



POLICY DOCUMENT

Group Member: Progress Housing Group

Service Area: Business Assurance

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1. INTRODUCTION

- 1.1 The purpose of this policy is to state clearly the commitment of Progress Housing Group (the Group) to act, at all times, to the highest standards of governance, openness, accountability and probity. It sets out the methods by which employees and contractors can raise concerns which they believe are in the public interest, in relation to illegal, improper or unethical conduct. This Policy sets out how concerns can be raised without fear of recrimination (whistleblowing).
- 1.2 The Group's commitment to high standards of integrity and accountability means that it has a zero tolerance approach to incidences of fraud, bribery and corruption. All concerns will be treated in a consistent and fair manner.

2. SCOPE OF THE POLICY

- 2.1 This Policy is intended for any person working for the Group to be able to raise a concern that is, or may be, in the public interest and where the Group's interests or an individual's interests may be at risk. It is part of the Group's Counter Fraud Framework but relates to all public interest concerns and not solely fraud. All employees (including agency staff, volunteers, Concert Living, Key Unlocking Futures, and Reside Housing Association) should understand the risk and potential impact of fraud and unethical conduct on the Group and how such acts divert resources away from the Group's primary objectives.
- 2.2 In addition to permanent and temporary employees, this policy applies to all individuals in the following categories:
- Non-Executive Directors
 - Agency and contract workers
 - Self-employed contractors
 - Persons on work experience, volunteering or training within the Group, either under contract, or as part of a training programme agreed by the Group
 - Employees of any third party service provider (contractors, support providers, agency staff etc.)
 - All the business activities within the operational control environment of the Group are covered by this policy
 - Customers of the Group

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- 2.3 Reports of fraud (or suspected fraud) could also be received from third parties (such as HMRC).
- 2.4 In addition to reporting incidents relating to fraud or money laundering, the Group also encourages the above individuals to report wider concerns about group assets or group data, a compliance, health and safety or service standard nature.
- 2.5 This Policy is intended for public interest concerns to be raised where the interests of others or the Group may be compromised. It does not replace other employment procedures i.e. where an employee has a concern relating to their own employment, reference should be made to the Early Resolution and Grievance Policy. The Group also has a Complaints and Feedback Policy.

3. RESPONSIBILITY

Employee Responsibilities

- 3.1 Suspected concerns must always be reported whenever encountered by employees within their work or in connection with their duties, including where reports have been received from third parties (e.g. HMRC). It is not acceptable to turn a blind eye. The Group wants to make the reporting of public interest concerns as easy as possible and to reassure employees of the safeguards in place.
- 3.2 Individuals reporting a suspected concern should take care to avoid doing anything which might prejudice the case against the suspected fraudster, advice should be sought from the Group's Internal Audit Team in the first instance. Under no circumstances should individuals investigate the allegations themselves.
- 3.3 In addition to reporting a concern, all employees have a duty to report instances where they believe the Group's assets are at risk i.e. a physical security risk where an asset could be stolen, a breach in the IT system making information vulnerable or any other data risks. Employees must always report to their manager instances of breaches (or potential breaches) in IT security.
- 3.4 When requested, all employees should provide assistance to officers investigating the suspected concern but are not expected to provide evidence to substantiate their claim as that will be the role of the appointed investigating officer.

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Internal Audit

3.5 The Director of Business Assurance is responsible for ensuring this policy remains up to date and for the effective implementation of this policy (including ensuring that the methods of reporting concerns are available and easily accessible).

Managers and Directors

3.6 Managers should inform their Director and/or the Director of Business Assurance if there are indications that an external organisation (such as a contractor or client) may be trying to defraud (or has defrauded) the Group.

3.7 They should also inform their Director and/or the Director of Business Assurance if they suspect their employees or other colleagues may be involved in fraudulent activity, impropriety or dishonest conduct.

3.8 Directors and/or the Director of Business Assurance should inform the Group Chief Executive immediately on being alerted to such suspicions and the Chair of the Audit Committee and/or Group Chair if the concern involves a senior officer of the Group or is material in nature.

4. TYPES OF CONCERN

4.1 The list below includes examples of the type of circumstances or concerns that should be reported via this Policy and which qualify for protection under legislation:

- conduct that is an offence or a breach of the law e.g. fraud or theft.
- Failure to comply with a legal obligation or statutory code of practice
- disclosures relating to miscarriages of justice
- health and safety risks, including risk to the public as well as other employees, or service users
- damage to the environment
- possible fraud and corruption
- breaches of legislation relating to equality, diversity and inclusion
- sexual or physical abuse of clients

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- other unethical conduct e.g. information that suggests that incidences falling into any of the above categories is being or may be deliberately concealed and/or failure to take reasonable steps to report or resolve an issue which is likely to cause significant loss to the Group.

4.2 **Malpractice** includes (but is not confined to):

- conduct likely to prejudice the standing of the Group
- breaches of internal rules and regulations
- criminal offences or breaches of civil law
- endangerment of the health and safety of any person
- environmental damage and the deliberate concealment of any malpractice.

4.3 A qualifying disclosure under the PIDA is one in which the reasonable belief of the individual making the disclosure that one or more the above has been committed, is being committed, or is likely to be committed.

5. SAFEGUARDS

5.1 Everyone should have the confidence to raise a concern and to feel assured that they will not suffer detriment as a result of doing so. The Group is grateful to anyone who raises a concern in good faith.

5.2 The Public Interest Disclosure Act (PIDA) 1998 introduced specific protections to enable individuals to disclose information to third parties about alleged wrongdoing and to disclose these concerns without fear of recrimination. Employers are required to take reasonable steps to ensure that any individual who makes a disclosure is not victimised. In order to qualify for protection under the Act, any disclosure made must be a qualifying disclosure. A qualifying disclosure must be made in good faith and the individual making this disclosure must have reasonable belief that one or more of the following has, or is likely to occur:

- A criminal offence
- A failure to comply with any legal obligation
- A miscarriage of justice
- Danger to health and safety of an individual

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- Damage to the environment
- Deliberate concealment of information relating to any of the above.

5.3 Whilst the act only applies to qualifying disclosures, the Group also wishes to promote a compliance culture in which employees are able to report internally any failure to meet expected standards. This policy therefore also encourages disclosure by individuals relating to other matters and requires these, as far as possible, to be regarded and handled in the same way as qualifying disclosures.

5.4 PIDA provides statutory protection for qualifying disclosures, protecting individuals against dismissal, employer reprisals short of dismissal and victimisation as a result of making a disclosure. These rights are day one rights i.e. the whistleblower does not need two years' service as for other employment rights. Provided that a concern is raised in accordance with the law, in good faith and with a reasonable belief that it is true, no action will be taken against anyone reporting a genuine concern even if subsequent investigations do not confirm the concern. If it is found that a concern was raised maliciously and/or to seek personal gain and that the allegations were deliberately false then disciplinary action may be taken against the person making the false allegations, in accordance with the Group's policy.

5.5 The Group will take all reasonable steps to try and ensure that individuals that make disclosures are not victimised, bullied, or otherwise disadvantaged as a result of the disclosure. The Group requires management to be open to concerns regarding allegations of malpractice. Victimising, bullying or any other action by an individual/s intending to deter a colleague from making a disclosure, or by way of revenge following a disclosure will be regarded as serious disciplinary offences.

6. HOW TO RAISE A CONCERN

6.1 By having a Raising Concerns at Work Policy the Group aims to develop a culture of openness; therefore, it is fundamental that any concerns that you have about suspected malpractice within the Group are aired through the appropriate route. It is clearly in all our interests to ensure that any malpractice does not occur; therefore, the Group seeks to adopt a positive approach towards disclosures to protect the Group and employees, suppliers and customers by:

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- increasing the likelihood that any issue will be raised in time to prevent any serious damage or loss
- reducing the amount of time and resources that would have been required had the issue reached crisis point
- reduce the incidence of employees feeling the need to take their concerns to the media, or other third parties
- deterring employees, contractors, suppliers and any other third parties from engaging in malpractice by increasing the likelihood of being caught
- addressing issues quickly to implement positive changes
- allowing any trends and underlying problems to be identified with the opportunity to pre-empt further problems.

6.2 **Raising a Concern (employees)** The procedure for raising a concern is documented in the Raising Concerns at Work Procedure – the Group’s response to public interest disclosures. In the first instance, and if appropriate, an employee should speak to their own line manager with regards to their concerns. The line manager should then report these concerns to the Director of Business Assurance or member of the Internal Audit Team immediately in line with the set procedure. In circumstances where the employee feels that it would be inappropriate to report the concern to the line manager due to their line manager’s involvement in, or relationship to, the incident being reported or because the line manager has failed to take the appropriate action when the concern was raised), then it is appropriate for the employee to go directly to the Director of Business Assurance, or report their concerns confidentially, using one of the following methods:

- Email - internalaudit@progressgroup.org.uk
- Phone - 01772 450624
- Online form - <https://www.progressgroup.org.uk/about-us/corporate-responsibility/whistleblowing/>

6.3 **Raising Concerns (outside of the usual channels)** Employees who have serious concerns that cannot be raised through the usual channels can raise these with the Chair of the Audit Committee or the Deputy Group Chair (details can be provided by the Governance Team, or by using the search function on the intranet). A proportionate and independent investigation will then be undertaken.

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- 6.4 **Raising Concerns (Non-Executive Directors/Independent Members)** If a Non-Executive Director/Independent Member has concerns about the Board or the Group that cannot be resolved, these concerns will be shared with the Board and formally recorded.
- 6.5 **Raising a Concern (individuals not directly employed by the Group)** The Group's website includes a dedicated page to enable individuals to [submit a concern online](#). In addition to this there is a dedicated voicemail service that individuals can use to raise a concern (01772 450624).
- 6.6 **Confidentiality and Anonymity** - all concerns will be treated in confidence and every effort will be made not to reveal the identity of the employee, company or subcontractor making the disclosure. If an individual requests that the disclosure is dealt with anonymously, every effort will be made to protect an individual's anonymity; however, the individual should be made aware that if anonymity is preserved, this may inhibit the proper investigation of the alleged malpractice and, in particular, where the individual/s may be required as witnesses to take the investigation further. Individuals must therefore be aware that the Group will make every effort to protect an individual or group, but this may not be possible in all circumstances, particularly when third party agencies are involved in investigating or taking further action with regards to the alleged malpractice. In such circumstances, the individual will be asked to consent to their identity being revealed and this consent must not be unreasonably withheld, as the Group will do everything possible to protect the individual/s interest.
- 6.7 Where a concern has been reported anonymously, the allegation will still be investigated but the ability to investigate the concern or provide feedback as to the investigation's progress will be reduced if there is no one to contact for more information. Whilst the Group prefers that employees disclose their names when raising a concern, anonymous reports of genuine concerns are better than not raising them at all.
- 6.8 **Further Information and Support** Should any employee, contractor or supplier to the Group feel that they would like to seek some independent advice whilst they are considering making a disclosure the following charity may be able to help. Protect does not investigate concerns but provides free, confidential whistleblowing advice for anyone who is considering or who has raised a concern within their

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own organisation. Protect's aim is to make the process of whistleblowing work for individuals, organisations and society.

Protect (formerly Public Concern at Work)
The Green House
244-254 Cambridge Heath Road

London
E2 9DA

Telephone: 020 3117 2520 (**general enquiries and helpline**)

Web: <https://www.protect-advice.org.uk/>

6.9 Taking Matters Further – if a concern has been reported via this Policy but the person reporting the concern is not satisfied that the Group's response has addressed or investigated the issues raised then, depending on the nature of the concern, there are alternative contacts including the Group's external auditors or relevant professional bodies including the Information Commissioner's Office and the Health and Safety Executive. Disclosure of a concern to a non prescribed body e.g. a newspaper or social media is not covered by whistleblowing legislation therefore it is recommended that appropriate advice is sought prior to raising a concern in this way.

7.0 THE GROUP'S RESPONSE TO CONCERNS

7.1 All concerns raised will be logged centrally (and on the Group's fraud register if relevant) and will be carefully considered as to the appropriate response and investigation route to be undertaken. The Group will aim to acknowledge all concerns raised within two working days. This acknowledgement will confirm that the concern has been received and that a more detailed contact will be made by the appointed investigating officer within five working days. The length of time taken to complete an investigation will vary according to the concern and its complexity however every effort will be made to reach a conclusion a timely conclusion without unnecessary delays.

7.2 An appropriate person will be identified as the investigator and the person selected will depend on the nature of the concern e.g. an employment related issue may be investigated by Human Resources whilst a safety concern may be investigated by Health and Safety.

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7.3 The level of communication between the investigator and the person raising the concern will depend on the nature of the allegations and the information provided. It may be necessary for the investigator to contact the person raising the concern (unless anonymous) to request more detail and clarification. If the investigator meets with the person raising the concern then the latter has the right to be accompanied by a colleague, friend or other representative.

7.4 If a whistleblower is required to give evidence in subsequent disciplinary or even criminal proceedings, the Group will provide the appropriate advice and support. Wherever possible, the Group will provide feedback to the whistleblower although the level of detail that can be provided may be restricted for data protection or other legal reasons.

8.0 Abbreviations and References

8.1 Group - Progress Housing Group Limited (and its subsidiary companies)

8.2 Public Interest Disclosure Act 1998.

8.3 Data Protection - any data held or collated within the scope of this policy will be handled in accordance of the Data Protection Act 2018 and the Group's Data Protection Policy.

8.4 Fraud Response Plan

8.5 Anti-Fraud, Anti-Money Laundering and Anti-Bribery Policy

9 IMPLEMENTATION

9.1 Training - all employees are made aware of this policy as part of their induction. A specific training module will be accessible on MYLO. Members of the Internal Audit Team are also available to attend team meetings to discuss this policy and other related matters.

10 CONSULTATION

10.1 This policy has been consulted with employees internally and received Audit Committee approval.

11 REVIEW

10.1 This policy will be reviewed every three years unless changes to legislation, best practice or the Group's requirements necessitate a sooner review.

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12 EQUALITY IMPACT ASSESSMENT

- 12.1 An Equality Impact Assessment (EIA) has been undertaken to determine whether this policy, or access to it, has any adverse impacts on groups of individuals falling within one of the nine protected characteristics.
- 12.2 The assessment has deemed that the policy is accessible by protected individuals and groups and does not adversely affect any individual or people in any protected characteristic group.
- 12.3 The full EIA should be read to understand the full details supporting how this assessment has been reached.

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Appendix 1 – examples of fraud risks

- Cyber frauds (e.g. phishing, malware, ransomware)
- Tenancy frauds (and RTB frauds) e.g. money laundering, illegal tenancies, illegal succession, subletting, Cuckooing
- Payment and push payment fraud
- Procurement, planned works and construction frauds (collusion and falsification of tender information)
- Construction frauds (e.g. overvaluing contract work)
- Social Engineering fraud (tricking to obtain access to privileged information/identity)
- Supplier mandate fraud (fraudulent change of bank details) and duplicate invoice fraud
- Key person fraud (impersonation fraud - e.g. CEO or CFO instruction)
- Physical security fraud (tailgating)
- Employee identity fraud (e.g. right to work, previous roles, qualifications)
- Payroll frauds (e.g. ghost employees, former employees and expenses frauds)
- Teeming and lading frauds
- Credit card frauds (e.g. card detail skimming or pin skimming)
- Financial statement frauds (fraudulent misstatement of accounts)
- Treasury frauds (e.g. payment diversion)
- Theft (supplies, equipment)