. The colleague will need to refer to the relevant policy and procedure.

Legal considerations

Whistleblowers have legal protection under the Public Interest Disclosure Act 1998

To benefit from this legal protection, a colleague must:

- Reasonably believe that the disclosed information is true.
- Reasonably believe that wrongdoing has happened or is likely to happen.

No formal disciplinary action will be taken against a colleague if they have raised a concern, even if this is not confirmed by any subsequent investigation, as long as the colleague had a 'reasonable belief' that serious malpractice has taken place or is currently taking place or is likely to take place.

Malicious allegations in the absence of a 'reasonable belief' could result in disciplinary action being taken.

Who to tell and what to expect

We strongly encourage colleagues to raise concerns at the earliest opportunity to Bromford, further detail of the procedures that colleagues need to undertake is provided in the Whistleblowing Procedure.

There are other options if colleagues do not want to report concern to Bromford, for example colleagues can report concerns to our external whistleblowing help line in complete confidence, or obtain external legal advice from a lawyer, or from Protect, the UK whistleblowing Charity, or tell a prescribed person or body.

The Regulator of Social Housing (RSH) is a prescribed person. The role of a prescribed person is to provide colleagues with a mechanism to make their public interest disclosure to an independent body where the colleague does not feel able to disclose the matter directly to Bromford or where they have made a disclosure, but Bromford has failed to act.

If you tell a prescribed person or body, it must be one that deals with the issue a colleague is raising, for example, a disclosure about wrongdoing in the course of a colleague's duties could be made to the RSH.

What Bromford will do

Bromford will listen to a colleague's concern and decide if any action is needed. Colleagues making a disclosure may be asked for further information.

A colleague must say straight away if they do not want anyone else to know they have raised a concern. Disclosures made under this Policy will be treated, as far as possible, in a confidential and sensitive manner. If confidentiality is not reasonably practicable, for instance, because of the nature of the information or the level of investigation required, the reasons will be explained.

Colleagues will not have a say in how their concern is dealt with.

Bromford can keep colleagues informed about the action taken, but Bromford is restricted in the detail afforded to a colleague if they have to keep the confidence of other people.

Protecting a whistleblower

To encourage colleagues to make disclosures in confidence and without fear of recrimination, Bromford will take all reasonable steps to try and ensure that individuals that make disclosures are not victimised, bullied, or otherwise disadvantaged as a result of the disclosure.

Victimising, bullying or other action that is intended to deter a colleague from making a disclosure, or by way of revenge following a disclosure, will be regarded as disciplinary matter.

Any instruction to cover up a wrongdoing is also a disciplinary matter and any colleague instructed to do so, irrespective of who by, should report this straight away. Colleagues should not remain silent if told not to pursue an issue, they should report this immediately.

Anonymous information

Concerns can be raised anonymously, but colleagues should be aware that anonymous allegations are much less powerful and are more difficult to act upon. Colleagues are therefore encouraged to provide their name, otherwise we are unlikely to be able to offer legal protection or provide feedback.

In considering anonymous allegations, the following factors will be considered at our discretion:

- The seriousness of the matter raised.
- The credibility of the allegation made.
- The likelihood of obtaining information from other sources which can confirm the allegation.

The Whistleblowing Procedure

The Whistleblowing Procedure sets out how a concern should be raised and how it will be dealt with. This is alongside a new external confidential Whistleblowing hotline set up for colleagues to raise matters of concern where they do not feel able to raise this internally.

Attached as Annex A is the Whistleblowing Procedure and Annex B the Flowchart of the Whistleblowing process.

If a colleague is not satisfied with how Bromford dealt with a reported concern

A colleague should tell a more senior colleague if a colleague believes a concern was not taken seriously or the wrongdoing is still going on. Alternatively, a colleague can obtain third party advice, for example from [Protect](#) or reporting this concern to the relevant regulator.

Responsibilities

The **Board** had overall responsibility for this policy.

The **Audit and Risk Committee** is responsible for reviewing the policy, making recommendations to the Board, and maintaining oversight of risk management and internal control processes.

The **Chief Risk Officer** and the **Governance** Team are responsible for the preparation of this policy, oversight of its implementation, and maintenance of supporting risk management and internal control systems and processes.

Executive and Functional Directors are responsible for the day-to-day operation of the policy and ensuring it is adhered to.

All **colleagues** are responsible for acting in line with the principles of this policy and associated methodology, tools, and systems.

Legislative or Regulatory Requirements

By following this summary guidelines, it ensures that Bromford adheres to:

- Public Interest Disclosure Act 1998
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Assurance Framework

Bromford has adopted the ‘three lines of assurance’ model. It is built upon Bromford’s strong control culture and organisational delegation of responsibility. It is the responsibility of managerial and supervisory colleagues within business units who use the policy to ensure that the policy is communicated and effectively implemented, and to ensure colleagues are aware of their responsibilities. Adhering to policy and underpinning procedures ensures we continue to operate within our overall risk appetite as a business.

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