



Whistleblowing Policy

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Contents

Regulatory Standard.....	3
1. Introduction	3
2. Background	3
3. Definitions	4
4. Policy Statement	4
Communication and Openness.....	5
Safeguards.....	6
5. Financial Implications.....	10
6. Regulatory Considerations.....	10
7. Risks	10
8. Equalities Impact.....	11
9. Monitoring and Review.....	11

Regulatory Standard

Standard 5 – The RSL conducts its affairs with honesty and integrity

5.6 There are clear procedures for employees and governing body members to raise concerns or whistle blow if they believe there has been fraud, corruption, or the wrongdoing within the RSL.

1. Introduction

Cadder Housing Association is committed to the highest standards of openness, probity and accountability. As employees (and others that we deal with) are often the first to realise that there may be something seriously wrong, the Association wishes to ensure that all employees are enabled to whistleblow and those who have concerns about any aspect of our work can come forward and speak up without fear of reprisal.

The Association recognises that it is an important aspect of accountability and transparency to provide a mechanism to ensure that no employee, Board Member, or Stakeholder of the Association feels at a disadvantage in raising legitimate concerns.

2. Background

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. These concerns must be made in the ‘public interest’ as outlined in the Enterprise and Regulatory Act 2013, in addition if a disclosure is not made in ‘good faith’ this will still be considered by an employment tribunal, but in such circumstances this can reduce any compensation payable.

The Association is fully aware of its regulatory requirements on Whistleblowing and allegations through the Scottish Housing Regulator’s Regulatory Framework and associated guidance on improper conduct within a regulated body.

This policy is in addition to the Association’s complaints procedures and other statutory reporting procedures.

All employees, contractors, other bodies, agency staff, etc. working for the Association on our premises are covered by this policy. The policy also applies to suppliers and those providing services under a contract to the Association on any of our premises.

This policy is intended to cover staff, Board Members, consultants or contractors working with us. If a tenant, member of the public or other service user, raises any concerns that would normally be called “Whistleblowing” they should be encouraged to speak to the Chief Executive / Chairperson, or submit their disclosure and information in writing marked “Private & Confidential” for their attention at Cadder Housing Association, 20 Fara Street, Cadder, Glasgow, G23 5AE

3. Definitions

Whistleblowing - Disclosure of information which relates to suspected wrongdoing or dangers at work. This may include: bribery; financial fraud or mis-management; conduct likely to damage reputation or financial wellbeing; neglect or abuse of vulnerable customers, clients or colleagues

4. Policy Statement

4.1 The Association recognises that our Board and staff will very often be the first to see or suspect misconduct or wrongdoing. While very often it may be innocent, it could turn out to be fraud on our organisation, be a potential public danger, or some other form of serious malpractice.

4.2 We wish to encourage all of our Board members and staff, at all levels, to be vigilant and to raise such concerns in a sound way to demonstrate and ensure good practice in all our activities.

4.3 We wish to make it clear to our tenants, our staff, the local community and various partners that the Association will take firm and decisive action against any individual or organisation who attempt to defraud us or who are reckless about our good reputation.

4.4 For the purposes of this policy, we consider that examples of potential malpractice in the Association would include:

- Financial malpractice, Impropriety or fraud;
- A miscarriage of justice
- Professional malpractice
- Bribery and corruption;
- Failure to comply with the Association's Policies and current legislation
- Failure to comply with the Association's Codes of Conduct for Employees or Board Members
- Breach of contract;
- Non-disclosure of interests
- Breaches of confidentiality
- Serious negligence:
 - Danger to health and safety or the environment;
 - Legislative or administrative breach (e.g. allocations);
- Criminal activity;
- Public safety issue;

- Discrimination;
- Pollution;
- Harassment, bullying and violence of any kind in the workplace
- Use of discriminating practices or actions
- Gross negligence of duties and responsibilities
- Improper behaviour towards tenants or acting on behalf of tenants in personal matters, particularly financial matters
- Improper conduct or unethical behaviour; and
- The cover-up of any of these.

4.5 This policy should not be confused with the Grievance Procedure which should be used where an employee is aggrieved with their personal position. Tenants or service users who are aggrieved about their individual situations should use the Association's Complaints Procedure.

Communication and Openness

4.6 This policy will be provided to every employee and Board Member of the Association and will be discussed at staff and Board induction, staff meetings, publicised in our staff hand book, and wherever else appropriate. There will be training provided to the Board and staff on this policy.

4.7 Cadder Housing Association has a proven track record, we wish to protect our good name and we will take firm and decisive action against any individual or organisation who threatens it.

4.8 We consider that our employees have a considerable contribution to make in the development of our organisation and ensuring a constantly improving quality of service and performance. Their contribution can be ensured by good communication throughout the organisation enabling them to fully contribute to the Association's work and raise good ideas and concerns without fear or favour. This is demonstrated in our approach to communication with staff (including staff/team meetings, staff/ Board away days, etc.).

4.9 The Association has developed policies which meet the requirements of the law, our regulator (The Scottish Housing Regulator) and good practice in housing and employment. Particularly relevant in this area are our policies on conflict of interest; donations, gifts and hospitality; entitlements, payments and benefits; health and safety; procurement, customer services, finance, equal opportunities and dignity at work.

Safeguards

Protection

4.10 The Association will offer protection to those employees who disclose such concerns provided the disclosure is made:

- in good faith;
- to an appropriate person/body; and
- in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety.

4.11 We will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect the individual when they raise a concern in good faith.

4.12 Board or staff members considering whistleblowing may also obtain independent advice on the matter. E.g. internal or external auditors, Association's solicitors or other organisation as listed in Appendix 1.

Confidentiality

4.13 All concerns will be treated in confidence and every effort will be made not to reveal the individual's identity if they so wish. However, at the appropriate time the individual may need to come forward as a witness.

Anonymous Allegations

4.14 We encourage individuals to put their names to any disclosures they make. Concerns expressed anonymously are much less powerful and we would like to have the opportunity to speak to individuals and keep them informed on their disclosure.

Malicious or Untrue Allegations

4.15 If an individual makes an allegation in good faith that is not confirmed by the subsequent investigation, no action will be taken against that individual. However, if the individual makes an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against the individual concerned.

4.16 A whistleblowing disclosure about senior staff or Board Members have to be managed effectively to avoid any conflict of interest. We will ensure that these disclosures are investigated by

individuals that are independent to the situation and can be impartial in the outcome of the disclosure, for example EVH, Auditors, Solicitors or Consultants.

4.17 The Association will immediately notify the Scottish Housing Regulator of any incidence of whistleblowing including disclosures against a senior staff or Board Members, which is within the Regulator's guidance on 'Notifiable events'.

Raising a Concern

4.18 An individual who believes there to be improper conduct should normally raise concerns with their line or sectional manager. This information will be passed on as soon as is reasonably possible to the appropriate designated investigating officer as follows:

4.19 A disclosure of malpractice will be investigated by the Chief Executive or a member of the Senior Staff Team unless the disclosure is against them or is in any way related to the actions of the Chief Executive. In such cases, the disclosure should be passed to the Chairperson for referral.

4.20 The Chief Executive will be available to all staff, however the person raising a disclosure has the right to bypass the line management structure and take their disclosure direct to the Chairperson. The Chairperson has the right to refer the disclosure back to management if he/she feels that the management, without any conflict of interest, can more appropriately investigate the matter.

4.21 In the case of a disclosure that is in any way connected with but not against the Chief Executive, the Chairperson will decide how this will be managed to avoid any conflict of interest.

4.22 Individuals can also raise concerns with the Scottish Housing Regulator's Support and Intervention team. The Regulator will likely wish to meet with the individual to discuss their concerns on an individual basis.

Communicating the Disclosure

4.19 Although the individual is not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

4.20 Concerns may be raised verbally or in writing. Any individual making a written report is invited to use the following format:

- The background and history of the concern (giving relevant dates).
- The reason why there is concern about the situation.

4.21 In situations where a disclosure is made verbally, the person should be encouraged to put their concerns in writing or the person in receipt of the disclosure should record a note of person's concerns, which will form a formal note of the disclosure.

4.22 The earlier the individual expresses their concern, the easier it is to action. Employees can also gain advice, in confidence, by contacting the following

- Trade Union; Unite on 0141 404 5424
- Internal Auditor; Cameron Audit on 0330 043 3094
- External Auditor; Wbg Services LLP on 0141 566 7000
- Association's Solicitor. BTO Solicitors on 0141 221 8012
- Data Protection Officer Darajeet Jagpal on 07852 905779

Process

4.23 On receipt of a disclosure the Chief Executive or Chairperson will consider the information made available to him/her and decide on the form of investigation to be undertaken. This may be to:

- Investigate the matter by management, and/or
- Refer the matter externally to the internal or external auditors, solicitors or the Police Scotland.

4.24 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Timescales

4.25 The person who will have to reach the decision on the matter should not carry out the investigation. The responsible person will write to the individual concerned within ten working days of a disclosure being made. They will:

- Acknowledge that the concern has been received;
- indicate how the matter will be dealt with;
- give an estimate of how long it will take to provide a final response;
- tell the individual whether any initial enquiries have been made;
- supply the individual with information on staff support mechanisms; and tell the individual whether further investigations will take place and if not, why not.

4.26 The amount of contact between the persons considering the issues and the individual will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, we will seek further information from the individual concerned.

4.27 Where any meeting is arranged, the individual can be accompanied by a trade union representative and also have the meeting off-site if they so wish.

Progress of the Whistleblowing Disclosure

4.28 The Association is committed to keeping the person(s) making the disclosure updated on the progress of their disclosure and, if appropriate, on any resultant action that is proposed.

Outcomes of Investigations

Whistleblowing disclosure Upheld

4.29 Once all facts are established the Chief Executive or Chairperson will decide what action to take. If the disclosure is justified, then the Association will invoke the appropriate procedures.

Alternatively, the disclosure may be referred to an external body.

Appeal

4.30 There are two situations where individuals who raise a concern under this policy have a right of appeal.

4.31 Firstly, where a concern is rejected on the basis it is judged as not falling within the scope of the whistleblowing policy, an individual may appeal this decision. Secondly, a whistle-blower may appeal if, following an investigation, they disagree with the decision and proposed course of action.

4.32 Appeals must be made in writing, with the reason for the appeal clearly stated, and submitted to the Chief Executive within two weeks of the individual being notified of the decision. In the event the decision was made by the Chief Executive, the appeal should be directed to the Chairperson of the Board. In the event the decision was made by the Chairperson or a Panel of Board Members, the appeal will be to a separate Panel of Board Members.

4.33 Any individual considering submitting an appeal may obtain independent advice on the matter.

4.3 In order to properly consider the appeal and review the decision, the Chief Executive or Chairperson will invite the individual to attend a meeting. The individual may be accompanied by a work colleague or trade union representative, while the Chief Executive or Chairperson may also arrange for a note taker to be present.

4.35 The Chief Executive or Chairperson will ask the individual to obtain any additional information or clarification they require in relation to the initial allegation or the circumstances giving rise to the appeal. The individual will be given the opportunity to present any substantiating evidence.

4.36 Following the meeting, the Chief Executive or Chairperson, will communicate their decision to the individual in writing within 5 working days. If for any reason there is a delay in issuing a response a letter will be issued confirming the reason and a revised timescale and date for decision to be communicated. This will confirm the Association's final position on the matter.

4.37 For the avoidance of doubt, the appeals process is not appropriate in instances where an individual is dissatisfied with the way their concern has been handled. This includes for example, where they believe there has been a lack of action, that their concern has not been treated seriously and given due consideration, or that the correct process has not been followed.

4.38 In these instances, the matter may be pursued in alternative ways. Specifically, staff members can raise the matter outside the Association, as noted above.

5. Financial Implications

There are no financial implications as a result of the implementation of this Policy.

6. Regulatory Considerations

As a registered social landlord and charity, we require to comply with the Scottish Housing Regulator's regulatory framework and charity law. As such, we will comply with provisions in relation to notifying the regulator where whistleblowing has been disclosed.

7. Risks

This implementation of this Policy offers additional safeguard to mitigate risk to the Association.

8. Equalities Impact

This policy will have no direct impact upon the 'protected characteristics' contained within the Equality Act 2010.

We will also be aware of the way in which we present this option to employees and the language and process that we use when discussing any proposition with them. We will avoid making any assumptions that may be viewed as discriminatory, and/or taking actions, which in themselves could be perceived as victimising the employee concerned.

9. Monitoring and Review

The delivery of this Policy will be monitored by the Board.

All instances of Whistleblowing and associated investigations will be properly recorded and documented. Relevant details will be reported to the Board, either where approval for a course of action is required; or as part of periodic statistical reporting.

This policy will be reviewed every two years or sooner if required due to regulatory/ legislative changes.

Last updated: November 2025