



Trident Group



a beacon of hope

Whistleblowing Policy and Procedure

Department: People and Resources

Version:	20
Author:	Human Resources
Issue Date:	January 2024
Review Date:	March 2025
Staff Affected:	All
Approved By:	Employee Forum
Lead Officer	HR Manager

Uncontrolled version if printed or emailed.

If you are viewing this document from your personal drive or as a hard copy it may not be the latest version.

Contents

Section Number	Section Name	Page Number
1.	Policy Statement	3
2.	Policy Purpose	3
3.	Scope of Policy	3
4.	Responsibilities	3
5.	Procedure and Guidance	4
6.	How concerns can be raised	4
7.	How concerns can be investigated	6
8.	The Organisation's response to the investigation	7
9.	Appeals	7
10.	External points of contact	7
11.	References	9
12.	Legal	9
13.	Monitoring and Review	9

1. Policy Statement

Trident Group (the organisation) is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices. To achieve these ends, it encourages openness and freedom of speech in accordance with the organisation's values. It also encourages staff to use internal mechanisms for reporting any malpractice or illegal acts, which may affect the business.

2. Policy Purpose

The purpose of this policy is to:

- Enable employees to report such relevant matters to management for investigation and action.
- Demonstrate the organisation's commitment to employees who need to express a concern about an aspect of the organisation.
- Provide procedural guidance to employees for voicing complaints or concerns.
- Generate an open culture where freedom of speech is encouraged, whilst maintaining customer confidentiality.

3. Scope of Policy

This policy applies to all employees who, for the purpose of this policy alone, will include all permanent employees, casual employees, volunteers and fixed term contractors, whether contracted on a full or part time basis. Other individuals performing functions in relation to the organisation, such as agency workers and contractors, are encouraged to use it.

4. Responsibilities

The Executive Team

The Executive Team is responsible for:

- Promoting the Whistleblowing Policy across the organisation.

Managers

All managers are responsible for:

- Ensuring all team members are aware of the Whistleblowing Policy and their responsibilities.
- Creating an environment whereby an employee feels confident that any issue raised will be dealt with and that the raising of any issue will not result in the employee suffering any detriment or victimisation for having raised concerns.
- Undertaking investigations thoroughly into any allegations received.
- Liaising with the Head of HR at the point of becoming aware of potential Whistleblowing.
- Creating an environment where employees feel comfortable about raising issues in line with the Whistleblowing Policy.

Employees

All employees are responsible for:

- Complying with the procedures as outlined in the Whistleblowing Policy.
- Feeling confident in raising issues or concerns to managers.
- Not causing victimisation to employees who have made use of the Whistleblowing Policy.

Human Resources (HR)

HR is responsible for:

- Advising on the organisation's policy and procedure as appropriate.
- Ensuring training is provided to all employees with line management responsibility.
- Ensuring the policy accurately reflects current employment legislation.

5. Procedure and Guidance

- The organisation has a range of policies and procedures, which deal with standards of behaviour at work. These policies and procedures include: Disciplinary, Grievance, Bullying and Harassment, Recruitment and Selection and Health and Safety.
- This policy and procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, he/she should use the organisation's grievance procedure.
- The organisation believes that it is important to create a culture where employees are encouraged to use the provisions of these procedures when appropriate and, where necessary, to seek the advice of HR. There may be times, however, when the concern is not about a personal employment position, but relates to an allegation of a malpractice affecting the organisation and needs to be handled in a different way. A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that:
 - a criminal offence has been committed, is being committed or is likely to be committed;
 - suspected fraudulent or corrupt behaviour;
 - disregard for legislation, particularly in relation to health and safety at work and employment law;
 - breach of financial regulations;
 - showing undue favour over a contractual matter or to a job applicant;
 - a breach of a code of conduct.

The above list is not exhaustive.

6. How concerns can be raised

- It should be noted that concerns that are raised anonymously will not normally be investigated.

- The organisation prefers matters to be raised when they are just a concern rather than wait for concrete proof. The Whistleblowing Policy and Procedure is primarily for concerns where the interests of others or the organisation itself are at risk.
- The employee raising the concern should normally raise the issue with their line manager. However, it is appreciated that this is not always appropriate and therefore, in these cases concerns can be raised with another manager with whom the employee feels comfortable. If appropriate the individual can also speak to any member of the Senior Management Team; any of the Directors; or the Company Secretary. Employees can also approach HR or a member of Employee Forum with any concerns.
- The manager who is receiving this initial information from the person raising the concern is known as the Reporting Manager.
- The Reporting Manager will arrange an initial confidential interview to ascertain the area of concern. This meeting can be held either on or off site, whichever the employee is most comfortable with. At this stage, the employee raising the concern will be asked whether they wish their identity to be disclosed in the investigation and will also be reassured about protection from possible reprisals or victimisation. The employee raising the concern will also be asked whether or not they wish to make a written or verbal statement. In either case, the Reporting Manager will write a brief summary of the interview, which will be agreed by both parties.
- At this stage timescales for feedback will be agreed by both parties, but as a guideline should be on a fortnightly basis.
- The Reporting Manager will report the information to HR who will be responsible for ensuring that the concern is one that is relevant to the Whistleblowing Policy and then for appointing the most appropriate person to carry out the investigation. This person is known as the Investigating Manager who will be one of the following groups of people:
 - the senior (line) manager of the person raising the concern;
 - a member of the Senior Management Team;
 - a member of the Executive Team;
 - the Company Secretary;
 - a member of Employee Forum (EF)
- In some circumstances it may be necessary to refer to the Fraud Policy (which sits with the Head of HR) rather than the Whistleblowing Policy.

7. How concerns can be investigated

- The investigation will be carried out by the Investigating Manager under the terms of strict confidentiality. In certain cases, however, such as allegations of ill treatment or fraud, the organisation may have to consider applying precautionary leave from work of the individual(s) against whom the complaint is made. Protection of the person raising the concern is paramount in all cases.
- The person raising the concern will be kept informed about the investigation and its outcome in accordance with the timescales agreed with the Reporting Manager.
- If the result of the investigation is that there is a case to be answered by any person, the organisation's Disciplinary Policy and Procedure will be used.
- Where there is no case to answer, but the person raising the concern held a genuine concern and was not acting maliciously, management will take appropriate action to protect the person raising the concern from suffering any detriment or victimisation for having raised the issue. If this does occur the employee(s) responsible will be referred to the organisation's Disciplinary Policy and Procedure.
- Only where false allegations are made maliciously or the correct reporting procedures under the Whistleblowing Policy and Procedure are not followed will it be considered appropriate to act against the employee raising the concern under the terms of the Disciplinary Policy and Procedure.
- For monitoring purposes, the Investigating Manager will keep HR informed of the progress of the investigation.
- The organisation will not tolerate any harassment or victimisation of people who raise concerns under this process (including informal pressures), and will treat this as a serious disciplinary offence, which will be dealt with under the Disciplinary Policy and Procedure.
- The organisation recognises that an employee may wish to seek advice and be accompanied by a member of the Employee Forum, a Work Colleague or a Trade Union Official when using the provisions of this policy.

8. The organisation's response to the investigation

- Following the investigation, the Investigating Manager will arrange a meeting with the person raising the concern and the Reporting Manager to give feedback on any action taken. This will not include details of any disciplinary action, which will remain confidential to the individuals concerned. The feedback will be provided within the time limits specified.

9. Appeal Process

- If dissatisfied with the progress of, or the outcome of, an investigation carried out under this procedure, the person who raised the concern may write to the Group Chief Executive indicating the reason for their dissatisfaction and the outcome sought.
- The person(s) who is/are the subject of an investigation, if dissatisfied with the progress or outcome, may write to the Group Chief Executive. Their reasons for dissatisfaction and the outcome sought must be made explicit.
- The Group Chief Executive will consider the appeal and respond within a maximum of 4 weeks.

10. External points of contact

- If the employee raising the concern through this procedure is not satisfied with the outcome of the investigation, the organisation recognises the lawful rights of that employee to make disclosures to prescribed persons. However, this procedure has been written to ensure that there is always someone with whom the employee can raise concerns, and disclosures to the prescribed persons below should only be made once the internal process has been exhausted.
- Public Concern at Work (for confidential and independent advice)
- Tel: 020 7404 6609. E-mail: whistle@pcaw.org.uk
- Performance Audit staff in the relevant regional office of the Homes and Communities Agency;
- The organisation's Employee Assistance Scheme tel: 0800 285 1538;
- In the case of abuse of vulnerable people in a residential home, the local authority social services registration officer;
- Care Quality Commission:

West Midlands Regional Office

77 Paradise Circus
Queensway
Birmingham
B1 2DT

Tel: 03000 616161
Fax 03000 616172

- In the case of abuse of public funds, the Homes and Communities Agency, which is responsible for regulating all registered social landlords.

- Ombudsman:

Housing Ombudsman Service
81 Aldwych
London
WC2B 4HN

Tel: 0300 111 3000
Fax: 020 7831 1942
Email: info@housing-ombudsman.org.uk

- In the case of a criminal offence, the police.
- The organisation hopes that none of these will ever prove necessary. If this policy and procedure is correctly applied you should not need to contact these external agencies to express concern.

11. REFERENCES

Bullying and Harassment Policy
Code of Conduct
Discipline Policy
Grievance Policy
Health and Safety Policy
Internal Communication Policy and Procedure
Recruitment Policy

12. LEGAL FRAMEWORK

GDPR Regulations
Employment Rights Act
Health and Safety at Work Act
Public Interest Disclosure Act
Employment Tribunals Regulations
Equality Act 2010

13. MONITORING AND REVIEW

HR will be responsible for the monitoring and periodic review of the Whistleblowing Policy and Procedure to ensure the requirements are being met. Employees can suggest amendments to this policy and procedure at any time, and can do so via the HR team, or Employee Forum.