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# **Confidential Reporting (Whistleblowing) Policy**

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**Version 5    July 2023**

# **Confidential Reporting Policy**

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# **Rykneld Homes Limited**

## **Confidential Reporting (Whistleblowing) Policy**

### **1. Introduction**

Rykneld Homes Limited (RHL) recognises that its employees and those it provides services to are often in the best position to know when the interests of the public are being put at risk. They can act as an early warning system on matters of health and safety or help to uncover fraud and mismanagement. People who report these concerns are more commonly known as “whistleblowers” and are offered protection by law under the Public Interest Disclosure Act 1998.

The Company recognises that these people may not wish to express their concerns openly for a number of reasons. They may think it is disloyal to do so, or they may fear reprisals, or they may not expect any action to be taken, or they may not know the best way to proceed. They may, therefore, find it easier to ignore their concerns, or to “blow the whistle” to someone outside the Company.

The Company wants to build an environment of trust and openness so that people are prepared to whistle blow knowing that their concern will be treated confidentially, fairly and investigated appropriately.

### **2. Policy Statement**

The Company is committed to the highest possible standards of openness, probity and accountability and to dealing with all fraud and other forms of malpractice reported.

Any tenant, member of the public, employee, contractor, or employee of any other organisation with serious or sensitive concerns about any aspect of the Company’s work, shall be encouraged to come forward. RHL encourages all to voice concerns at an early stage and will ensure this can be done without fear of victimisation, subsequent discrimination or disadvantage. These concerns may relate to issues that are occurring now, took place in the past, or are likely to happen in the future.

All concerns received will be treated in confidence, examined and investigated in accordance with this Policy.

### **3. Concerns covered by the Policy**

The Policy is intended to deal with serious or sensitive concerns about wrongdoings in the following areas:

- fraud and corruption
- any customers that we deal with, particularly children or vulnerable adults, being mistreated or abused
- unauthorised use of Company money or resources

- improper conduct or unethical behaviour
- an unlawful act or criminal activity
- any danger to the health and safety of tenants, members of the public or employees
- damage to the environment
- discrimination of any kind
- the deliberate breaching of a Company Policy or official code or regulation
- attempts to conceal any of the above listed areas.

This list is indicative, not exhaustive.

#### **4. Implementing the Policy**

The Company will take appropriate action to publicise the Policy so that all potential whistleblowers:

- feel confident that they are able to contact the Company and raise their concerns about Company practices
- realise that concerns should be raised about any employee, Board Member, contractor, supplier or anyone who provides services to the public on the Company's behalf
- are aware of the different ways they can inform the Company of their concerns
- understand that concerns will be received in good faith and taken seriously
- are aware that there are risks that we may not be able to investigate anonymous concerns, if there is insufficient information
- understand that they will receive a response to their concerns and are aware of how to pursue them further, if they are not satisfied with the response
- are reassured that they will be protected from victimisation, subsequent discrimination or disadvantage.

A guidance note shall be made available setting out the actions that will normally be taken when a concern is received. (Appendix 1).

#### **5. Investigating Officer**

All whistleblowing concerns received under this Policy shall be reported immediately to the Company Secretary who will be responsible for reviewing the concern, deciding upon the action to take, leading and directing investigations, preparing any subsequent reports and liaising with the person raising the concern. In cases where there are suspicions of fraud or corruption, the matter will be referred to the

Company's Head of Finance in accordance with the Company's Fraud Prevention Policy.

## **6. Safeguards**

The identity of the person raising the concern will remain confidential. If disclosure is required for any reason, then this will be discussed with the person concerned.

The Company will not tolerate the harassment or victimisation (including informal pressures) of any person who has raised a concern. The Company's disciplinary procedures will be used against any employee who is found to be harassing or victimising the person raising the concern or who has disclosed the name of a whistleblower to any person other than the Head of Finance, the Company Secretary or a member of the Senior Management Team.

## **7. Spurious or Malicious Allegations**

If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the person making the allegation. The Company will, however, very seriously view any malicious allegations that it receives. The making of any spurious or malicious allegations by any employee of the Company will be regarded as a serious disciplinary offence.

## **8. Anonymous Allegations**

The Company would always prefer the person making the allegation, to raise it in writing and provide their name and some contact information.

All anonymous allegations will be treated in good faith and investigated as far as practicable. Whilst people have the right to submit a concern anonymously, they should try and avoid making their concern without including details of themselves or their representative. If their concern is found to be justified, but made anonymously, we may be unable to fully investigate or take appropriate action if we cannot contact them to obtain further information. Complainants need to think carefully about remaining anonymous.

## **9. Whistleblowing Externally**

Whilst the Company would like all concerns to be raised with it initially and have the opportunity to investigate an issue internally, it recognises that the Public Interest Disclosure Act 1998 allows for concerns to be made to "prescribed persons". People making external referrals will receive the same safeguards during investigations into allegations. The guidance note will provide information on external whistleblowing.

## **10. Concerns not covered by the Policy**

The Company wants all serious or sensitive concerns to be raised. Any concern that falls under another Company Policy or procedure will be investigated in accordance with that Policy. For example, the grievance or complaints procedure. Concerns involving Board Members will be referred to the Company Secretary and dealt with in accordance with the Board's Code of Conduct.

## **11. Monitoring and Review**

The Company Secretary will be responsible for monitoring the implementation and effectiveness of the Policy and the guidance note. This Policy will be reviewed annually for minor amendments and making any necessary changes. A comprehensive review will take place every three years to ensure its effectiveness and that it is fit for purpose.

## **12. Contact Information**

If you have any queries, comments or suggestions in relation to this Policy, please contact:

Company Secretary:	Marcus Bishop
Telephone:	01246 217670
E-mail:	<a href="mailto:marcus.bishop@rykneldhomes.org.uk">marcus.bishop@rykneldhomes.org.uk</a>

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## **Appendix 1 – Guidance on Reporting Concerns (Guidance for Whistleblowers)**

### **1. Introduction**

This guidance explains how the Company will react when it receives a concern under its Confidential Reporting (Whistleblowing) Policy. You can read the Policy on the Company website or request a copy from the Company Secretary whose telephone number is listed at the end of this note.

We realise that for some individuals it will take a great deal of courage to raise a concern. Please be assured that your concern will be treated in confidence at all times and that we will not tolerate the victimisation of anyone who reports an issue to us.

Concerns received will probably require different responses according to the subject and nature of the issue raised. This guidance is intended to provide you with an idea of the steps we will generally follow when a concern is received.

The guidance applies to all employees, Board members, suppliers, contractors and members of the public who wish to raise a serious or sensitive concern about a potential criminal offence, breach of the law, health and safety or environmental issue.

### **2. What you need to tell us**

If you have a concern, then please raise it with us sooner rather than later. We would much rather be told about a concern and investigate it, even if the investigation shows your concern was unfounded, than not know about the matter in the first place.

It is best if your concern is raised in writing and that you provide your name and some contact information. A telephone number is sufficient.

All anonymous allegations will be treated in good faith and investigated, as far as practicable. Whilst people have the right to submit a concern anonymously they should try and avoid making their concern without including details of themselves or their representative. If their concern is found to be justified, but made anonymously, we may be unable to fully investigate or take appropriate action if we can't contact them to obtain further information. Complainants need to think carefully about remaining anonymous.

You need to tell us as much as you can about your concern. Please try and provide some background information and all the names, dates and places that are relevant. If you have any documentary evidence to support your concern, then please tell us about that as well. The more information you are able to provide, the easier it will be for us to investigate your concern.

If you are uneasy about putting your concern in writing, then contact us using one of the methods below and ask for a meeting, which doesn't have to be at the Company's

offices. If you wish, you can bring other people to the meeting if that will reassure you.

It is important that whichever method you use to make your concern, you make it clear that you are raising the issue as a whistleblower, as this gives you additional statutory rights.

### 3. How to contact us

There are a number of ways you can contact us.

Complete the electronic form that is available on the Company's web pages at <https://www.rykneldhomes.org.uk/contact-us/compliments-comments-and-complaints/> or email us on [contactus@rykneldhomes.org.uk](mailto:contactus@rykneldhomes.org.uk).

Call 01246 217670 and request to speak with the Company Secretary.

Write a letter, clearly marking the envelope "**Strictly Private and Confidential**" to:

The Company Secretary  
Rykneld Homes Limited  
Mill Lane  
Wingerworth  
Chesterfield  
S42 6NG

No matter which method you use to contact us, all the information you provide will be treated in confidence.

### 4. Who will investigate your concern

All concerns are passed to the Company Secretary as soon as they are received. Post that is marked "**Strictly Private and Confidential**" will be passed unopened to the Company Secretary.

### 5. What we will do

Once you have told us of your concern, the Company Secretary may consult with the Head of Finance to initially assess what action could be taken.

The initial assessment may involve an internal inquiry or a more formal investigation. Please be assured that the number of people who are made aware of the concern will be kept to a minimum.

If it is believed that your concern is valid, but should not be classed as a whistleblowing concern, then we may pass your concern to a member of staff in the relevant Department to investigate. Your concern will be passed on anonymously and your details will remain confidential.

Depending on the outcome of the initial assessment, we may decide that your concern is valid but that we have insufficient information to continue with the investigation. If this happens, we will try and obtain further information to allow us to



continue with the investigation. If this is not possible and no other option is available to us, we may request you to gather additional information on our behalf. However, you are under no obligation to do this.

Once we have validated your concern and have sufficient information to continue, your concern will be investigated.

All meetings, decisions and actions taken in dealing with the concern will be recorded in writing.

## **6. Letting you know what we're doing**

If you have provided contact information you will be told who is handling the matter, how you can contact them and whether your further assistance may be needed. If you request it, we will write to you summarising your concern and setting out how we propose to handle it.

When the investigation has been completed, we will contact you again with as much detail about the investigation as we are able to provide. Please note that we may not be able to tell you the precise action we have taken, as this may infringe a duty of confidence owed by us to someone else.

## **7. What if we take no action**

If, after undertaking the initial assessment and speaking with you, we feel that we do not have sufficient information to undertake an investigation into your concern, then we will tell you.

## **8. Maintaining confidentiality**

We will do our utmost to protect your identity. If it has to be disclosed to allow us to undertake disciplinary or other more serious action against any wrongdoer, then we will discuss this with you. In some circumstances, especially if the Police are involved, we may be legally obliged to disclose your identity without your consent. Again, we will discuss this with you.

If you feel that you are being harassed or victimised because you have raised a concern, then you must let us know. We will take action to protect you, as long as we believe that your concern was raised in good faith.

## **9. Who to report to externally**

If you sincerely believe that, by raising your concern with us, you will be subject to victimisation or reprisals of whatever sort, or that evidence to support your concern will be destroyed, then you should raise the matter with an external organisation, known as a "prescribed person".

If you wish to take this course of action, but are unsure of what to do, then please contact the Company Secretary on 01246 217670, who will be able to advise you on what you need to do, without asking for details of your concern.

An organisation called Protect (formerly *Public Concern at Work*) is able to provide independent free advice to people thinking about reporting a concern. They can be

contacted on 020 3117 2520, [Protect - Speak up stop harm - Protect - Speak up stop harm \(protect-advice.org.uk\)](https://protect-advice.org.uk)

When raising a concern externally, remember to make it clear that you are raising the issue as a whistleblower. This gives you additional statutory rights.

#### **10. Further information and advice**

If you want further information or advice about the Confidential Reporting code or whistleblowing, then please contact:

Company Secretary:	Marcus Bishop
Telephone:	01246 217670
E-mail:	<a href="mailto:marcus.bishop@rykneldhomes.org.uk">marcus.bishop@rykneldhomes.org.uk</a>

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# NO ENGLISH? NO PROBLEM

If you require this publication  
in large print or braille  
please call us on

**01246 217670**



## Język polski

W Rykneld Homes zależy nam na dostarczaniu doskonałej jakości usług naszym lokatorom, dzierżawcom i mieszkańcom. Aby porozmawiać z nami po polsku zadzwoń pod numer

**01482 971724**



## For all other languages

**01246 217670**