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# Whistleblowing Procedure

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# 1. Introduction

- 1.1 This procedure applies to colleagues, board and committee members and others working on our behalf. We are all responsible for protecting our standards and speaking up if we become aware of any suspected wrongdoing. We encourage transparency, openness and feedback and see whistleblowing as a vital means of tackling wrongdoing in the workplace.
- 1.2 The procedure outlines the process for raising a concern in respect of action which is, or is likely to lead to:
  - Actual or suspected criminal offences
  - Miscarriage of justice
  - Serious health and safety risks
  - Financial malpractice or impropriety (including tax evasion)
  - Fraud
  - Damage to the environment
  - Failure to comply with legal obligations
  - Deliberate suppression or concealment of any of the above.
- 1.3 Raising such concerns is considered to be in the public interest and the Whistleblowing Procedure protects any individual raising a concern from experiencing detrimental treatment, as long as this is done in good faith.
- 1.4 This procedure does not cover the following areas:
  - Complaints relating to your personal circumstances, such as the way you have been treated at work or your terms and conditions of employment. In these circumstances, you should raise concerns using our procedures for dealing with grievance, harassment and bullying.
  - Concerns relating to breaches of third party contracts (e.g. supply contracts) unless they relate to health and safety breaches or a suspected illegal activity.
  - General concerns should be directed to the supplier in line with the terms of the contract or raised with the relevant director.
  - Concerns about a resident which are not related to an action by a colleague or anyone working on our behalf. These are dealt with through our procedures for safeguarding.

## 2. Reporting and Investigating

- 2.1 If you need to raise a concern you should follow the process set out below. An overview of the stages can also be found at Appendix 1. This is designed to ensure that your concerns are handled properly, in confidence and without the worry of negative consequences.
- 2.2 **Stage 1**
  - 2.2.1. You are encouraged to raise your concerns (in writing or face to face) in the first instance with the Director of People who is best placed to ensure that your concerns are handled appropriately and that your interests are protected. If you are not comfortable raising your concerns with the Director of People you should raise your concerns with the Executive Director of People and Culture or your Executive Director. Rosebery colleagues should raise concerns with the Head of Marketing, Communications and Corporate Resources or any member of the Executive team.

- 2.2.2. When setting out the issues, it's important to provide as much information as possible (including the background to and history of the concern, any relevant dates, the whereabouts of any relevant documentation, and the reason(s) you are particularly concerned about the situation). This will help us carry out our investigation.
- 2.2.3. We will arrange a meeting with you as soon as practical to discuss the concern. Following this meeting we'll usually make a brief written summary of the concern and provide a copy of this to you. We will also explain how we propose to deal with the matter including whether it is appropriate to use this procedure and/or one of our other policies and procedures.

### **2.3 Stage 1a – Investigation**

- 2.3.1. In order to protect you and those accused of wrongdoing, we may need to conduct an investigation into the allegations.
- 2.3.2. In some cases concerns may be resolved by agreed action and without the need for investigation, for example where it is the result of a training need or miscommunication. If this is the case we will make you aware.
- 2.3.3. The purpose of an investigation is to gather the facts and any documents relating to the allegations; this could involve interviewing you and other people involved or witness to the allegations. You may be asked to comment on additional information found during the investigation.
- 2.3.4. Usually the investigation will be carried out by the person you report the complaint to, however we may appoint another individual or team of individuals from inside or outside of the organisation to act as investigator/s. The investigator will be decided on a case by case basis.
- 2.3.5. You must co-operate fully in any investigation. This includes attending any meetings you're asked to attend and disclosing all relevant documents to us. If you are interviewed, the Investigator will agree with you the method which suits you best, whether that be by telephone or face-to-face.
- 2.3.6. We will aim to keep you informed of the progress of any investigation and its likely timetable. Please note that sometimes the need for confidentiality may prevent us from providing specific details of the investigation or any disciplinary action taken as a result. Any information given about the investigation must be treated as strictly confidential.
- 2.3.7. You will be informed of the outcome of any investigation as soon as reasonably possible. Please note that investigating concerns raised is not the same as either accepting or rejecting them.

### **2.4 Stage 2**

- 2.4.1. If, after following the process above, you are not satisfied that your concern has been addressed adequately, you may escalate your concerns to the Company Secretary, the Rosebery Chief Executive or the Chief Executive.

### **2.5 Stage 3**

- 2.5.1. If a report has been made to any of those persons listed in Stage 2 and you are not satisfied that your concern has been addressed adequately, you may escalate your concerns to the Chair of the Audit and Risk Committee.

## 2.6 Stage 4

2.6.1. If a report has been made to the Chair of the Audit and Risk Committee and you are still not satisfied that your concern has been addressed adequately, you may escalate your concerns to the Chair of the Remuneration and Succession Planning Committee.

## 2.7 Guidance

2.7.1. In all cases, the sooner you raise your concern, the easier it will be to take action.

2.7.2. As a last resort, if you feel that you cannot raise a concern directly with us, then you can contact a prescribed person or body (guidance is available from GOV.UK - blowing the whistle: list of prescribed people and bodies). However, be aware that any prescribed body is likely to contact us directly to carry out our own investigation.

# 3. Anonymous Allegations

3.1 We are committed to ensuring that all allegations raised under the provisions of our policy and this procedure are dealt with appropriately and have put in place a mechanism through which issues can be raised safely. Throughout the investigation process we will keep your identity confidential and will not reveal it to the person(s) who is/are the subject of your concern, or more widely (unless necessary in the conduct of the investigation). This helps to protect your privacy.

3.2 If you choose to raise a concern anonymously and we are unable to ascertain your identity this will limit the response we can take and may inhibit any investigation. Where we receive an anonymous concern, a meeting of the Executive Committee will be convened to collectively consider the appropriate course of action. This may include undertaking some initial investigations in order to establish whether there is a reasonable belief that the allegation may be well founded and merits further investigation. Where it is concluded that the allegation is without reasonable foundation and that there is no evidence base upon which to objectively justify pursuing the allegation, we reserve the right to take no further action.

3.3 All anonymous allegations and actions taken will be reported to the Audit and Risk Committee, including where no further action is deemed to be appropriate.

3.4 When investigating an allegation or concern we have a duty to protect the wellbeing and reputations of all concerned. This includes any persons against whom allegations have been made. This will be taken into account when deciding upon the appropriate response to any concern.

# 4. What else might you need to know?

4.1 The aim of this procedure is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally. However, if all of the internal avenues above have been exhausted and you still have concerns about a lack of appropriate action, we strongly encourage you to seek professional advice before reporting a concern to anyone external to us.

4.2 Whistleblowers should not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected to raising a concern. If you believe that you have suffered any such

treatment, you should inform the Director of People immediately. If the matter is not remedied you should raise it formally using the procedure covering how to make a grievance.

- 4.3 Individuals must not threaten or retaliate against whistle-blowers in any way. If an individual is involved in such conduct they will be managed in line with our policies for disciplinary. Such action is likely to constitute gross misconduct, which can result in summary dismissal.
- 4.4 Abusing this procedure by raising unfounded or malicious allegations, making allegations to deflect from your own personal wrong doing, for personal gain or that you know are untrue, or by unnecessarily bringing us into disrepute, will be treated in line with our disciplinary policies.

## 5. Contact details

Role	Name	Email Address
Director of People	Tricia Anderson	<a href="mailto:tricia.anderson@chg.org.uk">tricia.anderson@chg.org.uk</a>
Director of Governance and Compliance and Company Secretary	Argiri Papatthos	<a href="mailto:argiri.papatthos@chg.org.uk">argiri.papatthos@chg.org.uk</a>
Rosebery Chief Executive	Deborah Pike	<a href="mailto:deborah.pike@rosebery.org.uk">deborah.pike@rosebery.org.uk</a>
<b>Executive Team</b>		
Chief Executive Officer	Sarah Thomas	<a href="mailto:sarah.thomas@chg.org.uk">sarah.thomas@chg.org.uk</a>
Executive Director of Customer Service	Kirsty Pepper	<a href="mailto:kirsty.pepper@chg.org.uk">kirsty.pepper@chg.org.uk</a>
Group Director of Property Services	Peter Evans	<a href="mailto:Peter.evans@chg.org.uk">Peter.evans@chg.org.uk</a>
Executive Director of People and Culture	Amanda Gonsalves	<a href="mailto:amanda.gonsalves@chg.org.uk">amanda.gonsalves@chg.org.uk</a>
Executive Director of Finance	Tim Jennings	<a href="mailto:tim.jennings@chg.org.uk">tim.jennings@chg.org.uk</a>
Group Development Director	Philip Jenkins	<a href="mailto:philip.jenkins@chg.org.uk">philip.jenkins@chg.org.uk</a>
<b>Committee Members</b>		
Chair of Audit and Risk Committee	Graham Woolfman	<a href="mailto:graham.woolfman@chg.org.uk">graham.woolfman@chg.org.uk</a>
Chair of Remuneration and Succession Planning Committee	Cary Wakefield	<a href="mailto:cary.wakefield@chg.org.uk">cary.wakefield@chg.org.uk</a>

## Appendix 1 – Summary of the Whistleblowing Procedure

<p><b>Stage 1 – raising concern</b></p>	<p>Raise your concern with the <b>Director of People</b> (face to face or in writing). If you are not comfortable with raising your concerns with the Director of People you can your concern with the <b>Executive Director of People and Culture</b> or <b>your Executive Director</b>. Rosebery colleagues should raise any concerns with the <b>Head of Marketing, Communications and Corporate Resources</b> or any member of the Executive team.</p> <p>Provide as much information as you can, ie the background to and history of the concern (including relevant dates), the whereabouts of any relevant documentation, and the reason(s) you are particularly concerned about the situation</p>
<p><b>Stage 1a – investigation</b></p>	<p>A meeting will be arranged as soon as possible to discuss the concern.</p> <p>A confidential investigation will usually be carried out.</p> <p>You will be kept informed of progress and the likely timescale.</p> <p>You will be notified when the investigation has been completed, and of the outcome where confidentiality allows.</p>
<p><b>Stage 2 – escalation</b></p>	<p>If you are not satisfied that your concern has been addressed adequately in Stage 1, concerns may be escalated to the <b>Company Secretary, the Rosebery Chief Executive</b> or the <b>Chief Executive</b>.</p>
<p><b>Stage 3</b></p>	<p>If a report has been made to the Company Secretary or the Chief Executive and you are not satisfied that your concern has been addressed adequately, concerns may be escalated to the <b>Chair of the Audit and Risk Committee</b>.</p>
<p><b>Stage 4</b></p>	<p>If a report has been made to the Chair of the Audit and Risk Committee and you are not satisfied that your concern has been addressed adequately, concerns may be escalated to the <b>Chair of the Remuneration and Succession Planning Committee</b>.</p>