

Whistleblowing

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Implemented by	CEO
Approval Body	Management Committee
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0131 458 5480



enquiries@prospectch.org.uk



www.prospectch.org.uk

Contents

1. INTRODUCTION AND AIMS	1
2. LINK TO OTHER POLICIES AND PROCEDURES	2
3. RAISING CONCERNS	2
4. <u>SUPPORT FOR THOSE RAISING CONCERNS</u>	3
5. MALICIOUS ALLEGATIONS	3
6. PERFORMANCE MONITORING	3
<u>Appendix 1</u>	4
7. PROSPECT EQUALITY IMPACT ASSESSMENT RECORD	5



1. INTRODUCTION AND AIMS

A whistleblower can be defined as a person who reports on, or someone who puts a stop to, something. In the workplace, the term is normally used to describe a person who believes there have been instances of improper or unacceptable conduct, and who decides to report their concerns to someone they believe will be in a position to deal with them.

We are keen to encourage a culture of openness which enables Committee Members and staff who have concerns to express these without fear that they will be victimised. We believe that this is important, as while the concern may turn out to be unfounded, it could also be a serious matter affecting our reputation and viability such as fraud, or a potential danger to the public, or some other serious malpractice.

The aim of this policy therefore is to enable Committee Members and staff to raise concerns about propriety or probity confidentially with the appropriate person, either at Management Committee or management level, or if necessary outwith the organisation, in accordance with the provisions of current legislation (the Public Interest Disclosure Act 1998 as amended by the Enterprise & Regulatory Reform Act 2013).

For a staff or Committee member to be protected under the current law from victimisation or dismissal (or to take their case to an Industrial Tribunal if they are claiming victimisation or unfair dismissal) the following principles should apply:

- a) the information being reported should be a 'qualifying disclosure', i.e. the person reasonably believes that one or more of the following matters is either happening, has taken place, or is likely to happen in the future:
 - a criminal offence
 - the breach of a legal obligation
 - a miscarriage of justice
 - a danger to the health and safety of any individual
 - damage to the environment
 - a deliberate attempt to conceal any of the above.

[Extract from Acas guidance on Whistle-blowing - Public Interest Disclosure]

- b) the disclosure must be made 'in good faith', which means that 'in the reasonable belief of the person making the disclosure, it must be in the public interest', i.e. the law on whistleblowing does not protect a staff member from raising a matter of private interest, such as an alleged breach of their personal contract of employment;
- c) the person making the disclosure must have followed the organisation's policy on whistleblowing (see section 2).

We expect our Committee Members and staff to fulfil their responsibilities and carry out their duties to highest possible standards and to the best of their capabilities. Any instances of improper behaviour will be regarded and dealt with very seriously.

For the purposes of this policy we regard the following as being unacceptable, and matters that would come under the 'public interest' test of current law:

- fraud
- falsifying records
- moonlighting
- accepting bribes or other activities in breach of the policy on Preventing Bribery & Fraud

- breaches of the Payments, Benefits and Corporate Accountability policy
- non-disclosure of interests
- breaches of confidentiality
- serious breach of procedures (e.g. regarding housing allocations)
- any type of discrimination, harassment or bullying
- actions or behaviour resulting in a health and safety risk
- actions or behaviour resulting in a threat to public safety
- covering up any of the above activities.

The above list is not exhaustive but is intended to indicate the types of behaviour and action we would find unacceptable.

This policy should not be confused with the Grievance policy and procedure, which should be used when staff are concerned about any of their terms and conditions of employment, or their work practices.

2. LINK TO OTHER POLICIES AND PROCEDURES

This policy should be read in conjunction with:

- Committee members code of conduct (COR 01)
- Disciplinary and appeals (PER 16)
- Grievance (PER 17)
- Staff code of conduct (PER 21)
- Whistleblowing procedure (COR 41)

3. RAISING CONCERNS

Unless the matter involves their line manager, staff should raise any concerns initially with their manager, failing whom with the CEO.

A staff member may also approach the CEO if, having first approached their manager, they are still concerned that the matter is not being dealt with appropriately or with sufficient urgency.

However we recognise that individuals who know of unacceptable actions or behaviour may not feel comfortable about raising the issue within the existing line management structure.

Staff may, therefore, approach the Chairperson of the Management Committee to discuss their concerns on a confidential basis.

A Committee Member should raise any concerns initially with the CEO. If the concern involves the CEO the Committee Member should approach the Chairperson.

We accept that in some circumstances individuals may feel uncomfortable about raising a concern within the organisation and may wish to raise the complaint with, or seek advice from, an external body. Examples of external agencies that staff or Committee Members may wish to contact include:

- the Scottish Housing Regulator
- the Association's solicitors
- the Association's internal or external auditors
- the charity 'Protect'

- Police
- for staff who are members - their Trade Union.

Contact details for relevant organisations are given in Appendix 1

4. SUPPORT FOR THOSE RAISING CONCERNS

We wish to create an environment where Committee Members and staff are free to raise genuine concerns confidentially if they wish and without fear of victimisation or reprisal.

The Management Committee recognises their responsibilities and liability towards all staff under current disclosure law and confirms that they will support anyone who has an honest and reasonable suspicion that unacceptable practice has occurred, is occurring or is likely to occur.

A staff member who takes action against an individual who raises a genuine concern will be subject to disciplinary action and may face dismissal.

A Committee Member who takes action against an individual will be subject to the Committee Members' Code of Conduct and may have to resign from the Committee, or the Committee can vote to have them removed.

Where a specific complaint is made we will carry out any investigation required in as confidential a manner as possible.

5. VEXATIOUS ALLEGATIONS

Where a member of staff makes a complaint and it is found to be vexatious in intent, this will be regarded as a serious offence and the member of staff may be liable to disciplinary action, possibly resulting in dismissal.

Where a Committee Member makes a vexatious complaint, this will be dealt with under the Committee Members' Code of Conduct and the individual may have to resign from the Committee.

6. PERFORMANCE MONITORING

The CEO is responsible for ensuring that this policy is implemented when required.

All staff and Committee Members will be made aware of this policy as part of their induction arrangements.

The CEO will ensure that summary details of any concerns raised through 'whistleblowing' and any resulting action are submitted to the Management Committee in May of each year, in the same format as the annual report on complaints.

The CEO will ensure that this policy is reviewed at least every 3 years by the Management Committee.

Useful Names and Telephone Numbers

Scottish Housing Regulator

Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
0141 242 5642
shr@shr.gov.scot

External Auditors

CT
61 Dublin Street
Edinburgh
EH3 6NL

Internal Auditors

TIAA
61 Dublin Street
Edinburgh
EH3 6NL
0845 3003333

Solicitors

T C Young, Solicitors
69 George Street
Edinburgh
EH2 2JG

Protect (previously Public Concern at Work)

The Green House
244-254 Cambridge Heath Road
London E2 9DA
020 3117 2520
www.protect-advice.org.uk

Health & Safety Executive

Edinburgh Queen Elizabeth House
1 Sibbald Walk
Edinburgh EH8 8FT
0131 247 2000
www.hse.gov.uk

Police

Wester Hailes Police Station
Dumbryden Drive
EDINBURGH
EH14 2QR
111

7. PROSPECT EQUALITY IMPACT ASSESSMENT RECORD

Title of policy/ practice/ strategy	Whistleblowing
Department	Corporate
Who is involved in the EQIA?	Brendan Fowler
Date completed	November 2025

Stage 1: Screening Record

What is the main purpose of the policy?

The aim of this policy therefore is to enable Committee Members and staff to raise concerns about propriety or probity confidentially with the appropriate person, either at Management Committee or management level, or if necessary outwith the organisation, in accordance with the provisions of current legislation (the Public Interest Disclosure Act 1998 as amended by the Enterprise & Regulatory Reform Act 2013).

Who will the policy benefit and how?

The policy will directly impact Committee members and staff as it provides information on how to raise concerns. It indirectly impacts tenants and service users by providing reassurance that there is a policy in place to deal with instances of malpractice.

For each equality group, does or could the policy have a negative impact?

Protected characteristic	Negative	Positive/no impact	Don't know
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy & maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief (including no belief)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Yes	No
Is a full EQIA required?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answered no to the above question explain why a full EQIA is not required:

The policy does not have any particular impact on any protected characteristic. The policy ensures Committee or staff members have protection from harassment and/or discrimination, including those who may be discriminated due to their protected characteristic. The policy includes a list of internal and external contacts that concerns can be raised with. This gives Committee and staff a choice as to who to approach and therefore allows for those with a protected characteristic to approach someone that they feel most comfortable discussing their concerns with.

No impact on equalities identified:	<input checked="" type="checkbox"/>
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