

WHISTLEBLOWING POLICY

Document information				
Version Number		V2.0		
Type		Corporate Policy <input checked="" type="checkbox"/> Customer Policy <input type="checkbox"/> Staffing Policy <input type="checkbox"/>	Operating Procedure <input type="checkbox"/>	
Scope		Albyn Group <input checked="" type="checkbox"/>	Highland Residential <input type="checkbox"/> Albyn Housing Society <input type="checkbox"/>	
Sponsor		Head of Human Resources		
Owner		Head of Human Resources		
For website publication (Y/N)		Y		
Distribution		All Staff <input checked="" type="checkbox"/> Customers <input type="checkbox"/> Albyn Board <input checked="" type="checkbox"/> Highland Residential Board <input checked="" type="checkbox"/>	Finance <input type="checkbox"/> Corporate <input type="checkbox"/> Office of CEO <input type="checkbox"/> Human Resources <input type="checkbox"/> Customer & Property Services <input type="checkbox"/> Highland Residential <input type="checkbox"/>	
Approval Record				
Version	Review Type	Approver	Date	
V1.0	New Policy	Staff Consultative Forum	11/2019	
V2.0	Major review	Albyn Board	03/2025	
Date of next planned review		03/2030		
Summary of changes to document				
Date	Action by	Version updated	New version number	Brief description (e.g. updated job titles, reviewed section on delivery, whole document updated, corrected typos)
01/25	HHR	V1.0	V2.0	Major review of policy to bring in line with updated legislation.

CONTENTS

1.	INTRODUCTION	1
2.	SCOPE	1
3.	POLICY	2
5.	DATA PROTECTION	4
6.	EQUALITIES	4
7.	NOTIFIABLE EVENTS	4

Appendix: Form for Raising a Whistleblowing Concern

1.0 INTRODUCTION

- 1.1 A key aim of Albyn Group is to build the mission, values and vision of the organisation into its decision making on a daily basis. The Albyn Group aims to follow its guiding principles in all policies and procedures: <https://www.albynhousing.org.uk/about-us/>
- 1.2 Whistleblowing is one of the most effective ways of preventing and eliminating wrongdoing at work.
- 1.3 We recognise that raising a whistleblowing concern can be daunting. However, we encourage you to report concerns internally as soon as possible where you suspect wrongdoing. We are here to listen and will take all concerns that you raise seriously.
- 1.4 This policy sets out the procedure for raising a whistleblowing concern and the support and protection that is available to you when you do so.
- 1.5 If your concern relates to a personal grievance that is not in the public interest (for example, an allegation of bullying or harassment, or an allegation that your contract of employment has been breached), you should raise it under our separate grievance procedure.
- 1.6 If you are unsure about whether your concerns are best dealt with under the whistleblowing policy or grievance procedure, please speak to the HR department for further advice.
- 1.7 This policy does not form part of your contract of employment, and we reserve the right to amend or withdraw it at any time.

2.0 SCOPE

- 2.1 This policy applies to all employees and workers employed by us. Other individuals, including our Board members, contractors, subcontractors, suppliers, agency workers, volunteers and members of the public are also encouraged to follow the procedure set out in this policy.

2.1 Whistleblowing concerns to which this policy relates

- 2.1.1 Whistleblowing is the act of reporting suspected wrongdoing or risk of wrongdoing relating to:
 - a criminal offence;
 - a failure to comply with a legal obligation;
 - a miscarriage of justice;
 - a risk to the health and safety of an individual;
 - damage to the environment; or
 - an attempt to cover up any of the above.
- 2.1.2 It is not necessary for you to prove the wrongdoing. However, to be protected by whistleblowing laws against detrimental treatment or dismissal, you must reasonably believe that wrongdoing (related to one of the categories listed above) is being, has been, or is likely to be committed and that your disclosure is in the public interest.

3.0 POLICY

3.1 Stage 1 - Raising a whistleblowing concern

- 3.1.1 If you have a genuine concern relating to any type of wrongdoing that is covered under this policy, you should raise it with your line manager. If your concern relates to your line manager, or for any reason you do not wish to approach your line manager, or you do not work for Albyn Group then you should raise your concern with a more senior manager or the HR department.
- 3.1.2 As we want to encourage individuals who do not have a line manager in the organisation to make use of this policy, we recommend use of the process and forms provided to enable them to make a report.
- 3.1.3 You can raise your concern orally, or in writing. We recommend that you use the 'Albyn Group Form to raise a whistleblowing concern' (attached). It is important that you set out clearly:
- the details of the suspected wrongdoing;
 - the names of any individuals involved; and
 - and what action (if any) you are seeking.
- 3.1.4 In some cases, it may be necessary to ask you to attend a meeting to clarify the nature of your concern. This will be arranged as soon as possible. You may, if you wish, bring a colleague or a trade union representative with you to the meeting. Where it is considered appropriate, a member of the HR department may also be present.

3.2 Stage 2 - Responding to your whistleblowing concern

- 3.2.1 The manager, or HR department, to whom you raise your concern will decide if an investigation is required and, if it is, the most appropriate person to conduct it. The relevant manager will write to you confirming that they are conducting an investigation and the timescale for completion.
- 3.2.2 The level of investigation and time this will take will vary depending on the nature of the suspected wrongdoing.
- 3.2.3 Following the investigation, the relevant manager will inform you in writing, as quickly as possible after completion of the investigation, of the outcome and any next steps or action that will be taken. While we aim to provide you with comprehensive feedback, in some cases this may not be possible, for example where data protection rules apply or there are sensitive issues that need to remain confidential.

3.3 Stage 3 - Appeal

- 3.3.1 If you are not satisfied with how your concern has been dealt with, you should appeal to a more senior manager than the manager who handled the original concern and to the HR department.
- 3.3.2 You can raise your appeal orally, or in writing. It is important that you set out clearly the grounds of your appeal, i.e. the basis on which you consider that your original concern has not been satisfactorily dealt with.

- 3.3.3 In some cases, it may be necessary to ask you to attend a meeting to clarify the nature of your appeal. This will be arranged as soon as possible. You may, if you wish, bring a colleague or a trade union representative with you to the meeting. Where it is considered appropriate, a member of the HR department may also be present.
- 3.3.4 The relevant manager will consider your grounds for appeal and review the manner in which your original whistleblowing concern was handled. You will be informed in writing of the outcome as quickly as possible.

3.4 Confidentiality and anonymity

- 3.4.1 We want you to feel comfortable about raising a whistleblowing concern openly and actively encourage you to do so.
- 3.4.2 Where you raise a whistleblowing concern openly, we will maintain your confidentiality as far as possible. If we need to identify your identity to anyone, we will notify you beforehand.
- 3.4.3 In the alternative, you may decide to raise a whistleblowing concern anonymously.
- 3.4.4 We encourage anonymous reporting over remaining silent. Although we will investigate any concern that is reported anonymously as best we can, an anonymous report is likely to be more difficult for us to investigate and we will not be in a position to provide you with any feedback.

3.5 Our commitment to you

- 3.5.1 You have the right not to be subjected to any detrimental treatment (including being unfairly penalised, disciplined or dismissed) because you have raised a whistleblowing concern.
- 3.5.2 If you raise a whistleblowing concern in accordance with this policy, we will ensure that you are treated with respect and provided with adequate support and protection.
- 3.5.3 If you are told not to raise or pursue a whistleblowing concern, or you believe that you have been subjected to detrimental treatment because you have raised a whistleblowing concern, you should report the matter to the HR department. In the alternative, you can raise it under our grievance procedure if it applies to you.
- 3.5.4 Any such behaviour will not be tolerated and will be treated as a disciplinary offence.
- 3.5.5 If we find that an individual has knowingly raised false allegations, this will also be treated as a disciplinary offence.

3.6 Raising your whistleblowing concerns externally

- 3.6.1 We encourage you to raise your whistleblowing concerns internally in the first instance. If you feel that appropriate action has not been taken, you should report the matter to the Scottish Housing Regulator shr@shr.gov.scot
- 3.6.2 The Role of the Scottish Housing Regulator:
- The Scottish Housing Regulator is the prescribed person you can make a disclosure to about social landlords' performance of housing activities; the registration of

registered social landlords; and social landlords' financial well-being and standards of governance.

- The SHR's role is to safeguard and promote the interests of tenants and service users. They are interested in any conduct which puts this at risk and could threaten the viability or reputation of a regulated body, or the wider sector.

3.6.3 You should seek advice if you are thinking of raising your concern with the media as you will not have protection under whistleblowing laws unless certain conditions are met.

3.7 Further guidance

3.7.1 If you need further guidance or support, you can contact the Scottish Housing Regulator shr@shr.gov.scot the whistleblowing charity [Protect](#) or [Citizens Advice](#) for free confidential advice.

4.0 DATA PROTECTION

4.1 Personal data processed as part of a whistleblowing concern will be done so in accordance with the Albyn Group Data Protection Policy.

5.0 EQUALITIES

5.1 This policy will be implemented in accordance with the Albyn Group Equality & Human Rights Policy.

6.0 NOTIFIABLE EVENTS

6.1 Cases of whistleblowing are a notifiable event and must be reported to the Scottish Housing Regulator in accordance with the Albyn Group Notifiable Event Procedure.

APPENDIX

Form for raising a whistleblowing concern

This form is intended for use by any individual working for Albyn Group and other individuals, including our Board members, contractors, subcontractors, suppliers, agency workers, volunteers and members of the public who wants to raise a concern about wrongdoing.

This form should be used to report wrongdoing within the Group that you believe is in the public interest.

If your concern relates to a personal complaint that is not in the public interest (for example, an allegation of bullying or harassment, or that your contract of employment has been breached), you should raise it under our separate grievance procedure or other relevant procedure. If you are unsure about whether your concerns are best dealt with under the whistleblowing policy or grievance procedure, please speak to the HR department for further advice.

This form should be completed and delivered to your line manager in an envelope marked "confidential" or sent as an email attachment with "confidential" in the subject line. If your concern relates to your line manager, or for any reason you do not wish to approach your line manager, or you do not work for Albyn Group then you should send the form to a more senior manager and to the HR Department.

Once you have submitted this form, we will invoke the procedure set out in our whistleblowing policy. We will respect your wish for confidentiality as far as this is possible.

Formal whistleblowing concern

Name:

Job title/Connection to Albyn Group:

Department/organisation:

Date:

Summary of your concern:

Please set out your concern with as much detail as possible, including the date, time, location, the identities of those involved in the wrongdoing and details of any witnesses. You may attach additional sheets if required.

Nature of your concern:

Please specify if your concern is about a potential: criminal offence; failure to comply with a legal obligation; miscarriage of justice; risk to the health and safety of an individual; damage to the environment; or attempt to cover up any of these.

Outcome requested:

Please set out how you would like to see the issue dealt with, and why and how you believe that this will resolve the issue.

Declaration:

I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that, if I knowingly make any false allegations, this may result in disciplinary action being taken against me by the organisation.

Form completed by:**Signature:****For completion by the organisation:**

Date form received by the organisation:

Name of recipient and job role:

Signature: