



## **WHISTLEBLOWING POLICY**

### **1. Policy Statement**

Lambeth and Southwark Housing Association (LSHA) is committed to being open, honest and accountable and maintaining the highest standards of equality, integrity and probity. We are all responsible for upholding these standards and speaking up if we become aware of any suspected or potential wrongdoing.

### **2. Scope**

The aim of this policy is to encourage people to raise any concerns about poor practice at LSHA without fear of repercussions and to provide reassurance that they will be taken seriously.

### **3. Legislation and Regulation**

Whistleblowing is covered by the Public Interest Disclosure Act 1998 and provides formal protection for employees who raise concerns about the following specified areas:

- a criminal offence
- a failure to comply with any legal obligation
- a miscarriage of justice
- a health and safety risk to an individual
- an act causing damage to the environment, or
- the concealment of any of the above

While formal protection is limited to workers, to encourage disclosure by others who may become aware of wrongdoing, it is LSHA's intention to act as if it applied to board members, residents and others working on behalf of the association.

### **4. Definitions**

Whistleblowing is the reporting of suspected misconduct, illegal acts or failure to act within LSHA's standards and policies.

## **5. Principles**

Staff can – and should – express any such concerns without fear of victimisation, subsequent discrimination or disadvantage. All staff have a duty of care to raise any matters of concern which may cause damage to their employer's business or reputation. LSHA encourages and enables staff to raise concerns within LSHA in the first instance, rather than overlooking a problem or 'blowing the whistle' outside.

These matters may include (but are not limited to):

- fraud and financial irregularities, including bribery,
- falsification of records,
- unauthorised absence from work,
- theft, abuse, neglect, bullying, harassment,
- health and safety or other risks.

In line with LSHA's commitment to the highest possible standards of openness, probity and accountability throughout its business, we expect staff and others that we deal with who have serious concerns about any aspect of LSHA's work to come forward and voice those concerns.

All genuine concerns will be handled responsibly, professionally and in a positive manner.

Any matter raised will be investigated thoroughly and fairly.

## **6. Process**

Staff should raise any concerns with the line manager or, if this is not possible, with the Chief Executive. If this is not appropriate, they should report it to the Chair of the Board.

Involved residents should raise their concerns with the Operations Manager or with the Chief Executive.

Board members should be able to raise their concerns with the Chair or the Chief Executive.

Others working on behalf of LSHA, such as suppliers, should raise their concerns with the Chief Executive or Chair.

Where there are serious concerns which cannot be raised through the usual channels as outlined above, these should be raised with the Vice Chair of the Board or Chair of the Audit and Risk Committee.

Where possible, concerns should be sent marked 'Private and Confidential' to the appropriate officer or board member via:

21 Claylands Place,  
London  
SW8 1NL

Alternatively, emails can be sent to the Chief Executive ([emma.keegan@lsha.org.uk](mailto:emma.keegan@lsha.org.uk)), Operations Manager ([angela.bailey@lsha.org.uk](mailto:angela.bailey@lsha.org.uk)) or to the Chair, Vice Chair or Audit and Risk Committee via the association's website ([Contact Us – Lambeth and Southwark Housing Association \(lsha.org.uk\)](http://lsha.org.uk)).

## **7. Public Whistleblowing**

This policy does not override the legal right to make a protected disclosure to certain prescribed persons or bodies under the Public Interest Disclosure Act 1998.

If, after reporting your concerns internally, you reasonably believe that the appropriate action has not been taken, you should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures can be made. These include:

- Environment Agency
- Financial Conduct Authority
- Health and Safety Executive
- Regulator of Social Housing
- HM Revenue and Customs
- Serious Fraud Office

Individuals can also approach an independent organisation called Protect who may be able to provide confidential advice. They can be reached via their website ([Protect - Speak up stop harm \(protect-advice.org.uk\)](http://protect-advice.org.uk)) or on 020 3117 2520.

## **8. Protection for whistleblowers**

There are very specific criteria that need to be met to claim protection under the Act when you raise a concern. Firstly, you must be able to demonstrate a reasonable belief that you are acting in the public interest.

Personal grievances and complaints are not covered by the Act and should be addressed using LSHA's internal procedures.

Secondly, you have to show three things to claim protection:

- (1) That you have made a disclosure
- (2) That you have followed the correct disclosure procedure, as set out in this policy, and
- (3) That you were dismissed or suffered in another way because you made the disclosure.

Although a whistleblower has protection under the law, this does not apply to their own wrongdoing.

Maliciously making a false allegation is a disciplinary offence. An instruction to cover up wrongdoing is also a disciplinary offence.

## **9. Monitoring and Review**

The Board will receive a report at each meeting (even if there have been no cases) and when a whistleblowing allegation occurs. The confidentiality and anonymity of people will be preserved when reporting.

This policy will be reviewed every two years or in response to changes in legislation, regulation or the Association's Rules.